

MORE PRACTICAL TIPS

If you are thinking of bringing an Employment Tribunal claim, there are various steps you can take to strengthen your case:

1. Under that Data Protection Act, you are entitled to obtain copies of any documents kept by your employer of which you are the subject. All you have to do to obtain copies of them is to write to your employer asking for copies and enclosing a cheque for £10 – your employer must then provide you with copies within 40 days (there are a few exemptions to this rule but our expert advisers can discuss this with you in more detail. An example of a useful letter you could write to your employer is:

“Dear.....

Please accept this letter as my request under section 10 of the Data Protection Act that you provide me with copies of all documents in your possession or control which relates to me. These include:

[insert examples – e.g. contract of employment, minutes of all relevant meetings, details of any warnings, copies of relevant letters, etc]

I enclose my cheque for £10 payable to [name of employer] and look forward to receiving copies of these documents within 40 days.

Yours sincerely
Etc”

If your employer fails to provide these documents within 40 days, you may be able to take enforcement action and again, our expert advisers will be able to help you with this.

2. If your employer is a public authority, you can request more information under the Freedom of Information Act and again, our expert advisers will be able to discuss this with you in detail.
3. You should keep copies of all documents relevant to your case, including copies of emails you send/receive, letters you send to your employer (and your employer’s replies) and you may consider keeping a diary (for example, if you are being bullied or harassed). If you decide to keep a diary of workplace events (and if in doubt, we would recommend that you do so), your diary entries should include full details of any incident that you feel is relevant to your claim – this includes what was done or said, by whom, when and where exactly this took place and details of any witnesses to the incident.
4. If you have been dismissed, make sure that you also keep copies of any documents showing your attempts to find other employment.

5. If you feel that you have been discriminated against, you can send a **Discrimination Questionnaire** to your Employer setting out details of why you feel that you have been discriminated against. Your employer will then usually have 8 weeks to reply. If your employer does not respond within this time or gives evasive replies, the Employment Tribunal can infer that your employer has discriminated against you. A Discrimination Questionnaire is a very powerful way of obtaining information from your employer. You can serve a Discrimination Questionnaire on your employer at any time, even if you are still employed by your employer.
6. If you feel unfairly treated, consider lodging a grievance with your Employer.