

APP SHEET Documents to be included with an application (employment cases)



Sufficient documents should be included with an application for Advocate to be able to make a decision as to whether to assist a case or not.

- If the papers are very bulky (over 100 pages) it would be helpful if you make a selection of what seems the most important; but also provide a summary of what other documents exist, so that if we need more we can ask you for it
- Always put documents in date order.

What is required will depend upon whether proceedings have been started in the Employment Tribunal.

Where proceedings have not yet started Advocate must be provided with copies of the following:

- The relevant documents such as contractual documents, correspondence, notes of meetings etc.
- The charge letter and/or dismissal letter (if the matter relates to unfair dismissal, the dismissal/charge letter).
- Payslips (if the matter relates to non-payment of wages).

Where proceedings have started Advocate **must be provided with copies of the following:**

- **Notification to ACAS** that you wish to start a claim and confirmation that you have the legal address of your employer.
- **ACAS Certificate** (if provided)
- The **ET1 form** (the form used to begin proceedings) with any further
- The **ET3 form** (the employer response)
- A copy of any **Orders** made by the **Employment Tribunal**
- Skeleton Arguments (if any)
- The relevant documents such as contractual documents, correspondence, notes of meetings etc.
- If witness statements have been drafted they should be provided

If proceedings have not been started, all relevant documents (as above) should be provided so that a proper view of the merits can be obtained and, if appropriate, tribunal documentation drafted.

For appeals to the **Employment Appeal Tribunal and Court of Appeal** Advocate **must be provided with the following:**

- The decision of the **Employment Tribunal or Employment Appeal Tribunal (EAT)**.
- Any **Orders** made by the **Employment Tribunal, EAT or Court of Appeal (including the Reasons for the decision)**.
- The **ET1, ET3, EAT1** (form to appeal against an Employment Tribunal Order) and **EAT3** (form to respond to an appeal when asked to do so).
- If appealing to the **Court of Appeal, the Application Notice and Grounds of Appeal, and Response to the Application Notice**.
- Any witness statements

- The tribunal bundle or if it is very bulky, the most relevant documents

Note: strict time limits apply for applications to the Employment Tribunal and for appeals to the EAT and Court of Appeal. Until an applicant has been informed of the name of the Panel barrister who has agreed to assist, the applicant will be responsible for ensuring that the time-limits are complied with.

Always send photocopies not original documents. Any documents supplied will be destroyed after closure of a file unless it is indicated that an applicant wishes to recover papers from Advocate. Any such indication must be made **at the time of making the application or submitting any further documents**. Papers can be recovered by the applicant or an adviser to the applicant in person, by supplying a DX number, or by sending a cheque for postage. Papers must in any case be recovered within 6 weeks of the closure of a case by Advocate unless special arrangements are made before this time.

Please avoid sending faxes except where urgent. We cannot normally accept faxes of more than 20 pages in length.

Information sheets are available specifying the documentation which needs to be provided for the following types of case:

- Criminal cases
- Defamation cases
- Employment cases
- Family cases (child)
- Family cases (financial)
- General
- Immigration cases
- Judicial Review cases
- Planning cases
- Professional Disciplinary cases
- Wills & Probate cases

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