

Employment



## Missing the deadline for a response: what steps should a respondent take?

Posted on 20 November, 2020 by | [Marianne Tutin](#)

In the latest Practical Law Employment and Discrimination Blog, Marianne Tutin examines steps that a respondent ought to take to participate substantively in proceedings when the deadline for the response has been missed.

*"The pandemic has resulted in an increasing number of respondents missing the 28-day deadline to provide a response to a claim presented in the Employment Tribunal (ET), as required by rule 16(1) of the Employment Tribunals Rules of Procedure 2013 (ET Rules).*

*Delays in the postal service, the closure of some workplaces and a significant proportion of the workforce working from home has meant that a number of claims served in the post have been received too late in the day or missed entirely. Moreover, a rapidly increasing backlog of claims being presented to ETs has resulted in a failure to serve claims on respondents, or has led to an expectation that a claim is unlikely to be forthcoming and thus overlooked. This article examines steps that a respondent ought to take to participate substantively in proceedings when the deadline for the response has been missed."*

To read the full blog post, please visit the [Practical Law Employment and Discrimination Blog](#).

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