



Tribunals Service



Ministry of
JUSTICE

Quarterly Statistics for the Tribunals Service, 4th quarter 2009-10

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Contents

Introduction	3
Key findings	4
Commentary	5
Explanatory notes:	10
Data sources	
Definitions	
Table conventions	

Tables:

Table 1.1 Receipts by quarter and by Jurisdiction
Table 1.1a Employment Tribunals receipts by quarter and Jurisdiction
Table 1.1b Immigration and Asylum receipts by quarter and type of case
Table 1.1c Social Security and Child Support receipts by quarter and benefit type
Table 1.2 Disposals by quarter and Jurisdiction
Table 1.2a Employment Tribunals disposals by quarter and Jurisdiction
Table 1.2b Immigration and Asylum disposals by quarter and Jurisdiction
Table 1.2c Social Security and Child Support disposals by quarter and Jurisdiction
Table 1.2d Social Security and Child Support outcomes by quarter and Jurisdiction
Table 1.3 Caseload Outstanding by quarter and Jurisdiction
Table 1.4 Performance Indicators by quarter and Jurisdiction

Introduction

This report presents information on Tribunals Service activity for the fourth quarter (1 January to 31 March 2010) of the 2009-10 year, with the same quarter in earlier years. It is the first time that management information has been published as Official Statistics and it is proposed that regular quarterly reports be published in the future. Information for previous quarters of 2009-10 is also presented.

Statistics for the full financial year are published in “Annual Statistics for the Tribunals Service, 2009-10” which is available at <http://www.tribunals.gov.uk> .

Key findings

- The Tribunals Service had 207,200 receipts in the fourth quarter of 2009-10, an increase of 25% over the same quarter of the previous year. Half of these receipts were for Social Security and Child Support. There was a 19% increase in the number of disposals from 147,500 in quarter 4 of 2008-09 to 175,600 in quarter 4 of 2009-10.
- Examining the fourth quarter, between 2008-09 and 2009-10, there was a 67% increase in the number of Social Security and Child Support receipts and a 15% rise in claims to Employment Tribunals. Whilst overall receipts to the first tier TS Immigration and Asylum Chamber (TSIA) fell, there were rises for Asylum and Managed Migration case types, of 77% and 49% respectively.
- The number of disposals by Social Security and Child Support, and Employment Tribunals rose by 30% and 32% respectively, between the fourth quarter of 2008-09 and that of 2009-10.
- At 31 March 2010, the caseload outstanding was 628,800, with three fifths of this being for multiple claims to Employment Tribunals. Despite a rise in the number of disposals, these did not keep pace with receipts, accounting for an increase in caseload outstanding (up 35% (excluding Mental Health)¹ on the number at 31 March 2009).
- For Social Security and Child Support, there were 59,200 hearing clearances in the last quarter of 2009-10. Of these, 38% were found in favour of the appellant.
- 41% of single cases were disposed of within target time (KPI 1) in the last quarter of 2009-10. This compared with 61% in the same period a year ago. This fall in percentage dealt with within timescales is likely to be related to increased workloads. The target was for 75% of cases to be disposed of within target time.

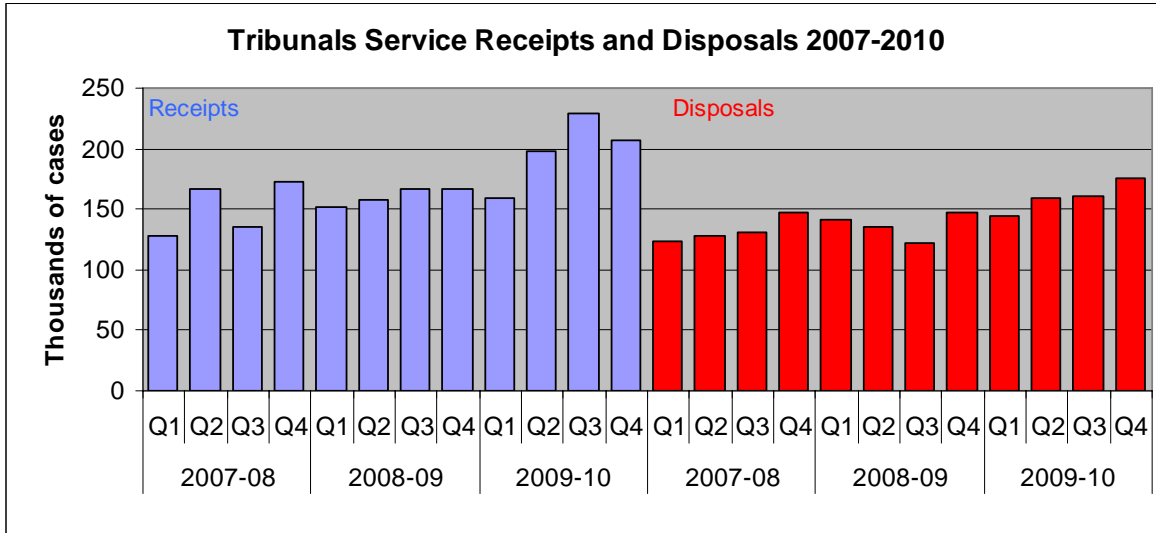
¹ Details of caseload outstanding were not available for Mental Health for 2008-09. Thus information for other years has been removed when making comparisons.

Commentary

Receipts (Table 1.1)

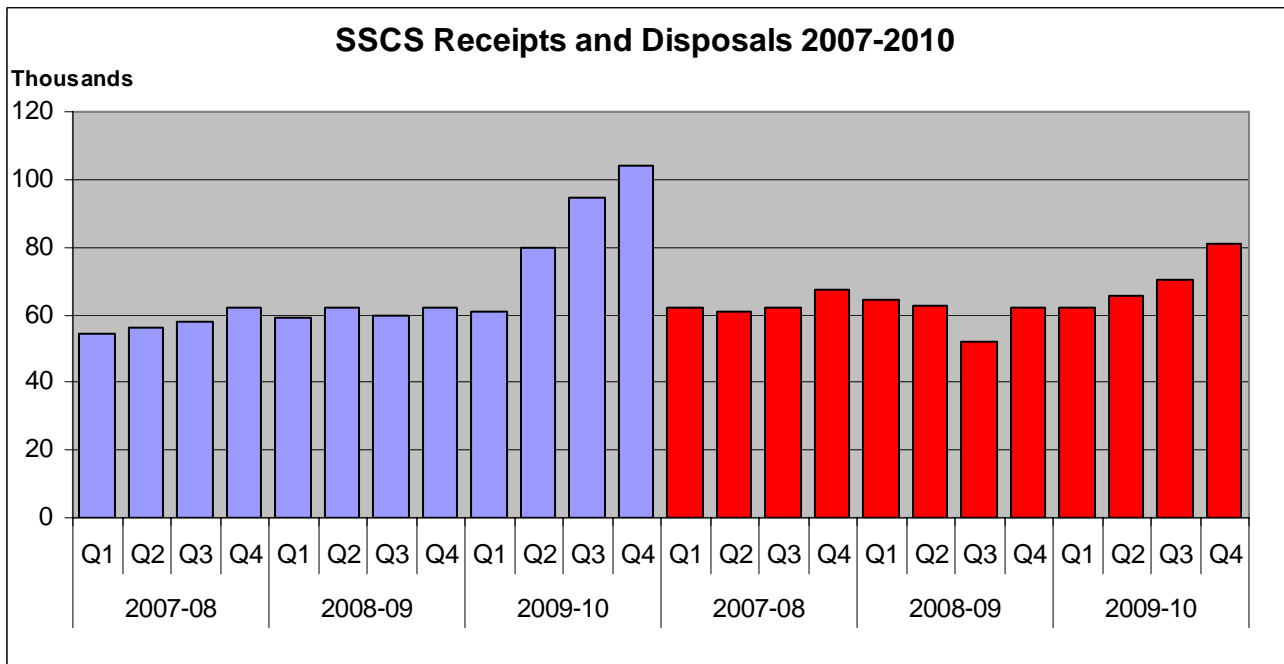
1. The Tribunals Service had 207,200 receipts in the last quarter of 2009-10 (January to March 2010). This represents a 25% increase on the number received in the same quarter of the previous year, and a 20% increase on the 4th quarter of 2007-08.

Figure 1: Tribunals Service Receipts and Disposals for 2007-08 to 2009-10



Source: TS reconciled quarterly returns

Figure 2: Social Security and Child Support Receipts and Disposals for 2007-08 to 2009-10



Source: TS reconciled quarterly returns

Receipts by Jurisdiction

2. For Social Security and Child Support (SSCS), there were 103,800 receipts in the fourth quarter of 2009-10 – half of all cases received by the Tribunals Service. The numbers have been continually rising since the start of the 2009-10 year. When compared with the same quarter in previous years, receipts to SSCS were 67% up on both 2008-09 and 2007-08.

3. Of those SSCS cases received in the fourth quarter of 2009-10, 57% were for Employment Support Allowance (ESA)/Incapacity Benefit (IB) with 19% for Disability Living Allowance. The distribution of receipts by benefit has varied, e.g. for the first quarter of 2009-10, ESA/IB benefits accounted for 40% of all SSCS receipts (Table 1.1c).

4. In Employment Tribunals (ET), the number of receipts (claims) in Q4² of 2009-10 was 50,600. For the same quarter, this was 44,100 in 2008-09 and 53,200 in 2007-08. The number of claims is highly dependent upon multiple receipts which are extremely variable (they also include periodic re-submissions, for example of airline cases). Between January and March 2010, ET received 16,700 single claims.

5. For ET, when the jurisdictional mix³ of claims is considered (Table 1.1a), there were 87,600 jurisdictional complaints in the fourth quarter of 2009-10. Just over a quarter of these were Working Time Directive (the 10,600 airline cases that are resubmitted every three months were included), with 16,300 for unauthorised deductions (Wages Act). Although there were 27,400 jurisdictional claims associated with unfair dismissal, breach of contract and redundancy, these numbers have been reducing each quarter in 2009-10.

6. At 36,900 the number of receipts in TS Immigration and Asylum is lower in Q4 of 2009-10 than for the same period of the previous two years – 46,900 in 2008-09 and 43,700 in 2007-08. This fall is not reflected in all case types (Table 1.1b). The number of receipts for both Asylum and Managed Migration case types rose by 77% and 49% respectively (comparing Q4 of 2009-10 with that of 2008-09). There was a 68% decrease in the number of Entry Clearance Officer receipts from 23,600 in the fourth quarter of 2008-09 to 7,500 in the same quarter of 2009-10. This has been attributed to a change in appeal rights.

Disposals (Table 1.2)

7. Between 1 January and 31 March 2010, the Tribunals Service disposed of 175,600 cases or claims, an increase of 19% on the same quarter in 2008-09 (and 19% on 2007-08).

8. Despite this increase, the number of disposals has not kept pace with the number of receipts (in Q4 of 2009-10 receipts were 18% higher than disposals), meaning that the caseload outstanding (cases not yet dealt with) continued to rise.

² Fourth quarter of the financial year, 1 January to 31 March

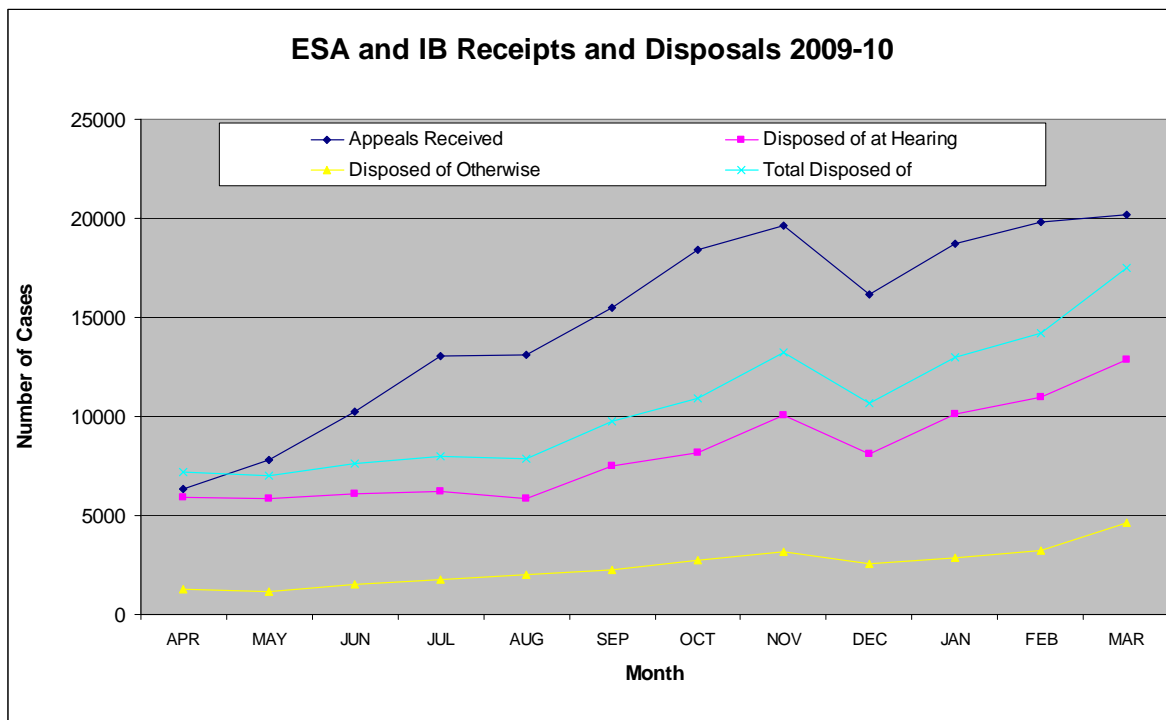
³ A claim can contain a number of grounds, known as jurisdictional complaints. In any hearing, the tribunal has to decide upon the merits of the claim made under each jurisdiction.

Disposals by Jurisdiction

9. A total of 81,000 cases were disposed of by Social Security and Child Support (SSCS) in Q4 of 2009-10, 30% more than in the same period of 2008-09, and 20% more than the same timeframe in 2007-08. Of those cases disposed of in the fourth quarter of 2009-10, 55% were for Employment Support Allowance/Incapacity Benefit (ESA/IB). A fifth of disposals were related to Attendance Allowance/ Disability Living Allowance and 9% to Job Seeker's Allowance (Table 1.2c).

10. Figure 3 shows the change in receipts and disposals for ESA/IB allowances throughout 2009-10. It also gives details of those disposals that were cleared by having a Tribunal hearing and those that were settled or struck out (clearing – other). Although ESA allowance was introduced in October 2008, it was not until June 2009 that substantial monthly increases in appeals were seen.

Figure 3: Receipts and Disposals for Employment Support Allowance, 2009-10



Source: TS reconciled quarterly returns

11. Table 1.2d provides some information of the outcome of Social Security and Child Support cases that were cleared at hearing⁴ and whether the decision was found in favour of the appellant or if original decision by DWP was upheld. There were 59,200 hearing clearances in the last quarter of 2009-10. Of these, 38% were found in favour of the appellant. This proportion varied by type of benefit with 42% of ESA/IB in favour and 17% of Job Seeker's Allowance hearing clearances in favour of the appellant.

12. In the fourth quarter of 2009-10, Employment Tribunals disposed of 32,000 claims, an increase of 32% on the number in the same quarter of 2008-09. 56% of ET cases disposed of in Q4 of 2009-10 were single cases.

⁴ these are cleared via a Tribunal (could be a panel or a member of the Judiciary sitting alone) with a decision/outcome

13. Table 1.2a provides details of the jurisdictional claims for Employment Tribunals that were disposed of by type of jurisdiction, quarter and outcome. Of the 65,300 jurisdictional claims disposed of in the last quarter of 2009-10:

- 41% were unfair dismissal/breach of contract or redundancy; 16% were associated with the Wages Act;
- 34% were withdrawn, 31% were Acas Conciliated, 11% were successful at hearing. Check all these

14. In TS Immigration and Asylum, there were 47,800 disposals in the fourth quarter of 2009-10 – a similar level to the same period in the previous year.

Caseload Outstanding (Table 1.3)

15. At 31 March 2010, the caseload outstanding was 628,800, an increase of 35% on the amount at 31 March 2009 and 71% (excluding Mental Health) higher than on 31 March 2008. Almost three fifths of the current caseload outstanding was multiple ET claims that were waiting to be heard.

16. Generally, the size of the caseload has been increasing as disposals fail to keep pace with receipts. However, during the last year, the caseload outstanding has fallen for: Immigration and Asylum (by 30,400).

Performance (Table 1.4)

17. The Tribunals Service has a set of Primary Performance Indicators for each jurisdiction which are largely based upon waiting times from receipt to disposal. Most of these are 75% targets, but the waiting times themselves vary. The indicators are consolidated to form KPI 1 which is:

“The percentage of single, first instance applications that are dealt with within target time (75% target)”

18. In the fourth quarter of 2009-10, 41% of applications were dealt with within target time, as compared with 61% achieved in Q4 of 2008-09 and 77% in Q4 of 2007-08. However, for 2009-10 as a whole, 50% of applications were dealt with within target time. High levels of receipts may have partially affected the ability to meet the performance indicator. In addition, guidance was issued for older cases (unlikely to be within target waiting times) to take priority for disposal.

19. When examined by jurisdiction, performance for the fourth quarter of 2009/10, was as follows:

- 46% in Social Security and Child Support (from 63% in Q4 2008-09);
- 56% in Employment Tribunals (from 74%);
- 87% in Employment Appeal Tribunal (from 92%);
- 28% overall for TS Immigration and Asylum (from 55%), but with some variation by type of case.

20. Many of the Special Tribunals met or came close to meeting target and performance was as follows:

- 94% in Criminal Injuries Compensation (from 82% in 2008-09);
- 98% in Mental Health (from 96%) – this is against a 100% target;
- 82% in Special Educational Needs and Disability (from 52%);

Explanatory notes

Data quality and sources

Information presented in this report is Management Information drawn from a number of administrative sources. Although care is taken when processing and analysing the data, the detail is subject to the inaccuracies inherent in any large-scale recording system. The Tribunals Service is examining the quality of information. Thus it is possible that some revisions may be issued.

Definitions

Receipt - Volumetric term covering the acceptance of a case within the Tribunals Service.

Disposal - A **disposal** is the closure of a case when work has ceased to be done. This can be through a claim being withdrawn, settled, dismissed or being decided at a hearing.

Hearing clearance (SSCS) - these are cleared via a Tribunal (could be a panel or a member of the Judiciary sitting alone) with a decision/outcome.

Non-hearing clearance (SSCS) – these are cases withdrawn prior to a hearing, struck out or superseded. There is no Tribunal judgement.

Caseload outstanding - The number of cases outstanding at the end of the period and still waiting to be dealt with to completion.

ET Claim - A claim may be brought under more than one jurisdiction or subsequently amended or clarified in the course of proceedings but will be counted only once.

ET Single and multiple claims - Claims to the Employment Tribunal may be classified into two broad categories, singles and multiples. Multiple cases are where two or more people bring cases, involving one or more jurisdiction(s) usually against a single employer but not necessary so, for instance in TUPE cases, and always arising out of the same or very similar circumstances. As a multiple, the cases are processed together

ET Jurisdiction - the Employment Tribunals powers to hear a claim are determined by legislation, with statutory provisions defining the ambit of the jurisdiction that can be covered by a claim to an Employment Tribunal

ET Jurisdictional mix - A claim can contain a number of grounds, known as jurisdictional cases. In any hearing, the tribunal has to decide upon the merits of the claim made under each jurisdiction e.g. unfair dismissal and sex discrimination. The total number of jurisdictions covered by each case gives a truer measure of workload than the number of claims. The jurisdictions covered by ET are wide ranging from discrimination and unfair dismissals to issues around salary and working conditions.

Hearing - The hearing is a meeting at which the tribunal panel considers evidence (either orally or paper based) and reaches a decision (where the decision may be to adjourn or to agree a final outcome). If the hearing is adjourned, and restarted, it counts as one hearing.

Examples of hearings include:

- Paper hearings;
- Oral hearings;
- Case Management Discussions
- Decision on eligibility

Oral Hearing – A hearing where the party(ies) and/or their representative(s) attend (this can be by telephone or by video conference).

Paper Hearing - Consideration of the case using documents, and not requiring any physical appearance by the parties.

Decision in favour (SSCS) – Decision in favour of the appellant

Decision upheld (SSCS) – Decision made by the First Tier Agency and upheld by the Tribunal

Withdrawal - The applicant/claimant/appellant ceases action either before or at the hearing.

Settlement - Cases settled without the need for a hearing. A third party, such as ACAS may have been involved in the process.

Postponement - Where a case is taken out of the list, **prior to** commencement of the hearing—can be done by the applicant or any other party.

Adjournment - Where, on the day of the hearing, the Panel decides that, for whatever reason, the appeal/case cannot be finalised and has to put off making a final decision to another date, for example, because further evidence is required.

Outcome of hearing - The outcome of the hearing is a final determination of the proceedings or of a particular issue in those proceedings; it may include an award of compensation, a declaration or recommendation and it may also include orders for costs, preparation time or wasted costs either in favour or against an applicant.

Note: ET records outcomes for each act (or jurisdiction), not for the hearing.

Decision Upheld – This is the outcome of the appeal where the original decision by the First Tier Agency is maintained.

Tax and Chancery - Established 1 April 2009 covering: Income Tax, Corporation Tax, Capital gains Tax, Inheritance Tax, Stamp Duty Land Tax, PAYE coding notices, National Insurance Contributions, Statutory Payments, VAT or duties such as custom duties, excise duties or landfill tax, aggregates or climate change levies. The amounts of tax or duty to be paid, against penalties imposed upon them and against certain other decisions.

Lands - From June 2009 covering :Rating appeals, Appeals against decisions of Valuation Tribunals concerning the rateable, values or rateability of commercial, industrial and other non-domestic properties, Compulsory purchase, Disputed valuations of compulsorily purchased land or properties and compensation. Claims

for compensation for loss of value arising from public works, such as noise nuisance from new roads, or from coal mining subsidence, Restrictive covenants, Applications to discharge or modify restrictive covenants on land, Appeals from Leasehold Valuation Tribunals. Appeals against decisions concerning the price payable for enfranchisement (the purchase of the freehold by residential tenants), the renewal of leases, service charges, the management of leasehold property and other matters, Appeals from Residential Property Tribunals. Appeals against decisions concerning emergency action taken by local housing authorities; demolition orders or declarations of a clearance area; homes in multiple occupancy and other house licences; and additional matters.

Rounding

Figures in the tables are rounded independently and thus may not add to totals. The following conventions have been used:

- Values less than 100 remain as unit values;
- Values from 100 to 999 are rounded to the nearest ten;
- Values of 1,000 and over are rounded to the nearest hundred.

Table Conventions

The following conventions are used throughout this report:

.	Not applicable
..	Not available
-	Small value
~	Rate can not be calculated
r	Revised
p	Provisional
Percentages are formatted in italics	
Figures may not sum to totals due to rounding	

Contact points for further information

This publication is available for download at <http://www.tribunals.gov.uk>

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Table 1.1 Tribunals Service Receipts by Jurisdiction

Rounded Number

	2007-08	2008-09	2009-10				2009-10 Total
	Q4	Q4	Q1	Q2	Q3	Q4	
Tribunals Service	172,000	166,200	158,600	198,500	229,700	207,200	793,900
TSIA- Immigration Judge ²	43,700	46,900	41,600	41,600	39,800	36,900	159,800
Employment Appeal ²	460	440	440	510	510	500	2,000
Employment	53,200	44,100	42,100	62,100	81,300	50,600	236,100
Singles	..	..	17,800	19,400	17,400	16,700	71,300
Multiples	..	..	24,400	42,700	63,800	33,900	164,800
Social Security and Child Support	62,200	62,200	61,100	79,800	94,600	103,800	339,200
Adjudicator to HM Land Registry	420	480	370	380	360	850	2,000
Asylum Support	620	400	520	570	680	1,300	3,100
Care Standards	68	52	69	71	63	37	240
Charities	.	-	3	-	1	1	5
Claims Management Services	-	1	1	2	1	1	5
Consumer Credit Appeals	.	4	1	4	3	5	13
Criminal Injuries Compensation	700	810	1,100	910	1,000	760	3,800
Estate Agents Appeals	.	-	-	3	4	1	8
Financial Services and Markets	7	5	3	11	5	6	25
First Tier Immigration ³	1	2	1	2	3	1	7
Gambling Appeals	-	-	1	-	-	-	1
Gender Recognition Panel	77	59	75	70	77	63	290
Information	31	25	26	33	39	62	160
Lands	460	260	200	210	230	480	1,100
Local Government Standards in England ⁴	.	.	15	21	22	14	72
Mental Health	5,800	5,900	6,300	6,400	6,200	6,300	25,200
Pensions	-	-	-	1	-	-	1
Primary Health Lists ⁴	.	.	56	32	29	18	140
Reserve Forces Appeals ⁴	.	.	2	2	5	2	11
Special Commissioners (Income Tax) ⁵	58	190	.	.	.	.	.
Special Educational Needs and Disability	900	600	1,100	740	660	860	3,400
Tax first tier ⁵	.	.	1,700	3,000	2,600	3,100	10,400
Transport	220	200	220	160	140	130	640
Upper Tribunal (Administrative Appeals Chamber) ⁷	1,400	1,000	930	1,100	780	900	3,700
VAT & Duties ⁵	1,100	1,800	.	.	.	.	.
War Pensions and Armed Forces Compensation	650	650	640	790	580	560	2,600

Source: TS Quarterly Reconciled Tables

Figures may not add to totals because of rounding

. Not applicable (data was not collected)

.. Not available

- nil

1 The Tribunals Service Immigration and Asylum (TSIA), consisting of 'First Tier Tribunal Immigration and Asylum Chamber' and 'Upper Tribunal Immigration and Asylum Chamber' (FTTIAC and UTIAC), replaced the Asylum and Immigration Tribunal (AIT) on 15th February 2010. Figures for 2009/10 relate to appeals dealt with by Immigration Judges at the AIT or FTIAC.

Figures for 2007/08 and 2008/09 relate to appeals dealt with by Immigration Judges in AIT. Previously published figures were provisional.

2 EAT Receipts includes appeals rejected, struck out or withdrawn prior to registration.

3 Formerly known as IMSET

4 Joined the TS April 2009

5 Now part of Tax first tier

6 Created April 2009 as part of TCE ACT

7 The Upper Tribunal (Administrative Appeals Chamber) came into effect in November 2008, replacing The Commissioners Office.

Information presented for 2007-08 refers to TCO only, and for November 2008 onwards to the Upper Tribunal.

Table 1.1a Employment Tribunal Receipts by Jurisdiction 2009-10

Rounded Number

	2009-10				
	Q1	Q2	Q3	Q4	Total
Total Claims Accepted¹	42,100	62,100	81,300	50,600	236,100
Jurisdiction					
Unfair dismissal ²	16,000	15,100	13,900	12,300	57,400
Unauthorised deductions (Formerly Wages Act)	11,700	16,800	30,700	16,300	75,500
Breach of contract	13,700	10,500	9,000	9,300	42,400
Sex discrimination	4,800	6,000	4,200	3,200	18,200
Working Time Directive	6,300	32,300	34,000	22,600	95,200
Redundancy pay	7,100	4,300	3,900	3,800	19,000
Disability discrimination	1,800	2,100	1,800	1,800	7,500
Redundancy – failure to inform and consult	2,300	1,800	1,300	2,000	7,500
Equal pay	8,400	7,500	13,100	8,400	37,400
Race discrimination	1,300	1,600	1,400	1,400	5,700
Written statement of terms and conditions	1,100	1,300	1,100	1,300	4,700
Written statement of reasons for dismissal	290	330	260	230	1,100
Written pay statement	310	370	330	350	1,400
Transfer of an undertaking - failure to inform and consult	430	510	350	480	1,800
Suffer a detriment / unfair dismissal - pregnancy ³	540	570	460	380	2,000
Part Time Workers Regulations	180	130	120	91	530
National minimum wage	83	120	170	130	500
Discrimination on grounds of Religion or Belief	230	280	240	250	1,000
Discrimination on grounds of Sexual Orientation	160	200	160	190	710
Age Discrimination	1,500	1,800	1,100	800	5,200
Others	2,500	1,400	1,700	2,500	8,100
Total	80,800	105,100	119,300	87,600	392,800

Source: ET Management Information Database

[1] A claim may be brought under more than one jurisdiction or subsequently amended or clarified in the course of proceedings but will be counted only once.

[2] This now includes the jurisdiction for unfair dismissal as a result of a transfer of an undertaking, which was previously shown separately.

[3] This now includes 3 jurisdictions relating to pregnancy that were previously recorded under 'Other'.

Figures may not add to totals because of rounding

. Not applicable (data was not collected)

.. Not available

Table 1.1b TSIA Receipts by Case type

Rounded Number

	2007-08	2008-09	2009-10				2009-10 Total
	Q4	Q4	Q1	Q2	Q3	Q4	
TSIA- Immigration Judge	43,700	46,900	41,600	41,600	39,800	36,900	159,800
Asylum	2,100	2,400	3,200	5,000	4,800	4,300	17,300
Managed Migration	5,800	8,600	7,800	8,600	10,500	12,800	39,700
Entry Clearance	20,300	23,600	16,100	6,700	8,100	7,500	38,400
Family Visit Visa	15,300	12,100	14,100	21,100	16,300	12,000	63,400
Deport and others	100	210	290	200	220	240	940

Figures may not add to totals because of rounding

Source: ARIA database

. Not applicable (data was not collected)

.. Not available

Table 1.1c SSCS Receipts by Benefit Type 2009-10

Rounded Number

Benefit	2009-10				
	Q 1	Q 2	Q 3	Q 4	Total
AA/DLA	16,700	18,000	19,800	21,200	75,600
Bereavement Benefit	140	140	150	120	530
Carer's Allowance	260	380	260	210	1,100
Child Benefit Lone Parent	340	490	350	420	1,600
Child Support All	1,100	1,000	940	1,100	4,200
Tax Credits	390	340	300	550	1,600
COEG	1	1	1	-	3
Compensation Recovery Unit	83	73	120	94	370
Housing/Council Tax benefit	3,100	3,200	3,100	3,100	12,600
Disability Working Allowance	1	-	-	1	2
Employment Support Allowance	10,100	29,000	41,100	46,500	126,800
Incapacity Benefit	14,200	12,600	13,100	12,200	52,200
Health in Pregnancy Grant	-	120	270	220	610
HRP	2	1	12	10	25
Pensions Credit	400	370	460	460	1,700
Income Support	3,900	4,100	3,800	4,200	16,000
Industrial Death Benefit	-	-	1	1	2
Industrial Injuries Disablement Benefit	1,700	1,100	1,800	2,700	7,300
JSA	6,900	7,300	7,600	9,300	31,100
Lookalikes	-	1	1	1	3
Maternity Benefit/Allowances	67	64	54	69	250
Others (Extinct/rare Benefits)	16	19	31	14	80
Penalty Proceedings	-	-	-	-	-
Retirement Pension	250	160	190	220	810
Severe Disablement Benefit/Allowance	33	32	29	36	130
Social Fund	1,400	1,200	970	1,100	4,700
Vaccine Damage Appeals	-	2	2	2	6
Total	61,100	79,800	94,600	103,800	339,200

Source: SSCS Gaps 2 database

Figures may not add to totals because of rounding

. Not applicable (data was not collected)

.. Not available

- nil

Table 1.2 Tribunals Service Disposals by Jurisdiction

Rounded Number

	2007-08	2008-09	2009-10				2009-10 Total
	Q4	Q4	Q1	Q2	Q3	Q4	
Tribunals Service	147,100	147,500	144,200	159,500	160,200	175,600	639,600
TSIA- Immigration Judge	44,900	48,800	46,300	52,800	50,600	47,800	197,500
Employment Appeal¹	150	150	160	130	140	150	580
Employment	23,200	24,300	24,900	28,400	27,000	32,000	112,400
Singles	..	..	14,100	16,000	17,000	18,000	65,100
Multiples	..	..	10,800	12,400	10,000	14,100	47,300
Social Security and Child Support	67,400	62,200	62,100	65,600	70,500	81,000	279,300
Adjudicator to HM Land Registry	1,200	550	470	620	450	530	2,100
Asylum Support	630	400	470	620	610	1,100	2,800
Care Standards	82	69	51	50	61	65	230
Charities	-	-	2	-	3	2	7
Claims Management Services	1	-	-	2	-	2	4
Consumer Credit Appeals	.	5	4	3	1	4	12
Criminal Injuries Compensation	800	790	640	920	800	910	3,300
Estate Agents Appeals	.	.	1	-	-	5	6
Financial Services and Markets	9	7	6	4	9	8	27
First Tier Immigration²	4	4	2	1	1	4	8
Gambling Appeals	1	-	-	-	1	-	1
Gender Recognition Panel	60	87	71	75	80	51	280
Information	29	27	31	20	38	38	130
Lands	220	180	170	380	230	250	1,000
Local Government Standards in England²	.	.	13	19	19	19	70
Mental Health	4,300	6,400	5,700	6,300	6,400	6,600	25,000
Pensions	1	-	-	-	-	-	-
Primary Health Lists³	.	.	16	23	18	21	78
Reserve Forces Appeals³	.	.	-	7	3	3	13
Special Commissioners (Income Tax)⁵	55	62	.	.	.	.	.
Special Educational Needs and Disability	790	730	710	710	720	730	2,900
Tax first tier⁴	.	.	810	1,100	1,000	2,600	5,600
Transport	160	210	200	160	180	130	670
Upper Tribunal (Administrative Appeals Chamber)⁵	1,600	1,000	920	960	770	930	3,600
VAT & Duties⁶	660	980	.	.	.	.	.
War Pensions and Armed Forces Compensation	720	610	550	570	520	560	2,200

Source: TS Quarterly Reconciled Tables

Figures may not add to totals because of rounding

. Not applicable (data was not collected)

.. Not available

- nil

¹ EAT Disposals excludes appeals rejected, struck out or withdrawn prior to registration.

² Formerly known as IMSET

³ Joined the TS April 2009

⁴ Created April 2009 as part of TCE ACT

⁵ The Upper Tribunal (Administrative Appeals Chamber) came into effect in November 2008, replacing The Commissioners Office.

Information presented for 2007-08 refers to TCO only, and for November 2008 onwards to the Upper Tribunal.

⁶ Now part of Tax first tier

Table 1.2a Employment Tribunal Disposals by Jurisdiction 2009-10

	JURISDICTIONS DISPOSED					WITHDRAWN				
	Q1	Q2	Q3	Q4	TOTAL	Q1	Q2	Q3	Q4	TOTAL
Unfair dismissal	11,200	12,300	13,000	14,500	50,900	2,600	2,900	2,400	3,500	12,200
Wages Act	6,700	9,000	9,000	10,500	35,200	1,600	2,400	3,200	3,400	11,000
Breach of contract	7,300	7,900	8,100	8,800	32,100	1,600	2,200	2,100	2,400	8,300
Redundancy pay	2,600	3,000	3,100	3,700	12,400	900	2,100	2,100	2,500	7,600
Sex discrimination	3,600	5,200	4,200	4,200	17,200	1,900	2,100	2,700	2,600	9,300
Race discrimination	1,000	1,100	1,100	1,300	4,500	300	290	340	310	1,300
Disability discrimination	1,300	1,500	1,600	1,700	6,100	380	290	460	310	1,440
Religious belief discrimination	180	180	190	220	760	46	26	67	38	177
Sexual orientation discrimination	110	120	180	190	590	26	23	33	27	109
Age discrimination	680	940	1,200	1,000	3,900	200	320	540	450	1,510
Working time	4,000	4,500	5,700	6,300	20,500	780	200	960	230	2,170
Equal pay	4,400	5,000	3,400	7,300	20,100	2,500	3,400	680	770	6,650
National minimum wage	81	88	130	120	419	19	23	16	36	84
Others	5,300	6,000	5,300	5,400	21,900	1,300	220	1,300	290	3,110
All	48,000	67,100	66,200	65,300	227,600	13,700	18,500	18,500	22,300	73,000

Source: ET Management Information Database

	ACAS CONCILIATED				
	Q1	Q2	Q3	Q4	TOTAL
Unfair dismissal	4,900	44	5,400	44	5,800
Wages Act	2,000	29	2,000	23	2,300
Breach of contract	2,300	32	2,400	31	2,700
Redundancy pay	500	19	530	18	630
Sex discrimination	860	24	740	14	1,638
Race discrimination	360	34	450	40	920
Disability discrimination	620	47	680	46	1,413
Religious belief discrimination	48	27	51	29	155
Sexual orientation discrimination	39	35	50	41	165
Age discrimination	330	45	380	40	820
Working time	1,300	34	1,400	31	1,765
Equal Pay	980	22	250	5	1,257
National minimum wage	26	32	34	39	135
Others	1,700	31	1,700	28	3,459
All	15,900	331	16,100	281	18,600

Source: ET Management Information Database

	STRUCK OUT (NOT AT HEARING) ¹				
	Q1	Q2	Q3	Q4	TOTAL
Unfair dismissal	810	7	1,100	9	1,926
Wages Act	310	5	1,300	15	1,630
Breach of contract	430	6	550	7	993
Redundancy pay	140	5	190	6	431
Sex discrimination	620	17	1,100	21	2,858
Race discrimination	76	7	78	7	168
Disability discrimination	110	8	120	8	266
Religious belief discrimination	21	12	26	15	74
Sexual orientation discrimination	15	13	9	7	44
Age discrimination	51	7	65	7	130
Working time	220	1	270	1	492
Equal pay	670	15	1,400	27	2,112
National minimum wage	6	7	5	6	24
Others	250	5	380	6	641
All	3,700	81	6,400	111	7,200

Source: ET Management Information Database

	SUCCESSFUL AT TRIBUNAL				
	Q1	Q2	Q3	Q4	TOTAL
Unfair dismissal	1,400	13	1,300	11	1,724
Wages Act	1,200	18	1,300	14	1,832
Breach of contract	1,600	22	1,500	19	2,141
Redundancy pay	720	26	810	27	1,683
Sex discrimination	85	2	76	1	164
Race discrimination	29	3	31	3	76
Disability discrimination	41	1	46	3	91
Religious belief discrimination	3	2	5	3	13
Sexual orientation discrimination	5	4	9	7	25
Age discrimination	26	4	20	2	52
Working time	860	22	830	18	1,730
Equal pay	170	4	5	17	206
National minimum wage	17	21	8	9	55
Others	1,300	25	1,600	27	2,552
All	7,500	151	7,500	131	8,282

Source: ET Management Information Database

	DISMISSED AT A PRELIMINARY HEARING ²				
	Q1	Q2	Q3	Q4	TOTAL
Unfair dismissal	250	2	330	3	585
Wages Act	130	8	110	1	359
Breach of contract	130	2	130	2	394
Redundancy pay	27	1	33	1	71
Sex discrimination	54	1	38	1	94
Race discrimination	71	7	49	4	131
Disability discrimination	40	3	37	2	82
Religious belief discrimination	32	18	6	3	59
Sexual orientation discrimination	12	11	8	7	38
Age discrimination	33	5	24	3	65
Working time	63	2	72	2	139
Equal pay	26	1	7	0	34
National minimum wage	1	1	2	1	5
Others	480	9	68	1	558
All	1,700	41	910	21	2,642

Source: ET Management Information Database

	UNSUCCESSFUL AT HEARING ³				
	Q1	Q2	Q3	Q4	TOTAL
Unfair dismissal	930	8	1,100	9	1,947
Wages Act	350	5	440	5	800
Breach of contract	490	7	620	8	1,125
Redundancy pay	140	6	150	5	301
Sex discrimination	130	4	130	2	296
Race discrimination	200	19	180	16	525
Disability discrimination	120	9	130	9	278
Religious belief discrimination	28	16	20	11	75
Sexual orientation discrimination	13	12	11	9	45
Age discrimination	65	9	89	9	172
Working time	230	6	280	6	522
Equal pay	25	1	6	0	32
National minimum wage	6	7	20	23	56
Others	290	4	300	5	599
All	3,000	61	3,500	61	4,622

Source: ET Management Information Database

	DEFAULT JUDGMENT				
	Q1	Q2	Q3	Q4	TOTAL
Unfair dismissal	280	2	430	4	716
Wages Act	750	11	950	10	1,661
Breach of contract	730	10	980	12	1,722
Redundancy pay	480	19	670	23	1,192
Sex discrimination	17	0	22	0	39
Race discrimination	5	0	11	1	17
Disability discrimination	10	1	12	1	24
Religious belief discrimination	0	0	3	2	5
Sexual orientation discrimination	3	0	1	1	5
Age discrimination	2	0	15	2	19
Working time	500	12	700	15	1,217
Equal pay	2	0	0	0	2
National minimum wage	5	6	3	3	17
Others	130	2	130	2	264
All	2,900	61	4,100	71	5,000

Source: ET Management Information Database

Figures may not add to totals because of rounding

¹ Not applicable (data was not collected)

² Not available

Table 1.2b TSIA Disposals by case type

Rounded Number

	2007-08	2008-09	2009-10				2009-10 Total
	Q4	Q4	Q1	Q2	Q3	Q4	
TSIA- Immigration Judge	44,900	48,800	46,300	52,800	50,600	47,800	197,500
Asylum	2,400	2,700	2,800	4,400	4,700	4,900	16,800
Managed Migration	6,000	5,700	8,000	7,800	8,700	10,700	35,200
Entry Clearance	17,000	20,800	21,300	26,700	19,900	11,100	79,000
Family Visit Visa	19,300	19,500	14,000	13,700	17,100	20,900	65,700
Deport and others	150	100	260	270	200	200	930

Source: ARIA database

Figures may not add to totals because of rounding

. Not applicable (data was not collected)

.. Not available

Table 1.2c SSCS Disposals by Benefit Type 2009-10

Rounded Number

Benefit	2009-10				
	Q 1	Q 2	Q 3	Q 4	Total
AA/DLA	18,400	17,900	16,400	16,300	69,000
Bereavement Benefit	120	150	130	120	520
Carer's Allowance	320	340	280	260	1,200
Child Benefit Lone Parent	450	450	380	370	1,700
Child Support All	1,200	1,200	1,000	880	4,300
Tax Credits	320	430	330	350	1,400
COEG	-	-	1	2	3
Compensation Recovery Unit	96	88	89	86	360
Housing/Council Tax benefit	3,300	3,300	3,100	3,200	12,900
Disability Working Allowance	-	1	-	-	1
Employment Support Allowance	2,300	11,200	23,400	33,600	70,500
Incapacity Benefit	19,500	14,400	11,600	11,200	56,800
Health in Pregnancy Grant	-	50	140	230	420
HRP	3	1	2	10	16
Pensions Credit	430	420	370	430	1,600
Income Support	5,300	4,700	4,000	3,800	17,700
Industrial Death Benefit	-	-	-	-	-
Industrial Injuries Disablement Benefit	1,700	1,700	1,300	1,400	6,000
JSA	6,900	7,600	6,900	7,500	28,800
Lookalikes	-	-	1	1	2
Maternity Benefit/Allowances	65	68	54	54	240
Others (Extinct/rare Benefits)	23	21	14	20	78
Penalty Proceedings	-	-	-	-	-
Retirement Pension	260	220	160	200	850
Severe Disablement Benefit/Allowance	41	32	24	22	120
Social Fund	1,400	1,300	990	980	4,700
Vaccine Damage Appeals	1	-	1	1	3
Total	62,100	65,600	70,500	81,000	279,300

Source: SSCS Gaps 2 database

Figures may not add to totals because of rounding

. Not applicable (data was not collected)

.. Not available

- nil

Table 1.2d SSCS Outcomes by Benefit Type 2009-10

Rounded Number

Benefit	Quarter 1			Quarter 2			Quarter 3			Quarter 4			Total		
	Cleared at Hearing	Decision In Favour ¹	Decision Upheld ²	Cleared at Hearing	Decision In Favour ¹	Decision Upheld ²	Cleared at Hearing	Decision In Favour ¹	Decision Upheld ²	Cleared at Hearing	Decision In Favour ¹	Decision Upheld ²	Cleared at Hearing	Decision In Favour ¹	Decision Upheld ²
AA/DLA	15,000	6,400	8,300	14,400	5,800	8,400	12,800	5,300	7,300	12,400	4,900	7,300	54,600	22,400	31,300
Bereavement Benefit	78	9	68	110	7	100	89	7	82	100	7	92	380	30	340
Carer's Allowance	200	27	170	200	25	170	200	26	170	170	25	140	760	100	650
Child Benefit Lone Parent	310	50	260	280	18	260	240	27	210	240	23	210	1,100	120	940
Child Support All	900	390	490	850	360	470	770	350	390	650	260	360	3,200	1,400	1,700
Tax Credits	200	34	170	280	36	250	190	32	150	200	32	170	870	130	730
COEG	-	-	-	-	-	-	1	-	1	-	-	-	1	-	1
Compensation Recovery Unit	63	32	31	55	21	33	60	29	30	47	19	27	230	100	120
Housing/Council Tax benefit	2,200	560	1,700	2,100	520	1,600	2,100	570	1,500	2,100	480	1,600	8,600	2,100	6,400
Disability Working Allowance	-	-	-	1	-	1	-	-	-	-	-	-	1	-	1
Employment Support Allowance	1,200	330	880	7,600	2,500	5,100	17,000	6,300	10,600	25,000	9,900	15,000	50,800	19,000	31,500
Health in Pregnancy Grant	-	-	-	18	1	17	70	3	67	140	8	140	230	12	220
HRP	3	-	3	1	-	1	2	-	2	8	-	7	14	-	13
Incapacity Benefit	16,600	8,600	8,000	12,000	6,100	5,900	9,500	4,800	4,600	9,100	4,600	4,400	47,200	24,100	23,000
Income Support	3,600	1,100	2,400	3,100	850	2,200	2,600	760	1,800	2,500	730	1,700	11,800	3,400	8,200
Industrial Death Benefit	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Industrial Injuries Disablement Benefit	1,400	570	800	1,400	540	860	1,000	380	610	1,000	380	630	4,900	1,900	2,900
JSA	4,200	840	3,300	4,800	820	4,000	4,100	720	3,300	4,400	750	3,700	17,500	3,100	14,300
Lookalikes	-	-	-	-	-	-	-	-	-	1	-	1	1	-	1
Maternity Benefit/Allowances	33	5	28	39	6	33	37	10	27	40	2	38	150	23	130
Others (Extinct/rare Benefits)	13	6	7	13	6	7	8	4	3	9	2	7	43	18	24
Penalty Proceedings	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Pensions Credit	250	50	200	260	71	190	210	48	160	260	60	190	990	230	740
Retirement Pension	170	12	160	170	10	160	120	7	110	150	7	140	610	36	570
Severe Disablement Benefit/Allowance	33	15	18	30	12	18	19	12	7	17	6	11	99	45	54
Social Fund	1,000	130	860	960	120	840	700	64	640	700	100	590	3,400	410	2,900
Vaccine Damage Appeals	1	-	1	-	-	-	1	1	-	1	-	1	3	1	2
Total	47,400	19,200	27,800	48,800	17,700	30,700	51,800	19,400	31,900	59,200	22,300	36,400	207,300	78,600	126,800

Data extracted from G2 reports run on 14/5/2010

Figures may not add to totals because of rounding

. Not applicable (data was not collected)

.. Not available

¹ Decision in favour of the appellant

² Decision made by 1st Tier Agency upheld by the Tribunal

Table 1.3 Tribunals Service Cases Outstanding by Jurisdiction

Rounded Number

	2007-08	2008-09	2009-10				2009-10 Total
	Q4	Q4	Q1	Q2	Q3	Q4	
Tribunals Service	364,600	462,500	484,200	524,900	592,000	628,800	628,800
TSIA - Immigration Judge	63,400	88,400	84,400	74,700	64,500	58,000	58,000
Employment Appeal	..	..	..	..	..	..	..
Employment	239,300	290,200	306,900	338,300	387,500	404,800	404,800
Singles	..	..	33,100	35,800	35,500	33,800	33,800
Multiples	..	..	273,800	302,500	352,000	371,000	371,000
Social Security and Child Support	44,500	66,400	68,500	85,400	112,600	138,800	138,800
Adjudicator to HM Land Registry	2,000	1,600	1,500	1,300	1,200	1,500	1,500
Asylum Support	80	43	97	49	120	320	320
Care Standards	150	96	110	140	140	110	110
Charities	.	3	3	3	1	-	-
Claims Management Services	-	-	1	-	3	2	2
Consumer Credit Appeals	.	5	2	2	5	-	-
Criminal Injuries Compensation	2,100	1,700	2,600	2,700	2,900	2,800	2,800
Estate Agents Appeals	.	1	-	3	7	3	3
Financial Services and Markets	13	18	17	24	21	19	19
First Tier Immigration	1	1	1	2	4	1	1
Gambling Appeals	-	-	1	1	-	-	-
Gender Recognition Panel	76	65	86	81	78	90	90
Information	86	150	39	64	70	94	94
Lands	1,200	1,400	1,400	1,200	1,200	1,500	1,500
Local Government Standards in England	..	..	16	17	20	14	14
Mental Health	..	..	5,100	5,400	5,100	4,800	4,800
Pensions	4	-	-	1	1	1	1
Primary Health Lists	.	.	-	49	60	57	57
Reserve Forces Appeals	.	.	4	1	4	3	3
Special Commissioners (Income Tax)	400	540	.	.	.	.	.
Special Educational Needs and Disability	1,400	940	1,300	1,300	1,300	..	..
Tax first tier	.	.	10,100	11,600	12,600	13,500	13,500
Transport	190	150	170	170	120	120	120
Upper Tribunal (Administrative Appeals Chamber) formerly TCO	1,700	920	930	1,100	1,100	1,100	1,100
VAT and Duties	7,000	9,000	.	.	.	.	.
War Pensions and Armed Forces Compensation	1,000	850	940	1,200	1,200	1,200	1,200

Source: TS Quarterly Reconciled Tables

Figures may not add to totals because of rounding

.. Not applicable (data was not collected)

.. Not available

Table 1.4 Tribunals Service Performance Indicators by Jurisdiction

		Percentage								
		2007-08	2008-09		2009-10					
Performance Indicator Description		Target	Q4	Q4	Q1	Q2	Q3	Q4	Annual	
TS OVERALL PI	The percentage of applications dealt with in target time	75%	77	61	61	51	47	41	50	
TSIA - Immigration Judge	Receipt in AIT to promulgator ¹ by an immigration judge (all cases)	75%	67	55	51	29	28	28	34	
	Asylum cases, percentage promulgated in 6 weeks	75%	66	64	69	71	61	58	64	
	Managed Migration Managed Migration cases, percentage promulgated within 8 weeks	75%	71	75	65	59	48	31	49	
	Entry Clearance Family visitor cases, percentage promulgated within 10 weeks from receipt of the respondent's bundle	75%	60	51	42	12	17	26	23	
	Family Visit Visa Entry clearance cases, percentage promulgated within 10 weeks from receipt of the respondent's bundle	75%	71	49	51	28	18	20	27	
Employment Appeal	The percentage of appeals listed for a first hearing within 26 weeks of registration	75%	94	92	87	91	83	87	87	
Employment	The percentage of single accepted cases where hearing begins within 26 weeks of receipt	75%	73	74	71	70	65	56	65	
Social Security and Child Support	The percentage of appeals where the first hearing takes place within 14 weeks of the receipt at SSSC	75%	86	63	66	67	60	46	59	
Adjudicator to HM Lands Registry	The percentage of cases disposed ² of within 70 weeks of receipt	75%	44	71	74	72	74	75	74	
Asylum Support	The percentage of cases to be determined ³ within 12 working days of receipt	100%	100	99	100	100	100	44	78	
Care Standards	The percentage of cases to be determined within 40 weeks of receipt	75%	85	68	86	86	87	80	85	
Charities	The percentage of cases disposed of within 30 weeks of receipt	75%	-	-	100	-	67	100	86	
Claims Management Services	The percentage of cases to be disposed of within 50 weeks of receipt	75%	100	-	-	100	-	100	100	
Consumer Credit Appeals	The percentage of cases to be disposed of within 25 weeks of receipt	75%	.	60	50	33	100	75	58	
Criminal Injuries Compensation	The percentage of cases disposed of within 6 months of being ready to list	75%	74	82	88	92	89	94	91	
Estate Agents Appeals	The percentage of cases disposed of within 27 weeks of receipt	75%	.	.	.	-	-	100	83	
Financial Services and Markets	The percentage of cases disposed of within 50 weeks of receipt	75%	89	100	33	75	44	63	52	
First Tier Immigration⁵	The percentage of cases disposed of within 30 weeks of receipt	75%	50	100	100	100	100	100	100	
Gambling Appeals	The percentage of cases disposed of within 30 weeks of receipt	75%	100	-	-	-	100	-	100	
Gender Recognition	The percentage of cases disposed of within 20 weeks of receipt	75%	92	51	82	81	84	75	81	
Information	The percentage of cases disposed of within 30 weeks of receipt	75%	69	41	68	65	68	66	67	
Lands	The percentage of cases disposed of within 50 weeks of registration	75%	70	71	75	73	68	68	71	
Local Government Standards in England⁶	The percentage of cases where the decision was issued within 16 weeks of receipt of reference	95%	.	.	100	95	68	89	87	
Mental Health	Section 2 (Mental Health Act 1983) cases that are listed for hearing within 7 days of receipt (statutory target)	100%	..	96	95	96	98	98	97	
Pensions	The percentage of cases disposed of within 50 weeks of receipt	75%	100	-	-	-	-	-	-	
Primary Health Lists⁶	The percentage of cases where the decision was issued within 16 weeks of receipt of reference	75%	-	-	-	-	-	-	-	
Reserve Forces Appeals⁶	The percentage of determinations (from hearing to judgement) issued within 4 weeks	75%	.	.	-	71	100	100	67	
Special Commissioners (Income Tax)	The percentage of cases disposed of within 50 weeks of receipt	75%	65	74	.	.	.	.	.
Special Educational Needs and Disability	The percentage of cases disposed of within 22 weeks of receipt	75%	79	52	74	88	85	82	82	
Tax first tier⁷	The percentage of cases disposed of within 70 weeks of receipt	75%	.	.	40	52	55	33	42	
Transport	The percentage of cases disposed of within 16 weeks of receipt	75%	97	95	98	97	74	87	89	
Upper Tribunal (Administrative Appeals Chamber)⁸	The percentage of all work disposed of within 30 weeks of receipt	75%	.	95	91	93	91	91	92	
VAT & Duties⁹	The percentage of Category 1 and 3 cases disposed of within 90 weeks of receipt	75%	72	47	.	.	.	.	.
War Pensions and Armed Forces Compensation	The percentage of Category 2 cases disposed of within 35 weeks of receipt The percentage of cases disposed of within 20 weeks of receipt	75%	84	77	.	.	.	.	.
		75%	75	82	77	72	70	68	72	

Source: TS Quarterly Reconciled Tables

. Not applicable (data was not collected)

- Not available

- no cases dealt with so KPI could not be calculated

1 Promulgation is the formal publication of the decision

2 A case is considered to be disposed of when a decision has been made on the case and all work on the case has been completed

3 A case is considered to be determined when a decision has been made on the case

4 Now part of the Upper Tribunal

5 Formerly known as IMSET

6 Joined the TS April 2009

7 Created April 2009 as part of TCE ACT

8 Upper Tribunal commenced in 2008-09

9 Now part of Tax first tier