

Short guide to expenses and allowances payable to parties, witnesses and others attending Industrial Tribunals and The Fair Employment Tribunal in Northern Ireland

Introduction

Parties, witnesses and other individuals may be eligible to claim certain expenses and allowances for attending a tribunal hearing. All claims should be made as soon as possible after the conclusion of the hearing and at the latest, **within one calendar month of the conclusion of the hearing**. This document provides guidance on what may be claimed.

Please note that representatives (professional or lay) are not eligible to claim expenses. (The only exceptions are members of a Citizen's Advice Bureau.)

Payment of expenses and allowances is subject to certain conditions and limits. These limits may change periodically. If you are in any doubt as to what you may claim please contact the tribunal office for help. **The claim form you will need can be obtained from the Tribunal Clerk on the date your hearing commences.**

What can I claim?

You may be able to claim:

Item:	Conditions:
<p>Travel Costs in excess of £5</p> <p><i>N.B. The first £5 of travel expenses will only be reimbursed when the Tribunal has issued an order requesting your attendance.</i></p>	<ul style="list-style-type: none"> • rail fares; • bus or coach; • air travel, economy class, within the UK and Republic of Ireland limited to economy or standard class fares and <u>you must obtain</u> approval from the Secretary of the Tribunals before travelling; • mileage rate of 15p per mile for car or motorcycle, however car parking fees are not payable; • taxi fares only in the most exceptional of circumstances (if there is extreme urgency, heavy luggage to be conveyed, no other suitable means of public transport, or for medical reasons).
<p>Overnight Expenses where an overnight stay is essential</p>	<p>We may pay actual expenses for dinner, bed and breakfast up to a limit of £71 per night where an overnight stay is essential. If you believe an overnight stay is essential please contact the Secretary in writing to seek approval in advance of your hearing.</p>

Loss of Earnings	If you lose pay as a result of attending the hearing, we can repay your loss up to a limit of £45 per day. If you are employed we will need your employer to certify that you were not paid for the day(s) in question. If you are self-employed, you must provide a written declaration showing that work could not be deferred or advanced, the amount of income lost (with, where possible, a copy invoice for recent work), details of the work which could not be carried out and for whom. You are not entitled to any loss of earnings allowance if you took paid holiday or special leave with pay to attend the hearing.
Registered Child or Adult Care Expenses	If you need to engage a registered child minder or adult carer in order to attend the hearing, we can repay your costs up to £5 per hour, per child. We require an invoice or receipt as proof of expenditure. We will not pay child or adult care expenses for any period covered by a claim for loss of earnings or for non registered minders.
Helpers' Expenses if you need to be accompanied because of a medical condition	<p>If you need to be accompanied because of a medical condition, friends or relatives may be able to claim the same travel and other expenses as you (but not a fee). Or if you need professional assistance, e.g. through an agency, we will pay reasonable costs on production of a receipt, subject to the same conditions.</p> <p>In order for payment to be considered, there needs to be independent confirmation in advance of the hearing that a helper's presence is necessary. This may take the form of a doctor's note or some other certificate (not necessarily produced specifically for the tribunal hearing) that demonstrates the need for a helper submitted, in advance, for the Secretary's approval.</p>
Medical Professionals	There may be circumstances where the attendance of medical professionals, or the production of medical reports or extracts, is relevant to the case. If a Chairman orders the production of essential medical reports or medical evidence, or the attendance of medical professionals, reimbursement will be made in line with BMA Treasury rates. Rates should be agreed in advance of any work being undertaken. Reasonable charges which may include the cost of a locum may be paid, but not costs that are clearly excessive.

Please note that supporting documentation/receipts are required to process expense claims.

When are expenses not payable?

A Tribunal has power to make an award of costs against a party where it is of the opinion that the party has acted frivolously, vexatiously, abusively, disruptively or otherwise unreasonably. In such cases, the Tribunal may also effectively disallow the payment of any expenses, in whole or in part, to you and order the recovery from you of any expenses paid to your witnesses.

Certification of Claims:

A member of staff (usually the Tribunal Clerk) must examine all claims, check eligibility and certify attendance. The onus is on the claimant to provide accurate information and original receipts when making a claim for expenses. The method and cost of travel will be checked to ensure that this can be verified as reasonable. Should there be any errors or discrepancies on the claim form, the claim will not be processed by Finance Section. The form will be returned to the claimant with an accompanying letter explaining the reason(s) why it has not been processed.

How is payment made?

Payment will normally be made by Payable Order.

We aim to make payment as quickly as possible. This will normally be made within 2-3 weeks of your claim being received in the Finance Section. You will receive written confirmation when your payment has been processed.

The provision of the above guide will be applied consistently to all claims. However, if you have an enquiry about a matter not covered by the guide, you can write to the Secretary of the Tribunals at the address below.

Useful Contact Details

The Secretary
OITFET
Killymeal House
2 Cromac Quay
Ormeau Road
Belfast
BT7 2JD

Finance Section
OITFET
Killymeal House
2 Cromac Quay
Ormeau Road
Belfast
BT7 2JD

☎ 028 902 50055 or 028 90250048