STATUTORY INSTRUMENTS

2026 No. 115 (L. 3)

TRIBUNALS AND INQUIRIES

EMPLOYMENT TRIBUNALS

The Tribunal Procedure and Employment Tribunal Procedure (Amendment) Rules 2026

Made - - - -	*5th February 2026*
Laid before Parliament	*9th February 2026*
Coming into force - -	*2nd March 2026*

The Tribunal Procedure Committee(**a**) makes these Rules in exercise of the powers conferred by sections 7, 9(1) and 37QA of, and Schedule A1 to, the Employment Tribunals Act 1996 ("the 1996 Act")(**b**) and section 22 of, and Schedule 5 to, the Tribunals, Courts and Enforcement Act 2007 ("the 2007 Act")(**c**).

The Tribunal Procedure Committee has consulted in accordance with paragraph 21(1) and (2) of Schedule A1 to the 1996 Act and paragraph 28(1) of Schedule 5 to the 2007 Act.

The Lord Chancellor has allowed these Rules in accordance with paragraph 21 of Schedule A1 to the 1996 Act and paragraph 28(3) of Schedule 5 to the 2007 Act.

Citation, commencement and extent

1.—(1) These Rules may be cited as the Tribunal Procedure and Employment Tribunal Procedure (Amendment) Rules 2026.

(2) These Rules come into force on 2nd March 2026.

(3) Any amendment made by these Rules has the same extent as the provision amended.

(**a**) The Tribunal Procedure Committee was constituted under Part 2 of Schedule 5 to the Tribunals, Courts and Enforcement Act 2007 (c. 15).

(**b**) 1996 c. 17 ("the Act"); section 1(2) of the Employment Rights (Dispute Resolution) Act 1998 (c. 8) provides that the Industrial Tribunals Act 1996 may be cited as the Employment Tribunals Act 1996. Sections 7 and 9(1) of the Act were substituted by, and section 37QA of and Schedule A1 to the Act were inserted by, section 34(2) and (4) of, and paragraphs 1 and 5(3) of Schedule 5 to, the Judicial Review and Courts Act 2022 (c. 35) ("the 2022 Act"). Paragraph 1(4) of Schedule 4 to the 2022 Act sets out an amendment to Schedule A1 which is not yet in force. Paragraph 21 of Schedule A1 to the Act applies Part 3 of Schedule 5 to the Tribunals, Courts and Enforcement Act 2007, with certain modifications, to the making of Employment Tribunal Procedure Rules (as defined in section 37QA of the Act), to provide for procedural requirements for the making of such rules.

(**c**) 2007 c. 15; paragraph 4(2) of Schedule 4 to the Judicial Review and Courts Act 2022 sets out an amendment to section 22 which is not yet in force.

Amendment to the Tribunal Procedure (First-tier Tribunal) (War Pensions and Armed Forces Compensation Chamber) Rules 2008

2.—(1) The Tribunal Procedure (First-tier Tribunal) (War Pensions and Armed Forces Compensation Chamber) Rules 2008(**a**) are amended as follows.

(2) In rule 32(3) (reasons for decisions: time limit for receipt of application for written statement of reasons) for "42 days" substitute "28 days".

Amendments to the Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008

3.—(1) The Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008(**b**) are amended as follows.

(2) In rule 23 (decision with or without a hearing)—

(a) in paragraph (1) for "paragraphs (2) and (3)" substitute "paragraphs (1A) to (3)";

(b) after paragraph (1) insert—

"(1A) The Tribunal may decide not to hold a hearing where—

(a) the proceedings concern a relevant EHC needs assessment decision; and

(b) the Tribunal considers it is able to make a decision which disposes of those proceedings without a hearing.";

(c) after paragraph (3) insert—

"(4) In this rule, "a relevant EHC needs assessment decision" means a decision falling within section 51(2)(a) or section 73(2)(a) of the Children and Families Act 2014(**c**).".

Amendments to the Tribunal Procedure (First-tier Tribunal) (Tax Chamber) Rules 2009

4.—(1) The Tribunal Procedure (First-tier Tribunal) (Tax Chamber) Rules 2009(**d**) are amended as follows.

(2) In rule 35 (notice of decisions and reasons)—

(a) in paragraph (2) (time limit for the Tribunal to provide a decision notice)—

(i) for "within 28 days" substitute ", as soon as reasonably practicable";

(ii) omit ", or as soon as practicable thereafter";

(b) in paragraph (3) (provision of findings of fact and reasons) for "Unless each party agrees that it is unnecessary, the" substitute "The";

(c) after paragraph (3) insert—

"(3A) Paragraph (3) does not apply where the Tribunal has given reasons for the decision, whether summary or full, orally at a hearing.";

(d) in paragraph (5) (time limit for receipt of application for full written findings and reasons) for "28 days" substitute "14 days";

(e) in paragraph (6) (time limit for the Tribunal to send a full written statement of findings and reasons)—

(i) for "within 28 days" substitute "as soon as reasonably practicable";

(**a**) S.I. 2008/2686, amended by S.I. 2013/477; there are other amending instruments but none is relevant.
(**b**) S.I. 2008/2699, to which there are amendments not relevant to these Rules.
(**c**) 2014 c. 6.
(**d**) S.I. 2009/273, amended by S.I. 2013/477; there are other amending instruments but none is relevant.

(ii) omit ", or as soon as practicable thereafter".

Amendments to the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009

5.—(1) The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009(**a**) are amended as follows.

(2) Before rule 6 insert—

"Allocation of cases to the standard track or the open track

5B.—(1) Provision for the allocation of cases to the standard track or the open track is to be made by practice direction(**b**).

(2) The Tribunal may give a direction allocating a case to a different track at any time in accordance with rule 6 (procedure for applying for and giving directions) if it considers it in the interests of justice to do so.

(3) This rule does not apply to cases to which rule 19(1A) (transfer of cases to the Upper Tribunal) applies.".

(3) In rule 38 (decisions) for paragraphs (2) and (3) substitute—

"(2) Subject to rule 14(10) (prevention of disclosure or publication of documents and information), in a standard track case, where the Tribunal makes a decision (other than a decision under Part 4) which finally disposes of all issues in the proceedings or of a preliminary issue dealt with following a direction under rule 5(3)(e), the Tribunal must provide to each party within 21 days or, if that is not possible, as soon as reasonably practicable after making the decision—

(a) a decision notice stating the Tribunal's decision;

(b) either—

(i) a written summary of the reasons for the decision; or

(ii) written reasons for the decision; and

(c) notification of any right of appeal against the decision and the time within which, and manner in which, such right of appeal may be exercised.

(3) Subject to rule 14(10), in an open track case, where the Tribunal makes a decision (other than a decision under Part 4) which finally disposes of all issues in the proceedings or of a preliminary issue dealt with following a direction under rule 5(3)(e), the Tribunal must provide to each party as soon as reasonably practicable after making the decision—

(a) a decision notice stating the Tribunal's decision;

(b) written reasons for the decision; and

(c) notification of any right of appeal against the decision and the time within which, and manner in which, such right of appeal may be exercised.

(4) If the Tribunal provides a written summary of the reasons under paragraph (2)(b)(i), a party may apply for written reasons for the decision and must do so before making an application for permission to appeal under rule 42 (application for permission to appeal).

(**a**) S.I. 2009/1976; relevant amending instruments are S.I. 2010/43, 2013/477, 2018/1053, 2020/416 (the latter of which temporarily inserted rule 5A).

(**b**) See rule 1(3) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 for the definition of "practice direction".

(5) An application made under paragraph (4) must be in writing and must be sent or delivered to the Tribunal so that it is received no later than 14 days after the date that the Tribunal sends the decision notice under paragraph (2)(a) to the party making the application.

(6) The Tribunal must send written reasons for the decision to each party as soon as reasonably practicable after receiving an application made under paragraph (4).

(7) The Tribunal may provide a written summary of the reasons or written reasons for any decision to which neither paragraph (2) nor (3) applies.

(8) In this rule—

"open track case" means a case allocated to the open track by practice direction or under rule 5B(2) (allocation of cases to the standard track or the open track);

"standard track case" means a case allocated to the standard track by practice direction or under rule 5B(2).".

Amendment to the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013

6.—(1) The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013(**a**) are amended as follows.

(2) In rule 36(4) (decisions: time limit for request for written reasons) for "1 month" substitute "14 days".

Amendment to the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014

7.—(1) The Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014(**b**) are amended as follows.

(2) In rule 29(5) (decisions and notice of decisions: time limit for receipt of application for written statement of reasons) for "within 28 days" substitute "within 14 days, or where an appellant is outside the United Kingdom within 28 days,".

Amendments to the Employment Tribunal Procedure Rules 2024

8.—(1) The Employment Tribunal Procedure Rules 2024(**c**) are amended as follows.

(2) In rule 2(1) (interpretation) insert the following definitions in the appropriate places—

""full reasons" has the meaning given in rule 60(7);";

""summary reasons" has the meaning given in rule 60(7);".

(3) In rule 4 (alternative dispute resolution), at the end, insert "(and see rules 52(1)(e) and 53 for the Tribunal's power to direct a preliminary hearing for those purposes).".

(4) In rule 5(3) (time: calculation of time limit for doing an act within a certain number of days of or from an event) after "done within" insert "or no later than".

(5) In rule 13(1) (rejection: substantive defects) for sub-paragraph (b) substitute—

"(b) one which does not contain any grounds on which the claimant relies, cannot sensibly be responded to or is an abuse of process,".

(6) In rule 24(2) (making an employer's contract claim: rejection) for sub-paragraph (b) substitute—

(**a**) S.I. 2013/1169, to which there are amendments not relevant to these Rules.
(**b**) S.I. 2014/2604, to which there are amendments not relevant to these Rules.
(**c**) S.I. 2024/1155.

"(b) it does not contain any grounds on which the respondent relies, cannot sensibly be responded to or is an abuse of process.".

(7) In rule 26 (replying to an employer's contract claim) after paragraph (2) insert—

"(2A) But the Tribunal may order a departure from rule 22 if—

(a) the Tribunal does not receive a reply by the end of the period specified in paragraph (1), and

(b) it considers it in the interests of justice to do so.".

(8) In rule 29(1) (dismissal of response or reply), in the words before sub-paragraph (a), after "or part of it," insert "does not contain any grounds on which the person advancing the response or reply relies or".

(9) In rule 30 (case management orders) after paragraph (3) insert—

"(4) The Tribunal may direct a party to provide a draft of a case management order to the Tribunal or another party.".

(10) In rule 52 (scope of preliminary hearings)—

(a) in paragraph (1)(e) after "judicial mediation" insert ", judicial assessment or dispute resolution appointment";

(b) after paragraph (3) insert—

"(4) In this rule—

"dispute resolution appointment" means a preliminary hearing (or part of a preliminary hearing) which is not a judicial assessment and which may be held without the consent of the parties and with a view to the Tribunal, on the basis of the available material, providing the parties with an evaluation of the prospects of success of a claim, response or reply and potential remedies;

"judicial assessment" means a preliminary hearing (or part of a preliminary hearing) held with the consent of the parties with a view to the Tribunal, on the basis of the available material, providing the parties with an evaluation of the prospects of success of a claim, response or reply and potential remedies.".

(11) In rule 59 (decisions made at or following a hearing) for paragraphs (2) and (3) substitute—

"(2) If the decision is announced at the hearing, a written record of the decision must be provided to the parties.

(3) Paragraph (2) does not apply to decisions concerned only with the conduct of a hearing unless a party requests that a specific decision is so recorded.".

(12) In rule 60 (reasons)—

(a) in paragraph (4), at the beginning, for "Where" substitute "In respect of a case management order, where";

(b) after paragraph (4) insert—

"(4A) In respect of a judgment—

(a) where reasons are given in writing under paragraph (2) or reserved to be given in writing under paragraph (3), those reasons must be full reasons;

(b) where reasons are given orally at a hearing under paragraph (3), those reasons may be either—

(i) summary reasons, or

(ii) full reasons.

(4B) Where summary reasons are given under paragraph (4A)(b)(i), the presiding member must announce that the reasons given are summary reasons and that written summary reasons will not be provided unless requested by any party—

(a) at the hearing, or

(b) by a written request received by the Tribunal within 14 days of the sending of the written record of the decision,

and the written record of the decision must repeat that information.

(4C) Where written summary reasons are provided further to a request under paragraph (4B), they must state that written full reasons will not be provided unless requested by any party by a written request received by the Tribunal within 14 days of the sending of the written summary reasons.

(4D) Where full reasons are given under paragraph (4A)(b)(ii), the presiding member must announce that written full reasons will not be provided unless requested by any party—

(a) at the hearing, or

(b) by a written request received by the Tribunal within 14 days of the sending of the written record of the decision,

and the written record of the decision must repeat that information.

(4E) If the Tribunal receives a request for written summary reasons in accordance with paragraph (4B), the Tribunal may, if it considers it appropriate to do so, provide written full reasons.";

(c) in paragraph (5)—

(i) after "paragraph (4)" insert ", (4C) or (4D)";

(ii) after "written reasons", in the second place it occurs, insert "for a case management order or written full reasons for a judgment";

(d) in paragraph (6) for "decisions other than judgments" substitute "case management orders";

(e) for paragraph (7) substitute—

"(7) In this rule—

"full reasons" are reasons which—

(a) identify the issues which the Tribunal has determined,

(b) state the findings of fact made in relation to those issues,

(c) concisely identify the relevant law, and state how that law has been applied to those findings in order to decide the issues, and

(d) where the judgment includes a financial award, identify by means of a table or otherwise, how the amount to be paid has been calculated;

"summary reasons" are reasons which provide a brief explanation of why the Tribunal has reached its decision in respect of each issue.".

(13) For rule 65 (the Register) substitute—

"The Register

65.—(1) Subject to paragraph (2) and rules 49 (privacy and restrictions on disclosure) and 93 (national security proceedings), a copy of any judgment and any written full reasons for a judgment must be entered into the Register.

(2) Paragraph (1) does not apply to—

(a) judgments for withdrawn claims under rule 51 (dismissal following withdrawal);

(b) a refusal of an application for reconsideration of a judgment under rule 70(2) (process for reconsideration) where the Tribunal considers that there is no reasonable prospect of the judgment being varied or revoked on the grounds that substantially the same application for reconsideration has already been made and refused.".

(14) In rule 66 (copies of judgment for referring court)—

(a) in the heading, for "judgment" substitute "decisions";

(b) for "any judgment" substitute "any decision".

(15) In rule 69 (application for reconsideration)—

(a) in the words before paragraph (a) for "within" substitute "no later than";

(b) in paragraph (a)—

(i) omit "record of the";

(ii) omit "or";

(c) for paragraph (b) substitute—

"(b) the date that any written summary reasons were sent, if these were sent separately from the judgment, or

(c) the date that any written full reasons were sent, if these were sent separately from the judgment.".

We make these Rules

M J Reed
David Franey
Gillian Fleming
Matt Jackson
Mark Blundell
Faridah Eden
Sean O'Brien

2nd February 2026

Tribunal Procedure Committee

I allow these Rules
Signed by authority of the Lord Chancellor

Sarah Sackman
Minister of State
Ministry of Justice

5th February 2026

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the following instruments—

- the Tribunal Procedure (First-tier Tribunal) (War Pensions and Armed Forces Compensation Chamber) Rules 2008 (S.I. 2008/2686) ("the WPAFCC Rules");
- the Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008 (S.I. 2008/2699) ("the HESC Rules");
- the Tribunal Procedure (First-tier Tribunal) (Tax Chamber) Rules 2009 (S.I. 2009/273) ("the TC Rules");
- the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (S.I. 2009/1976) ("the GRC Rules");
- the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 (S.I. 2013/1169) ("the PC Rules");
- the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014 (S.I. 2014/2604) ("the IAC Rules");
- the Employment Tribunal Procedure Rules 2024 (S.I. 2024/1155) ("the ET Rules").

Rule 2 amends the WPAFCC Rules to reduce the period of time within which a party's application for a written statement of reasons for a decision must be received from 42 days to 28 days.

Rule 3 amends the HESC Rules to enable the Tribunal to make a decision disposing of proceedings concerning specified educational, health care and social care needs assessment decisions without a hearing if the Tribunal considers it is able to do so.

Rule 4 amends the TC Rules to change various time limits within which certain steps must be taken regarding the provision of a decision notice and findings of fact and reasons for the decision. It also changes the circumstances in which a decision notice need not be accompanied by findings and reasons or a summary of them.

Rule 5 amends the GRC Rules to enable the Tribunal to re-allocate cases to either a standard track or open track, further to initial allocation by a practice direction given under section 23 of the Tribunals, Courts and Enforcement Act 2007 (c. 15), and to set out when written reasons for a decision must, or a written summary of reasons may, be given according to which track a case is allocated. A web address at which the practice direction can be found is set out in the Explanatory Memorandum published alongside this instrument on www.legislation.gov.uk.

Rule 6 amends the PC Rules to reduce the period of time within which a party's request for written reasons for a decision must be made from 1 month to 14 days.

Rule 7 amends the IAC Rules to reduce the period of time within which a party's application for a written statement of reasons for a decision must be received if an appellant is in the United Kingdom from 28 days to 14 days.

Rule 8 amends the ET Rules to—

- clarify the availability of dispute resolution appointments and judicial assessments as a means of alternative dispute resolution;

- enable the Tribunal to reject the whole or part of a claim or an employer's contract claim, or dismiss the whole or part of a response or reply to an employer's contract claim, if no grounds are set out for it;
- enable the Tribunal, if it considers it in the interests of justice, to disapply rule 22 (effect of non-presentation) if it does not receive a reply to an employer's contract claim in the specified period of time;
- enable the Tribunal to direct a party to provide a draft of a case management order to the Tribunal or another party;
- enable the Tribunal to provide summary reasons for a judgment orally at a hearing and subsequently in writing where requested;
- ensure that any written summary reasons for a judgment do not need to be entered into the Register (as defined in rule 2(1) of the ET Rules);
- add a further exception to the requirement to enter copies of judgments into the Register in respect of a refusal of an application to reconsider a judgment, if the refusal is on the grounds that substantially the same application for reconsideration has already been made and refused;
- consolidate and align requirements to provide copies of decisions to a referring court;
- homogenise references in the rules to written records.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

© Crown Copyright 2026

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office and King's Printer of Acts of Parliament.

ISBN 978-0-34-827940-5

£8.90

http://www.legislation.gov.uk/id/uksi/2026/115