



University of Strathclyde
LAW CLINIC



Recommendations

A guide for the general public

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Outline

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- ▶ How do you ask for one?
- ▶ Example of recommendation from a real case

What are recommendations?

Employment Tribunals have the power to make a recommendation that the employer should take specified action to remove a source of discrimination or prevent further discrimination. If the employer fails to comply with a recommendation, further orders for compensation can be made.

Recommendations could include:

- ▶ That the employer will run a training session for managers on disability discrimination
- ▶ That the employer will adjust their internal policies to make it easier for them to comply with the Equality Act.

How do you ask for one?

At question 9.2 on the ET1 claim form you will be asked what remedy you are seeking. At this stage, you tick the box for 'recommendation'. This can be in addition to any other remedy you are seeking.

There is no need to elaborate on what recommendations you seek at this point. There will be an opportunity to do so later in the process.

If you have already completed the ET1 claim form and forgot to specify that you seek a recommendation, you can indicate that you are interested in this when completing the agenda for the Preliminary Hearing (see slideshows 4A-4E) or at any stage when you are asked to provide details of the outcome you are seeking, for example, to prepare a Schedule of Loss.

Example of recommendation from a real case

“The Tribunal also makes the following recommendations:

- 1) When addressing issues relating to the Claimant’s disability the Respondent’s management should seek HR support and/or advice (the period of this recommendation is one year from the date of this judgment being sent to the parties).
- 2) Line Manager Joe Bloggs shall within six weeks of this judgment being sent to the parties receive refresher training on equality issues.
- 3) Within four weeks of this judgment being sent to the parties the parties are to enter into the Respondent’s internal mediation in an attempt to seek agreement on the basis of the Claimant’s return to work.”