

## SCHEDULE 1

### THE INDUSTRIAL TRIBUNALS AND FAIR EMPLOYMENT TRIBUNAL RULES OF PROCEDURE 2020

## PART 2

### STARTING A CLAIM

#### Rejection

- 11.—(1) The Secretary shall refer a claim form to an employment judge if—
- (a) it is not made on a prescribed form;
  - (b) it does not include the information specified in rule 9(3); or
  - (c) the Secretary considers that the claim, or part of it, may be—
    - (i) one which the tribunal has no jurisdiction to consider;
    - (ii) one which includes insufficient information to enable the basis for the claim to be established or is in a form which cannot sensibly be responded to or is otherwise an abuse of process; or
    - (iii) one which, although starting relevant proceedings—
      - (aa) confirms that an early conciliation exemption applies where no such exemption applies; or
      - (bb) records a name or address for the claimant or the respondent differing materially from the name or address recorded for the prospective claimant or the prospective respondent (as the case may be) on the early conciliation certificate to which the early conciliation number relates.
- (2) The claim, or part of it, shall be rejected if the employment judge considers that it is of a kind described in paragraph (1), except that the claim shall not be rejected—
- (a) if paragraph (1)(a) applies and the employment judge considers that the information provided in the claim form is substantially the same as the information which would have been provided had the prescribed form been used or if the claim relates to the proceedings specified in regulation 15(2);
  - (b) if paragraph (1)(c)(iii)(bb) applies and the employment judge considers that the disparity between the information provided, respectively, in the claim and the early conciliation certificate is not such as to cast doubt on the identity of the claimant or respondent and that it would not be in the interests of justice to reject the claim.
- (3) If the claim is rejected, the rejected claim form shall be returned to the claimant together with a notice of rejection giving the employment judge's reasons for rejecting the claim, or part of it. The notice shall contain information about how to apply for a reconsideration of the rejection.