

Guidance Notes: Completion of a Complaint to the Employment & Equality Tribunal

Welcome to the online form to enable you to present a Complaint to the Employment and Equality Tribunal. The Full Guidance Notes below will assist you when completing this form. If you are at all unclear about the Complaint(s) that you wish to present then further assistance can be obtained from the relevant conciliator, whose contact details can be obtained via the buttons shown below.

Please note that the form cannot be saved and therefore must be completed in one sitting; please do not close the browser tab or the browser itself as you will not be able to recover the form or any data therein. We would recommend using either Google Chrome or Microsoft Edge as the default web browser.

How to complete your Complaint to the Employment & Equality Tribunal

These guidance notes have been prepared to assist with the completion of a complaint to the Employment & Equality Tribunal ("the Tribunal"). They do not purport to be a complete or definitive statement of the law.

Guidance Notes

You should carefully read these notes before completing your complaint to the Tribunal.

Further information about the Tribunal is available at this [Link](#)

Discussing the matter before making a Complaint

You may wish to discuss the matter before making a Complaint with the relevant conciliation service provider. Click one of the following links according to the nature of your Complaint (for contact details):

- For **Work** related issues the **Manx Industrial Relations Service ("MIRS")**, who provide a free and impartial service, and are available to talk to individuals and employers with regard to matters such as employment rights and employment disputes. They can seek to resolve matters through conciliation either prior to a complaint being made to the Tribunal, or after a Complaint and Response have been submitted. **MIRS** can be contacted via this [Link](#)
- For **Education** related issues the person appointed by the **Department of Education, Sport and Culture** to conciliate in proceedings can be contacted via this [Link](#)
- For **Goods & Services/Other** related issue arising under the provisions of the Equality Act 2017, the **Office of Fair Trading** can be contacted via this [Link](#)

Help may also be available from other sources or you may wish to seek legal advice.

Time Limits and Complaints to the Employment and Equality Tribunal

It should be borne in mind that **strict time limits** apply with regard to presenting a complaint to the Tribunal. Details of the time limit for any particular complaint can be obtained by contacting the relevant conciliator - see contact details above.

Please note that discussions with a conciliator **will not alter or extend** the legal time limits.

If you are presenting a complaint outside of the relevant time limit you must apply to the Tribunal for an extension of time, which must be submitted with your complaint **and** include an explanation as to why you could not comply with the time limit. Your application can be set out in the section of this form entitled **Extension of Time Application**.

If no such application is made, the complaint will be returned and treated as if it had not been submitted.

If you are close to the expiry of a time limit then you should be mindful of the office opening hours of the Tribunals' Centralised Administration Office, which are 9:30am to 4:30pm Monday to Thursday (4:00pm Friday). This is because the Tribunal Rules provide that **any document submitted after the office closes will be treated as having been delivered the next day that the office is open for business.**

Filling in the Complaint Form

As indicated by questions marked with a red asterisk (*), certain information must be provided in the complaint.

You will be unable to progress to the next page of the Complaint Form if you have not entered the required information.

Please note that a complaint form may only be used by one complainant to present their complaint.

*Confirmation of Reading Guidance Notes	You are strongly encouraged to read the Guidance Notes and the further information about the Tribunal before completing the Complaint Form.
Complainant's Details:	
*Title	Please select from the dropdown list, or click "Other" and enter the details, to provide your title.
*Forenames(s)	Give your forename(s) in full.
*Surname	Give your surname.
*Date of birth	Give your date of birth in day/month/year format (for example 25/06/1970).
*Address including Postcode	<p>Note: Selecting "Isle of Man/United Kingdom" in the "Your Country" section will activate a postcode look up option to assist in entering your address details. Enter the postcode only, or both the postcode and the property number only in the "First line of address" box, before pressing "Look Up". When the correct address is identified in the dropdown list press "Use this Address" and the details will be populated below. Selecting "Other" will require you to enter the address details manually.</p> <p>Please provide the full postal address including the post code.</p> <p>This is the address to which correspondence will be sent unless you have chosen to be represented by someone else and have provided their details.</p> <p>If you or your representative change address (or if you choose to be represented by someone else at a later date) you should immediately provide notice of such change to the Clerk and to the other party/parties and to the conciliator dealing with your case.</p>
Email Address	If you are happy to be contacted by email please provide your email address. If you provide an email address you should ensure that you check your emails every day as all correspondence will be by email.
*Mobile/Home/Work Telephone Numbers	From the Primary Phone Number, Type dropdown list you will be presented with the options of Mobile, Home & Work Telephone Numbers to choose from. If you are happy to be contacted by telephone during normal working hours, please provide mobile, home and/or work telephone numbers as appropriate (including the full dialling code and without any spaces). You also have the options to provide additional Telephone Numbers, via selecting the "Add Phone Number" option.
*Will you be representing yourself?	<p>Selecting "No" in this section will enable you to provide the details of the person who is to represent you. If you select, "Yes" then no further information is required.</p> <p>Once the details of a representative have been provided all future correspondence will only be sent to that person, not to you.</p>

	If you choose to be represented at a later date you should immediately give notice of your representative to the Clerk and to the other party/parties and to the conciliator dealing with your case.
Representative Information:	
*Title	Select from the dropdown list to indicate and confirm your representative's title.
*Forenames(s)	Give your representative's forename(s) in full.
*Surname	Give your representative's surname.
Capacity of Representative	<p>Please select the type of representation you have engaged from the dropdown list.</p> <p>If you select "IOM Advocate", then you will be provided with a dropdown list from which to select the "Advocate's Firm", which will then auto-populate the Representative Address details below. If your Advocate's firm does not appear within this list, you will be required to manually fill in the address details below. In either case you will have to provide the representative's direct telephone number and email address.</p> <p>If you select "Other" you will be prompted to "Please Specify" the type of representation.</p>
Representative Phone Numbers	If your representative is happy to be contacted by telephone during normal working hours, please provide their direct telephone number (including the full dialling code and without any spaces).
Representative Email Address	If your representative is happy to be contacted by email please provide their email address. If your representative does provide an email address you should ensure that they check their emails every day as all correspondence will be by email to them.
*Representative Address including Postcode	<p>Note: Selecting "Isle of Man/United Kingdom" in the "Representative Country" section will activate a postcode look up option to assist in entering your representative's address details. Selecting "Other" will require you to enter the details manually.</p> <p>Give your representative's full postal address including the postcode.</p> <p>This will be the address to which all correspondence will be sent in future (unless you have provided an email address for your representative).</p> <p>If you or your representative change address, or if you choose to be represented by someone else at a later date, you should immediately provide notice of such change to the Clerk and to the other party/parties and to the conciliator dealing with your case.</p>
*Video Hearing Availability	Please indicate if you are able to take part in a hearing by an audio/visual solution, examples being telephone conference call and/or Microsoft Teams (requires internet access).

Complaint Information:	
*My Complaint relates to	Please select the appropriate radio button to indicate whether your complaint relates to Work, Education or Goods/Services/Other.
*Type and details of Complaint	<p>Dependent upon your selection to the previous question you will be presented with options to tick to identify the nature of your complaint(s). Remember that a complaint for Unlawful Deduction from Pay/Holiday Pay/Notice Pay includes a complaint for non-payment of monies you believe you are owed.</p> <p>If there is not an appropriate tick option available then you can add to your complaint by ticking the box "I am making another type of complaint which the Employment Tribunal can deal with" and manually entering brief detail to describe</p>

	the type of complaint involved. If you at all unsure whether this is a valid type of complaint then please speak to the relevant conciliation service provider.
*Brief Summary of the Facts giving rise to your Complaint	When completing this section you need to set out the main facts supporting the complaint(s) you are making, in chronological order. Wherever possible, you need to include the date(s) when the event(s) you are complaining about occurred. You need to provide sufficient relevant details to identify and explain the basis for all your complaint(s) – but be concise as you will have an opportunity later to give a full witness statement. If you are complaining of an Unlawful Deduction from Pay, please explain why you believe you are entitled to this payment, how much you are claiming and how you have worked this out. If you are complaining of more than one type of payment please give the amounts claimed and how you worked out each amount.
Protected Disclosure	If your Complaint alleges that you have made a protected disclosure (otherwise known as 'whistleblowing') as defined under the provisions of Section 49 of the Employment Act 2006, please tick the box if you would wish for the Chairperson or Tribunal to consider sending a copy of your Complaint to the relevant regulator.

Employment Information

If you are not, or were not, an employee, but are, or were, a worker providing services to the Respondent (examples of which might include an agency worker, a casual worker or a freelance worker), please answer this question as if "employment" referred to your working relationship with the Respondent. (Note - if you are not, or were not, an employee your employment rights may be more limited - seek guidance from the Manx Industrial Relations Service if you are unsure).

*Are you, or were you, an employee of the respondent?	Please indicate if you are, or were, an employee of the Respondent using the appropriate option button.
If Yes:	
*Start Date	If your complaint is against your employer or ex-employer, please give the date when your employment started in DD/MM/YYYY format (for example 10/06/1990).
Job Title	Please indicate your job title.
*Are you still employed in this position?	If you are still employed no further detail is required. If your employment has ended, or you know the date when it is due to end then enter the date in DD/MM/YYYY format (for example 10/06/1990).
Pay Before Deductions	Please provide details of how much you are or were paid by the Respondent, firstly in terms of your pay (gross) before deductions for Income Tax and National Insurance Contributions, and then your normal take-home (net) pay (in other words including overtime, commissions and bonuses but after deductions for Income Tax and National Insurance Contributions). Select the appropriate button to confirm the frequency at which you receive the pay that you have indicated. Please also indicate if you have any additional earnings or benefits – if “Yes” then provide details in the box.
Normal Take Home Pay	
Pay Frequency	
Additional Earnings or Benefits	
If No:	
*If not an employee, what is your working relationship?	Please select from the drop down list to indicate your working relationship with the Respondent.
Please specify your working relationship	If you select “Other”, please clarify your working relationship with the Respondent.

Details of Respondent(s):

The Respondent is the employer, organisation or individual(s) against whom your complaint is made. Up to five Respondents can be added.

*Respondent's name	Before completing this section it is important that you should carefully consider who it is that you are complaining against and ensure, as far as you are able, that you accurately identify the details of the Respondent. For example, even if a Complainant works in a business generally known as "Joe
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	Soaps" the Respondent's correct details may in fact be "Joe Soap Limited" or "Joe Soap & Fred Bloggs trading as Joe Soaps". Your Job Offer, Terms & Conditions of Employment or Pay Statement may help in identifying the correct details of the Respondent.
Respondent Phone Number	Please give an appropriate telephone number (including the full dialling code and without any spaces) where the Respondent can be contacted during normal working hours.
Respondent Email Address	If the Respondent has an email address which they are contactable through, please provide the details in this box. It is important that you ensure the accuracy of the email address as this will be used for the service of your complaint on the Respondent.
*Respondent Address including Postcode	Note: Selecting "Isle of Man/United Kingdom" in the "Respondent Country" section will activate a postcode look up option to assist in entering the Respondent's address details. Selecting "Other" will require you to enter the details manually. Give the full postal address, including the postcode, for the Respondent. It is important that you accurately identify, as far as you are able, the correct full address details for the Respondent.
Add Another Respondent	If you intend to bring your Complaint against more than one Respondent, please select the "Add Another Respondent" button, which will provide you with the ability to add the details of an additional four Respondents. If the number of Respondents exceeds five, please contact the Clerk to the Tribunals Office.

Supporting Documentation

You **cannot** submit any supporting documentation or evidence with this form (if it is required it will be called for at a later stage in the proceedings). If you plan to rely upon documentation or evidence please provide a simple list of it, for example: 1. Contract of Employment; 2. Pay Slip etc.

Extension of Time Application

If you are making a complaint outside a relevant time limit imposed by law (if you are uncertain as to the time limit(s) then check with MIRS or other conciliator), a written application to the Tribunal to extend the time for bringing the complaint must be submitted with your complaint, including an explanation as to why you could not comply with the time limit. If no such application is made, the complaint will be returned and treated as if it had not been presented.

Additional Needs

Should you have any additional needs, e.g. any reduced mobility, or restriction in your vision or hearing, or English is not your first language, please let us know if we need to make any special arrangements for you when dealing with your case (e.g. if we need to arrange for a hearing loop, interpreter etc.). If you are unsure, please feel free to contact the Clerk and discuss the matter as appropriate.

*Confirmation

Data Protection

As a statutory requirement some of the information you give us on this form will be held electronically and on a Public Register/Website. We will also send a copy of this form to the respondent(s) and any third party relevant to your complaint, e.g. the conciliation service provider relevant to your complaint. Except with your express permission we will not send any of your information to any other person whom we don't have an obligation in law to make aware of the complaint.

Declaration

Using the tabs either at the top of the form or at the bottom of each page, please review the form to check that you have answered all of the questions to the best of your ability and, once you are satisfied, you should complete the declaration by entering the full name of the individual who has completed the form - this must be either the Complainant or their appointed representative.

You need to agree with the above statements and tick the box.

Press the "submit" button to electronically submit your complaint to the Clerk to the Tribunal.

Further Assistance:

If you have any difficulties in completing the form then the Clerk to the Employment & Equality Tribunal can be contacted as below.

Clerk to the Employment & Equality Tribunal
Tribunals Office
Murray House
Mount Havelock
Douglas
Isle of Man
IM1 2SF.

Contact details:

Tel: +44 (0)1624 685941

Email: tribunals@gov.im

Office opening hours

9:30am to 4:30pm Monday to Thursday
(4:00pm Friday)

