

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

Welcome to the online form to enable you to present a Response to a Complaint to the Employment and Equality Tribunal ("the Tribunal"). The Full Guidance Notes below will assist you when completing this form. If you are at all unclear about responding to the Complaint(s) 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 Response to a Complaint to the Employment & Equality Tribunal

These guidance notes have been prepared to assist with the completion of a response to 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 response to a complaint to the Tribunal.

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

Discussing the matter before presenting a Response

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

- For **Work** related issues the **Manx Industrial Relations Service**, 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. The **Manx Industrial Relations Service (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 Presenting a Response to the Tribunal

It should be borne in mind that there is a **strict time limit of 28 days in which to Present a Response**. Rule 46(2) of the Employment and Equality Tribunal Rules 2018 ("the Rules") provide for the 28 day period to commence from the day following the date of the notification of the Complaint. For example, a respondent is sent a copy of a complaint on 1st October. He or she must present a response to the Clerk within 28 days of the date on which he or she was sent the copy. The last day for presentation of the response is 29th October.

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

If you are to present a response outside of the time limit you must apply to the Tribunal for an extension of time either before or at the same time as presenting a Response, and you must include with your application an explanation as to why you cannot or could not comply with the time limit. An application in advance of

presenting your response should be made in writing to the Clerk to the Tribunal. If your application is to accompany the response then this can be set out in the section of this form entitled **Extension of Time Application**.

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

If you are close to the expiry of the 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 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 Response to a Complaint Form

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

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

*Confirmation of Reading Guidance Notes	You are strongly encouraged to read the Guidance Notes and the further information about the Tribunal before completing the Response Form.
Respondent Information	
*Respondent Name	<p>It is important that the full, correct name of the Respondent to the complaint is entered here. The correct identity of the Respondent can, in most cases, be ascertained by referring to the details identifying the employer in the written statement of terms and conditions of employment.</p> <p>If a complainant has brought their complaint against multiple Respondents, each individual Respondent will be sent notice of the complaint, together with a link to a response form for completion and return.</p>
*Respondent Address including Postcode	<p>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. 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>
Individual to be Contacted	<p>If you, as Respondent, have identified an individual to be contacted, then their details should be entered here.</p> <p>Such a contact person might be, for example, a Human Resource Manager or a named Director with responsibility to deal with the matter.</p> <p>Details of a formal representative who will act on your behalf, such as an Advocate, are requested later in the form, and if completed we will only correspond with that formal representative.</p>
*Title	Please select from the dropdown list, or click "Other" and enter the details, to provide the title of the contact person.

*Contact Forenames(s)	Give the forename(s) of the contact person in full.
*Contact Surname	Give the surname of the contact person.
*Is the contact address the same as the respondent's address?	<p>If yes is selected then the already provided postal address for the Respondent will be used for all correspondence, unless you have indicated that you wish correspondence to be by email.</p> <p>If no, then you will need to provide the full postal address including the postcode of the contact person.</p> <p>Note: Selecting "Isle of Man/United Kingdom" in the "Contact Country" section will activate a postcode look up option to assist in entering the Contact's 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>
Contact Email Address	If the contact person is happy to be contacted by email please provide the details. If an email address is provided the contact should ensure that the emails are checked every day as all correspondence will be by email.
*Contact Phone Number	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 the Respondent. 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> <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.</p>
Representative Information:	
*Title	Select from the dropdown list to indicate and confirm the representative's title.
*Forenames(s)	Give the representative's forename(s) in full.
*Surname	Give the 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 the 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 Number	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).

Response Information	
*Do you resist the complaint in whole or in part?	<p>Please indicate using the option buttons whether or not the Respondent resists the complaint made by the complainant.</p> <p>If you are only resisting the complaint in part, or indeed if the complaint is about more than one issue, please ensure that you clearly identify which aspects of the complaint you are resisting and why.</p>
*If the Complaint is not resisted	If you do not resist the Complaint in its entirety you should seek guidance from the relevant conciliator to settle the Complaint against you.
*Please provide the grounds upon which you, as Respondent, are resisting the complaint.	Please provide the grounds upon which the Respondent is resisting each of the complaints brought by the Complainant.

Supporting Documentation
<p>You cannot submit any supporting documentation or evidence with this form. If you plan to rely upon documentation or evidence later in the proceedings please provide a simple list of it.</p> <p>For example: 1. Contract of Employment; 2. Pay Slip(s), 3. Letter of Dismissal etc.</p>

Extension of Time Application
<p>If you are responding to a complaint outside a relevant time limit imposed by law, a written application to the Tribunal to extend the time for responding to the complaint must be submitted with your response, including an explanation as to why you could not comply with the time limit. If no such application is made, the response will be returned and treated as if it had not been presented. Please use the box below to make your application.</p>

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 Complainant and any third party relevant to the complaint, e.g. the conciliation service provider relevant to the 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 details.

When selecting the dropdown list for the capacity of the person signing the form, you will be presented with the following options to choose from: - Respondent, Director, Human Resources Manager, Manager, Advocate & Other. One of these options must be selected to indicate who has completed the form and what position they hold either within the Respondent or as the Respondent's Representative.

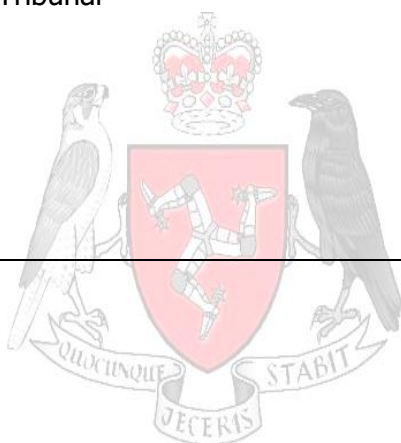
You need to agree with the above statements and tick the box.

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)