

If you're being taken to tribunal

If you're being taken to an employment tribunal and are responding to a claim, you're 'the respondent'.

The other person in the dispute who has made the claim, for example one of your employees, is 'the claimant'.

If the claimant has told us they intend to make a claim to tribunal against you or your company, we'll contact you to offer 'early conciliation' if the claimant agrees.

This is when we talk to both you and the claimant about your dispute. It gives you the chance to come to an agreement without having to go to tribunal.

Acas is not part of the tribunal service and we will not discuss any matter with the tribunal.

You do not have to take part in talks, but there are advantages if you do. Avoiding an employment tribunal can save time and money. It also means the dispute remains confidential – a tribunal is a public hearing.

The time limit for a claimant to make a claim is put on hold during early conciliation talks.

If you reach an agreement

If you can come to an agreement, we'll write what's been agreed in a conciliation agreement (COT3). The agreement is legally binding and both you and the claimant must keep to what you've agreed.

The claimant will not be able to make a claim to an employment tribunal about the same dispute in the future.

If you do not reach an agreement

At early conciliation, we'll give the claimant a certificate with a number on it. They'll put the number on an employment tribunal [form ET1](#), which they'll use if they decide to make a tribunal claim.

You will not receive a copy of the certificate if the claimant did not consent to Acas speaking to you or we were unable to make contact with you.

The clock will start again on the time limit for a claimant to make a claim to an employment tribunal.

You and the claimant can still talk through Acas up to and during the tribunal process, until a judgement is made. This is known as 'conciliation' (rather than 'early conciliation'). Normally, you'll have the same conciliator you had for early conciliation.

Conciliation will not affect the outcome of a tribunal and Acas will not share anything you discuss with anyone else without your permission.

If conciliation does not resolve the dispute and the tribunal goes ahead, the case will be heard in public and a decision will be made by a judge.

You can [read more about tribunals on GOV.UK](#) and [Citizens Advice](#).

If an agreement is broken

Acas COT3 agreements are legally binding. Most COT3 agreements are kept but if either side does not keep to the agreement, there are ways the courts can enforce it.