

HRnews

Delays at Employment Tribunal reach 8 months - up 14% last year

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The average waiting time between employment tribunal receiving a claim and when that claim is heard in a tribunal reached 237 days this year, the equivalent of eight months and up 14% from 207 days last year, says [GQ|Littler](#), the specialist employment law firm.

Increasing in waiting times at the Employment Tribunals have now risen for four years in a row creating significant costs and disruption for businesses facing these claims (see graph).

The lag between receiving claims and a full hearing shows the pressure employment tribunals have been under since fees were abolished in July 2017. The abolition of fees led to a sharp rise in claims at a time when tribunals were already having to cope with restricted government funding.

Recent data shows that the number of claims received by employment tribunals has risen 27% over the last year to 35,430 in 2018/19 (year-end 31st March), up from 27,920 in 2017/18 (single claims).

Restricted funding means HM Courts & Tribunals service is finding it difficult to employ enough front-line judicial staff, such as salaried judges, and key administrative support staff to deal with their caseload. This is resulting in growing delays.

According to a report from the Bar Council, between 2010 and 2018 expenditure on courts and tribunals fell 6% from £1.96bn to £1.84bn. This corresponds to a 17% decline in real terms.

[GQ|Littler](#) says the increasing average waiting time is exacerbating problems for employers who face uncertainty for months over the outcome of a claim, with senior management often distracted from more strategic management issues as a result. Employees are also frustrated by the delay in resolution of their complaints.

At certain pressure points in tribunals system, such as at Croydon Employment Tribunal, it has been widely reported that some cases received now are not being listed until 2021.

To help address the growing waiting time and backlog of cases, the Judicial Appointments Commission launched a recruitment drive earlier this year to hire an extra 54 salaried employment tribunals judges. 27 have been appointed as of July 2019 with further planned.

Raoul Parekh, Partner at GQ|Littler, says: “Many businesses facing an employment claim feel like they are operating under a cloud until that claim is dealt with. That’s why it’s important to get these claims dealt with quickly.”

“But at current trend Employment Tribunals will soon reach breaking point.”

You can read the full article [here](#).