

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](#).

Marianne Tutin is recognised as an 'up and coming' junior by Chambers and Partners and a 'rising star' by Legal 500 in employment. She practises all areas of employment and discrimination law.