

# Checklist for lodging an appeal in the Employment Appeal Tribunal against a decision of the Employment Tribunal

## REMEMBER!



- The 42 day appeal time limit ends at **4pm** on the 42<sup>nd</sup> day.
- It is YOUR responsibility to make sure you have submitted ALL the required documents *within* that time limit. DO NOT LEAVE IT UNTIL THE LAST MINUTE.
- If your appeal is incomplete because there are missing documents or pages, it is “not properly instituted”, which means it has not been properly lodged.

## THE CHECKLIST



- Read sections 1 to 4 of the EAT Practice Direction and the T440 Guidance.
- Notice of Appeal
  - have you completed all sections of the EAT Form 1 (T444)? Remember to state the date of the decision you are appealing.
- Decision you are appealing
  - have you included a copy of the judgment, order, direction or other decision against which you are appealing?
- Written Reasons
  - have you included a copy of the written reasons (if written reasons are not included in the same document as the judgment or order)?
  - if not, have you requested a copy of the written reasons?
  - if you don't include the written reasons when submitting your appeal you must explain why (see paragraph 3.4 of the Practice Direction).
- Claim (ET1)
  - have you included copies of the Claim (ET1) or, if there was more than one claimant, each Claim in the proceedings as sent to the ET?
  - have you included any document sent to the ET with the Claim (ET1) e.g. a document setting out the details of claim as referred to at box 8.2 of the ET1?
  - if any of these documents are missing when you submit your appeal, you must explain why (see paragraph 3.3 of the Practice Direction).
- Response (ET3)
  - have you included copies of the Response (ET3) or, if there was more than one respondent, each Response in the proceedings as sent to the ET?
  - have you included any document sent to the ET with the Response (ET3) e.g. a document setting out the defence to the claim as referred to at box 6.1 of the ET3?
  - if any of these documents are missing when you submit your appeal, you must explain why (see paragraph 3.3 of the Practice Direction).

**It is your responsibility to submit EVERY page of the required documents. Make sure the copies you use are complete and not missing any pages.**

Submit your file by E-file <https://www.gov.uk/guidance/ce-file-system-information-and-support-advice> (best to use via Firefox browser)

Or email to [londoneat@justice.gov.uk](mailto:londoneat@justice.gov.uk) , or send by post to: EAT, 5<sup>th</sup> floor Rolls Building, Fetter Lane, London EC4A 1NL