



# Tribunals Service

## Employment

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26 February 2009

Our ref: FOI/58089/09/PS

Dear Sir/Madam

### **Subject: Freedom of Information Request**

Thank you for your email dated 11 February 2009 addressed to Ministry of Justice. In your email you made a request under the Freedom of Information Act 2000 (FOIA) for details of how many claims have made to the Employment Tribunal where ARP Charitable Services Ltd (formerly known as the Alcohol Recovery Project) have been named as the respondent since computerised records began. Your request has been forwarded to me because I am responsible for dealing with requests for information made under the FOIA to the Employment Tribunals (ET) and Tribunals Service (TS).

Following our searches for the information that you have requested I can confirm that the Department does not hold the all information you are seeking in a readily accessible format. This is because we are only able to identify live or dormant cases on our case management system, called Ethos. Cases which have been archived, i.e. disposed of more than 12 months ago, have the personal data such as the name of the parties removed from the records. Therefore we are unable to provide you with all the information you are seeking because the details of any cases disposed of more than 12 months ago are no longer held by the Department.

However, I have included a more detailed explanation of the records that are held by the ET to assist you with any future requests that you may wish to submit.

There are three levels of data that are searchable by the ET. The first level consists of data recorded by staff in each office; the only data kept here is for live cases and those that have not yet been archived (i.e. they were disposed of less than one year ago). This data is recorded on a bespoke system called Ethos. Ethos is used at a local level to record basic information about the case, and for allocating an ET Judge and Lay Members to Hearings. After 12 months the records are 'stripped' to remove personal data such as the names of the claimant and respondent.

The second level consists of a central database which contains high level data gleaned from the ET offices. This database has a limited number of searches that can be run, and provides management and statistical information. For example, this database would give information about the total number of claims accepted by the ET to produce information contained in the annual statistical report. The central database does not contain the names of the claimant and respondent and therefore cannot provide details of any claims against a named respondent.

The third level of data is the Public Register of Judgments, which is held at Bury St Edmunds (for Judgments issued in England and Wales) and Glasgow (for Judgments issued in Scotland). The Public Register contains details of all Judgments sent out by the ET because, as you may be aware, the Secretary of the ET has a statutory obligation to maintain a Public

Register of Judgments. However if a case settles or withdraws before it reaches a Tribunal no information is placed in the public domain because a judgment would not have been given. All ET Judgments may be inspected at the Public Register.

A search of the Public Register has identified that eight claims have been made since 1996 against the respondent and the details are shown below, although judgments have not been issued in all of the cases.

Year of claim	Claims on the Public Register Electronic Index
1996	2
1997	0
1998	0
1999	0
2000	0
2001	0
2002	0
2003	1
2004	0
2005	1
2006	3
2007	1
2008	0

Alongside the Register, there is an electronic index which allows members of the public to search for Judgments issued by the ET. The electronic index is searchable by claimant name, respondent name, jurisdiction (type of claim), office and year. The index contains information about the ET Judgment, such as whether the claim succeeded or failed.

The address of the Public Register is provided below. It is open to the public from 9.00am to 5.00pm Monday to Friday (except public holidays). The administrative staff of the Tribunals Service are not able to conduct searches of the Registers of your behalf.

Tribunals Service – Employment  
100 Southgate Street  
Bury St Edmunds  
Suffolk IP33 2AQ Telephone: 0845 795 9775

As part of our obligations under the FOIA, the Ministry of Justice has an independent review process. If you are dissatisfied with this decision, you may write to request an internal review. The internal review will be carried out by someone who did not make the original decision, and they will re-assess how the Department handled the original request.

If you wish to request an internal review, please write or send an email to the Data Access and Compliance Unit within two months of the date of this letter, at the following address:

Data Access and Compliance Unit  
Information Directorate  
Ministry of Justice  
1<sup>st</sup> Floor, Zone 1C  
Post point 1.41  
102 Petty France  
London  
SW1H 9AJ

e-mail: [xxxx.xxxxxx@xxxxxxx.xxx.xxx.xx](mailto:xxxx.xxxxxx@xxxxxxx.xxx.xxx.xx)

If you remain dissatisfied after an internal review decision, you have the right to apply to the Information Commissioner's Office under Section 50 of the FOIA. You can contact the Information Commissioner's Office at the following address:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Internet: [https://www.ico.gov.uk/Global/contact\\_us.aspx](https://www.ico.gov.uk/Global/contact_us.aspx)

Yours faithfully

Paula Sidgreaves  
Policy Officer