



For members, representatives, branches and regions

CASE TYPE		SUB TYPE	
FILE NUMBER		FOF	REGIONAL OFFICE USE ONLY

Conditions for providing assistance

- UNISON seeks to ensure that members are provided with the best possible advice and assistance to achieve a satisfactory outcome to matters of grievance and discipline. UNISON will determine the most appropriate representative for your case. This may mean reallocating the case at a later stage and you will be informed of any such decision.
- 2. UNISON representatives and members are expected under UNISON rules to treat one another with respect. Failure to do so by a UNISON representative will entitle you to make a complaint in accordance with UNISON's Complaints Procedure: www.unison.org.uk/upload/sharepoint/ Policies/COMPLAINTS_PROCEDURE.pdf. Failure by you to treat your representative with respect may lead to support being withdrawn from you.
- **3.** At all times, action taken on your behalf will be on the basis of agreement reached between you and your representative about the best way UNISON can assist you. Throughout the procedure you will be kept informed and no decision will be made without first consulting you. Should you decide at any point not to accept the advice of your UNISON representative then you are free to proceed without UNISON assistance. Please inform UNISON if you no longer require UNISON's assistance in these circumstances.
- 4. The Declarations at Section 12 must be signed if a potential legal claim is identified. UNISON supports claims to an Employment Tribunal, where a legal claim has been assessed by our solicitors as having reasonable prospects of success.
- 5. Until UNISON or its solicitors confirms in writing that it is acting for you in a legal claim, any responsibility for lodging a claim in an Employment Tribunal or Court (including County Courts, Sheriff Courts and appeal Courts) is yours alone.
- 6. UNISON representation is provided on the understanding that UNISON is your sole representative. UNISON cannot be held responsible for any costs or expense incurred if you have opted out from UNISON assistance or if UNISON

representation has been withdrawn. Nor will UNISON be responsible for providing assistance in respect of any appeal or higher level hearing against a decision arising from representations made after you have opted out from UNISON assistance or after UNISON assistance has been withdrawn.

- 7. You are expected to cooperate with your representative by being honest and frank about any allegation against you and in respect of any grievance you have. Your representative can only assist you if they are in possession of the full facts. Failure to cooperate can lead to UNISON support being withdrawn.
- You must notify your representative immediately if your circumstances change or if any new information comes to light regarding your case.
- 9. You must ensure that your personal and financial information is accurate and up to date at the time that you apply for assistance. You must also confirm that your UNISON subscriptions are up to date. If you have given information which is misleading UNISON has the right to withdraw support.
- **10.** In the event of UNISON support being withdrawn you have the right to appeal to your branch secretary in the first instance unless notified otherwise.
- 11. You must remain a member of UNISON throughout any period during which UNISON is providing advice and assistance to you. This means that if you are unemployed by reason of dismissal or redundancy you must pay a UNISON subscription at the Unemployed Member's rate; if you gain new employment within or outside of the areas of UNISON organisation you must maintain a UNISON subscription according to your earnings band as set out in Schedule A of the UNISON Rule book.
- 12. UNISON reserves the right to use the details of your case and outcome in publicity, case study or learning materials, subject to your name only being used with your permission.

Please ask the branch to copy this form for you and note the contact details below

Your case has now been referred to the UNISON representative whose name and contact details are recorded below. Assistance will be provided in accordance with UNISON's scheme for representing members and the conditions outlined overleaf.

If, following your initial discussions, it is agreed that the representative will act on your behalf, any action will normally be done in consultation with yourself. Your representative should keep you routinely informed of any developments, and you should note short periods of non-communication may simply mean that your representative is waiting for someone (for example an employer, a witness) to respond to a letter or message. Please respect that most lay officers are doing a voluntary job in their own time. However, if necessary, please feel free to contact your representative to avoid undue stress to yourself.

The name of your UNISON representative is
Work telephone:
Mobile:
Email:
Workplace address:
Regional contact:

Case Form

This information will be used to ensure that you are eligible for support.*

This information will be used to contact you and to update your membership record. It will also be provided to an Employment Tribunal or court if UNISON agrees to pursue your case.*

Please provide information of any disability you have which may impact on the way in which a UNISON representative would assist you. Please identify specific needs (for large print or mobility needs for meetings)*

This information is required if an Employment Tribunal claim needs to be made.

*This information will also be used to update UNISON's member database Workplace Name

Telephone number

6. Fitness to practice

Name of registration body

7. Disclosure and Barring Service

Barred adults list Yes No

Are you barred from working by either the Disclosure and Barring Service or Disclosure Scotland?

Address 1

Address 2

Only complete this section if you are seeking representation in relation to your professional registration or fitness to practice.

1. Membership details								
Membership number					Please give the date you joined			
2. Member's correspondence details								
Title				Surname				
Address 1								
Address 2								
					Postcode			
3. Member co	ntact details							
Home phone nu	mber		V	Work phone number				
Mobile number			V	Work email				
Voice/text numb	er		F	Home email				
4. Member personal details								
Date of birth			(Gender				
Do you have a disability?								
Please state any access needs								
5. Member en	nployment de	etails						
Job title / occupation				P	Payroll no.			
Employment commenced Employment ended								
Permanent		Temporary		Cası	ual	Fixed Term Contract		
Full-time		Part-time		Job	Share	Basic hours per week		
Basic wage per week £		or	br Basic wage per month £					
Average take home pay per week £			or	Average take home pay per month £				
Other bonuses or benefits per week £			or	Other bonuses or benefits per month £				
Employer Head Office Name								
Address 1								
Address 2								
Telephone number Postcode								

Postcode

Professional registration PIN number

Barred children's list Yes No

This information will be used to
assist in representing you; and
if an Employment Tribunal claim
needs to be made. Please use a
continuation sheet if necessary.

8. Case details	
Date of incident/issue	
Is the issue ongoing? Yes No	
Date of dismissal	
Date(s) of forthcoming hearing(s)	Type of hearing
Date(s) of forthcoming meeting(s)	Type of meeting

9. Please list and attach relevant correspondence (statements/lists of events relating to this issue/incident)

Please state here how you want UNISON to help you. This information will be used to assist in representing you and/or at an Employment Tribunal.

This information will enable us to check if you are still eligible for representation and advice.

This information will enable
UNISON to pursue an
Employment Tribunal claim on
your behalf.

What would be a solution to your problem
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11. Other actions, including other representation and advice

a) Has anyone other than UNISON advised or acted on your behalf?

If Yes, please give name and organisation of who has advised/acted and give brief details of advice given or actions taken

Name

Action taken

b) Have you or anyone other than UNISON triggered the ACAS Early Conciliation procedure?
c) If Yes to (b), when did you trigger the ACAS Early Conciliation procedure?
d) If Yes to (c), have you received an ACAS Early Conciliation certificate? Yes No
e) If Yes to (d), when did you receive the ACAS Early Conciliation certificate?

Please note that if your claim goes to court or an Employment Tribunal, the judgement will be made publicly available. UNISON may make public comments on such judgements.

12. Declarations

I agree and confirm that:

- 11.1 I have complied with the Union's Conditions of Legal Assistance and will continue to do so.
- 11.2 my membership subscriptions are up to date and that I will continue paying membership subscriptions until any legal claim brought on my behalf comes to an end.
- 11.3 the information I have provided is a true and accurate record.
- 11.4 any information I provide can be shared with a third party in respect my legal representation in accordance with the General Data Protection Regulations 2018 but that no information will be disclosed to any external marketing.
- 11.5 I have not triggered the ACAS Early Conciliation procedure, and I understand that it is a condition of my representation that I do not trigger the ACAS Early Conciliation procedure*.
- 11.6 I authorise UNISON to make representations on my behalf to ACAS under the Early Conciliation scheme. When UNISON triggers the ACAS Early Conciliation procedure, and ACAS call me, I will inform them that they should speak to the person from UNISON named in the letter to me from UNISON, normally my organiser*.
- 11.7 I have retained a copy for my own future reference.

*If ACAS Early Conciliation has been triggered, the branch must contact the organiser for advice on how to proceed. However, please sign the form to avoid delays processing your claim.

**11.5 and 11.6 do not apply to members in Northern Ireland.

Signature of member	Date
Signature of branch official (name of branch officer handling the case)	Date

13. Diversity information						
Do you identify as:	Female	Male	In another way			
Would you describe yourself as:	Lesbian	Gay	Bisexual			
Would you describe yourself as	transgender? Yes No	Are you disabled? Yes	No			
What is your race and/or ethnic	origin?	` 				
Are you pregnant or on maternity leave? Yes No						
Are you a part time worker? Yes No Are you a fixed-term worker? Yes No						
Do you think you have been discriminated on the grounds of age and if so, why?						
Do you believe you have been discriminated against? Please state on what grounds:						

Diversity information will be used to monitor whether your employer's practices are targeting certain groups of people who have protected characteristics.

How we use your information

At UNISON, we are committed to keeping your data secure and to never using it in ways you would not expect. UNISON is the data controller for the information you provide on this form. We use this data to assess if you are eligible for support and to provide this support.

We may also use your information to pursue our legitimate interests as a trade union, such as updating your details on our database or commenting on Employment Tribunal judgements. We may share the information on this form with our solicitors, an Employment Tribunal, or court. We don't routinely transfer your data outside of the UK. However, where it is necessary, we ensure appropriate data protection measures (as applicable under UK law) are in place. We retain your data in accordance with UNISON's data retention policy and delete it when it is no longer required.Where you have given consent for UNISON to process your data, you may withdraw it at any time by contacting us.

You have rights as a data subject. These rights include: subject access; erasure; rectification; the right to restrict or object to processing; the right to data portability; and the right to complain to the Information Commissioner's Office (ICO). UNISON is fully committed to upholding these rights. If you believe we have not done so, please get in touch so that we can put things right.

For further information on how we will use your personal data, you can:

Go to: unison.org.uk/privacy-policy

Email: dataprotection@unison.co.uk

Write to: Data Protection Officer, UNISON, UNISON Centre, 130 Euston Road, London NW1 2AY

FOR THE BRANCH TO FILL IN

- If this form has come to you because the member has no workplace representative, please allocate a representative and enter that representative's name and contact details on the tear-off slip at the back of the form, and return that section to the member without delay.
- If you are seeking assistance from the region, please ensure that all sections of this form are completed and sent to the regional office together with copies of any documents and correspondence which could assist – an incomplete form is likely to be returned to you, causing unnecessary delay in the member's case.
- **3.** You must complete sections 20-21. If there is no workplace representative please also complete sections 14-16.
- If you think this case may involve an application to an Employment Tribunal, you must complete section 18 (the section on legal claims) and ensure that the member has signed the Declarations in section 12 before forwarding this Case Form and relevant information to the regional office immediately.
- Most claims to the Employment Tribunal have to be lodged within three months less one day of the act, failure to act or incident (eg

discrimination, unfair dismissal etc), or some within six months less one day (eg equal pay or redundancy pay). Before a case can be lodged, the ACAS Early Conciliation process must be triggered. This process will be triggered by organisers once the Union's solicitors advise a case has merit. This is because triggering the ACAS Early Conciliation process will affect the limitation deadline ie the date by which a claim must be lodged. http://www.legislation.gov.uk/ uksi/2014/254/made.

- 6. If the original time limit for bringing an Employment Tribunal claim is less than 28 days away, you must contact the organiser/ Case Unit immediately and mark the form 'Urgent assistance required'. You must inform the member that ACAS pre-conciliation and an Employment Tribunal claim will only be lodged in exceptional circumstances.
- 7. Where a member has already triggered the ACAS Early Conciliation procedure, or lodged a claim prior to seeking help from the branch, please contact your organiser about next steps, bearing in mind that the organiser may need to obtain legal advice.
- Please sign the form to confirm that all details on the form are correct and that the member is up to date with UNISON subscriptions.

Membersh	ip number	Positio	n held in branch
Title	First name		Surname
Address			
			Postcode
Email		Contac	et telephone
15. Empl	oyer contact details (the manager you	have been dea	ling with)
Name		Job tit	е
Address		i	
			Postcode
Email		Contac	t telephone
Email		Contac	t telephone
	ch details	Contac	t telephone
16. Bran	ch details mber/code	Contac	
16. Bran Branch nu	mber/code		
	mber/code		
16. Bran Branch nu Service gr	mber/code		

This information will be used to assist with representation; and any Employment Tribunal claim made on behalf of the member.

This information will be used to assist with representation; and any Employment Tribunal claim made on behalf of the member.

17. Details of action taken					
	a grievance matter, please confi please explain the reason for not y to this form.				
			te of let		
	blined by the employer, please c please explain the reason for not y to this form.				
		Па	te of let	ter	
18. Is there a legal claim?					
Yes No					
*If Yes, please give the date of t	the incident and tick one of the or	otions below	Date		
Breach of contract	Holiday pay	Unlawful deduction of	of wage	S	
Unfair dismissal	Redundancy	Discrimination** Maternity/pregnancy		Maternity/pregnancy	
TUPE	Trade union detriment	Protective award			
Any other (please state)					
**If you ticked Discrimination, p	lease state the protected character	eristic			
Age	Disability	Gender reassignmer	ıt	Maternity/pregnancy	
Race	Religion or belief	Sex		Sexual orientation	
	sible the exact dates of any inci red (continue on a separate shee		ninatory	y incidents)	
			Date		

This information will be used to
assist with representation; and
any Employment Tribunal claim
made on behalf of the member.

19. Action taken by branch secretary and regional assistance required

Most claims to the Employment Tribunal have to be lodged within three months less one day of the act, failure to act or incident (eg discrimination, unfair dismissal etc), or some cases within 6 months less one day (e.g. equal pay or redundancy pay) ("the limitation deadline").

Vhen was the act, failure to act or incident?	When is the limitation deadline?
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No

A limitation deadline is the date by which a legal claim must be lodged. Have you contacted your region to detemine limitation, especially if you think it might be 28 days or less away? Yes

Do NOT wait for a grievance or disciplinary process, including any appeal procedure, to conclude. It is important to contact your organiser straight away in order to meet the limitation deadline*. Inform them IMMEDIATELY BY PHONE if you think limitation is imminent and legal advice is required.

Please state what action you have taken on behalf of the member, what further action you think is needed; give the dates of any forthcoming meetings or hearings. Please attach copies of any relevant correspondence.

*For example, If the act was on 1 January 2017, for a claim with a 3-month limitation the deadline to bring a claim is 31 March 2017. For a claim with a 6-month limitation, the deadline to bring a claim is 30 June 2017.		

20. Check list				
Has the member completed their sections	of the form?			
Yes No				
If a legal claim has been identified, has this	been discussed with the organiser / Case	Unit?		
Yes No				
Have you explained the declaration?				
Yes No				
Have you explained that if the member's case has reasonable prospects of success:				
1. UNISON's organisers from the region will trigger the Early Conciliation procedure;				
 That ACAS must be notified about the dispute through their Early Conciliation service before an ET claim can be lodged; 				
3. Sought authority from the member for their organiser to speak on the member's behalf to ACAS;				
4. Explained and agreed with the member that when ACAS calls, the member will ask ACAS to speak instead to their organiser or the person named in the letter confirming representation to the member.				
Yes No				
Are the following documents attached?				
Contract of employment	Dismissal letter	Appeal letter		
Grievance letter	Disciplinary procedure	Redeployment procedure		
Grievance procedure	Sickness absence	Disability discrimination policy		
ACAS Early Conciliation Certificate (if relevant)				
Any other (please give details)				
Incomplete information will lead to delays and may mean the member loses the opportunity to lodge an Employment Tribunal claim. Always be aware of deadlines to bring a case to the employment tribunal.				
21. Branch secretary authorisation				
Name				
Signature of branch secretary		Date		

Please use this space for any extra information.

