

Employment Matters

UK Employment Tribunal Fees are Being Scrapped

In 2013, the UK introduced fees for claims made to employment tribunals and the Employment Appeal Tribunal. The legality of this was challenged by Unison, the trade union. Today, the Supreme Court unanimously ruled that tribunal fees restrict access to justice and should be scrapped. They also said that the fee system was discriminatory as it disproportionately affected women. Research shows the number of employment tribunals claims fell by 79 percent after fees were introduced.

What Does This Mean for Businesses?

- Fees are being scrapped with immediate effect, but in the long run, it is likely that fees will be reinstated at a lower level, or linked to the value of the claim.
- The Government has committed to reimbursing approximately £32 million in fees to employees who had to pay them between 2013 and 2017.
- It is possible that individuals with claims which are no longer in time will attempt to lodge claims on the basis that the fees were a hindrance to them pursuing their claim within the requisite time limit, but that would be a difficult argument to sustain.
- Many employers will greet this news with some trepidation as it is likely to lead to more claims, particularly in industry sectors that have a low- to middle-income workforce and are not unionised (as unions tend to back claims and pay tribunal fees on behalf of their members).

For more information about these issues or if you would like to discuss an employment-related matter, please contact: [Christopher Hitchens](#) at +44 (0) 20 7776 7663 or [Sarah Bull](#) at +44 (0) 20 7770 5222.

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