Employment Tribunal Reform Project
National Training Webinars: MyHMCTS Portal – Scotland

16th September 2024 Q&A

Question 1

Can a client log in to view the papers of their case or is this just available to the representative?

Answer:

Access to the details/papers is restricted to either the representative or the LiP. The representative using MyHMCTS can download and copy documents to the client but only the representative has access to MyHMCTS. The same is true if the LiP has started the process using the citizen portal. Only they can access the portal, but they can download and share papers with the representative if they later decide to appoint one.

Question 2:

How long after an ET3 is submitted will it be sent to the Claimant?

Answer:

Staff will process the ET3 and will share with the Claimant once it's been accepted, alongside any additional directions for parties from the Tribunal.

Question 3:

I thought it was possible to submit applications via the portal already. Is that not correct?

Answer:

Only for the professionally represented respondent. The professionally represented claimant functionality will be available this week (w/c 7/10/24)

Question 4:

What do we do with claims that have not been dealt with via the portal prior to 1 October 2024? Will they continue to be dealt with by email?

Answer:

Those claims in the system prior to the Practice Direction coming into force will be dealt with as they currently are, if the rep is registered on MyHMCTS then online interaction will continue.

Question 5:

How do you change the rep? We have a case where one solicitor drafted and lodged the response, but another solicitor will be taking the case on from there. We cannot work out how to notify the Tribunal of that change.

Answer:

Emails notifying you of activity on the case on the portal only currently go the person that submitted the Notice of Change, not to those the case is shared with. This is a known issue and is currently being fixed.

Question 6:

Once you have submitted the notice of change, are you able to access the cases/lodge the ET3 immediately or do you need to wait for this to be authorised?

Answer:

Only once you have received notification that you are now acting as a representative on the case. If your company is already registered and the case details match, you will have immediate access to the case.

Question 7:

Will we receive an email alert when ET correspondence is being sent - e.g. hearing notice issued; orders and directions made or must we log in and out of the portal to check progress?

Answer:

You will receive email notifications that something has happened on the case and you will need to log in to see the details

Question 8:

How soon does a claimant see an ET3 and an application (when the box is ticked for it to be copied to the other parties) when submitted by a Respondent rep?

Answer: The ET response will only be seen by the claimant once it has been accepted by the tribunal.

Question 9:

How do you submit the ET3 for more than one Respondent? I had an issue where I wanted to submit an ET3 for four different Respondents and it didn't work! It submitted for the organisation but not the three other individual Respondents.

Answer:

The ET3 submission process is divided into three sections, the first section ‘Respondent details’ you will need to be completed for each individual respondent. The other two sections; ‘Employment Details’ and ‘Response’ gives you the option to add multiple respondents so these two will only need to be completed once.

Question 10:

When submitting the ET3 does the paper apart require to be in RTF? Or can you PDF it?

Answer: You can submit papers in either RTF or PDF format

Question 11:

How do cases come to appear on the firm's Unallocated case list, not just the number?

(I think it is called the unassigned cases list)

Answer:

The unassigned case list has not been implemented for ET so should not include ET cases. If that is happening on ET cases, please do let us know.

Question 12:

Re changing the rep - we have shared the case, but this does not update the portal, which still states that the original rep is the main representative. This means that they are receiving all of the email notifications in relation to the case, when they are no longer involved.

Answer:

Emails notifying you of activity on the case on the portal only currently go the person that submitted the Notice of Change, not to those the case is shared with. This is a known issue and is currently being fixed.

Question 13:

If the client has lost the notice of claim, is there a workaround to access the notice of change number?

Answer:

You can contact the relevant ET office and they will provide you with the relevant reference number.

Question 14:

I received an email confirming that I had a message on the portal for a particular case. However, when I log onto the portal and try to find the case, it says that "no cases found". How would I get access to the particular case and/or understand what the message is?

Answer:

Access to a particular case will be given once a notice of change has been submitted. You will need to have registered for MyHMCTS to view any updates on the case. We have recently fixed an internal (HMCTS) issue so that notifications are now only sent to those parties that have registered for the relevant portals.

Question 15:

Is there a date by which all claims/responses are to be submitted via My HMCTS, or will the other methods that still exist be available to use?

Answer:

All methods will continue to be accepted until the Practice Direction for ET3 responses comes into force.

Question 16:

Are we still on track that all ET3 have to be submitted via MyHMCTS from 1 October 2024?

Answer:

We are still awaiting Lord Chancellor sign off of the PD and the Presidents will notify the relevant User Group, once that is completed.

Question 17:

When submitting a notice of change as the respondent's representative, you are asked to confirm that "You have served notice of this change on every party to the case, including the former legal representative (if there was one)". Does this mean that respondent's rep should email the Claimant in advance to notify them that they are representing the respondent?

Answer:

When corresponding with the tribunal, you must comply with Rule 92 which stipulates that 'where a party sends correspondence to the tribunal, it should send a copy to all other parties and state that it has done so'.

Question 18:

Regarding 1 October and alternative methods for ET3s - My understanding was / is that the PD only removes email as an option on 01 October, I thought gov.uk web page submissions are still an option - and post!

Answer:

That is correct. The PD only removes the email option of the ET3 as a method of submission.