

About social security and child support tribunal law employment essay

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About tribunals

Tribunals are specialist judicial bodies which decide disputes in particular areas of law. Appeals to tribunals are generally against a decision made by a Government department or agency. The exception to this is the Employment Tribunal where cases are on a party v party basis example employee versus employer. There are tribunals in England, Wales, Scotland and Northern Ireland covering range of areas affecting everyday life. HM Courts & Tribunals administers many of them although some are the responsibility of the devolved governments in Scotland, Wales and Northern Ireland. Appeals to tribunals are generally against a decision made by a Government department or agency. The exception to this is the Employment Tribunal where cases are on a party v party basis example employee versus employer

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covering areas affecting everyday life. HM Courts and Tribunals administer many of them although some are the responsibility of the devolved governments in Scotland, Wales and Northern Ireland. Appeals to the First tier Tribunal are against the decisions from government departments and other public bodies. The Upper Tribunal hears appeals from the First tier Tribunal on points of law. Example an appeal made over the interpretation of a legal principle or statute. Further appeals may be made, with permission, to the Court of Appeal. Tribunal judges are legally qualified. Tribunal members are specialist non legal members of the panel and include doctors, chartered surveyors, ex service personnel or accountants. Tribunals often sit as a panel comprising a judge and non-legal members however in some jurisdictions cases may be heard by a judge or member sitting alone. Tribunals adopt procedures that are less complicated and more informal than those typically associated with the courts. There are different tribunals main ones are Employment tribunals, Immigration Services Tribunal, Social Security & Child Support Commissioners and The Criminal Injuries and Compensation Appeals Panel.

About Employment Tribunals

Employment Tribunals were created as Industrial Tribunals by the Industrial Training Act 1964. Industrial Tribunals were judicial bodies consisting of a lawyer, who was the chairman, an individual nominated by an employer association, and another by the Trades Union Congress or TUC-affiliated union. These independent panels heard and made legally binding rulings in relation to employment law disputes. Under the Employment Rights (Dispute Resolution) Act 1998, their name was changed to Employment Tribunals

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from 1 August 1998. Employment Tribunals continue to perform the same function as the Industrial Tribunals. Employment Tribunals will hear any claims to do with employment and they will hear these ones too unfair dismissal, redundancy payments and discrimination. An Employment Tribunal is like a court but it is not as formal for example, nobody wears a wig or gown. However, like a court it must act independently and cannot give legal advice. Almost all hearings are open to the public. The Employment Tribunals are independent judicial bodies who determine disputes between employers and employees over employment rights. The judicial mediation the employment tribunals uses are easy simple time saving. When a person makes an Employment Tribunal claim normally the process which is followed involves a Hearing taking place before an Employment Tribunal at which evidence is heard and legal arguments are made with a decision then being made on the case. The process is formal one involving evidence being led from witnesses and cross examination, which is very similar to what happens in an ordinary court. Mediation provides an alternative way to resolve a dispute which does not involve going through the normal tribunal hearing process. It is a form of what is commonly referred to as ADR - Alternative Dispute Resolution.

About Immigration and Asylum Tribunal

The First tier Tribunal Immigration and Asylum Chamber is an independent Tribunal dealing with appeals against decisions made by the Home Secretary and her officials in immigration, asylum and nationality matters. The main types of appeal immigration and asylum chamber receive are made against decisions to Refuse a person asylum in the UK, Refuse a person entry to, or

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leave to remain in, the UK and Deport someone already in the UK.

Appeals are heard by one or more Judges who are sometimes accompanied by non-legal members of the Tribunal. Judges and non-legal members are appointed by the Lord Chancellor and together they form an independent judicial body. Immigration and asylum tribunal hears appeals in a number of hearing centres across the United Kingdom. Where the appeal is being decided at an oral hearing, the person making the appeal and the person who makes appeal they are called appellant, their representative and a representative from the Home Office can attend. The Judge or panel will decide whether the appeal against the decision of the Home Office should be allowed or dismissed. This will be provided in writing and is called a determination in some circumstances either the appellant or respondent may apply for permission to appeal to the Upper Tribunal.

About Social Security and Child Support Tribunal

The Social Security and Child Support Tribunal deals with disputes about Income Support Jobseeker's Allowance, Incapacity Benefit, Employment Support Allowance, Disability Living Allowance, Attendance Allowance and Retirement Pensions. Child Support; Tax Credits, Statutory Sick Pay, Statutory Maternity Pay, Compensation Recovery Scheme, Road Traffic (NHS) charges, Vaccine Damage and decisions on Housing Benefit and Council Tax Benefit. The Social Security and Child Support Tribunal is part of HM Courts & Tribunals Service, an agency of the Ministry of Justice. The tribunal consists of two bodies within a single organisation. An independent appeal tribunal function constituted as a tribunal non-departmental public body with responsibility for the judicial functioning of appeal tribunals. This

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function is headed by the Social Entitlement Chamber President. An executive agency with responsibility for the administration of appeals. This function is headed by the Chief Executive of HM Courts & Tribunals Service. Social Security and Child Support Tribunal arrange independent hearings for appeals on decisions made by the Department for Work and Pensions including Jobcentre, Child Support Agency and Disability and Carers Service, as well as other government departments HM Revenue and Customs and local authorities. Appeals are determined by independent tribunal panels whose decisions cannot normally be changed other than by way of a further appeal to the Upper Tribunal. Appeals are heard at tribunal venues and are processed at eight operational sites throughout Great Britain. The Social Security and Child Support Tribunal have a purpose statement that describes what they seek to do is To bring together the parties to the appeal, and the judiciary, with all appropriate resources for the fair and independent delivery of decisions. Social Security and Child Support Tribunal will do this in a way that best meets the expectations of all parties to the appeal and the demands of the public purse. Tribunals statutory 1999 when the statutory maximum limits on monetary awards which employment industrial tribunals could give out were fixed. This has now been changed. Other big changes were made from 25th October 1999. before 25th October 1999 £12, 000 was the limit on compensatory award but after 25th October 1999 it got raised up to £50, 000. £18, 600 was maximum award in normal unfair dismissal cases before 25th October 1999. The maximum award in normal unfair dismissal cases now is. £56, 600 from 25th October 1999 to 31st January 2, £56, 900 from 1st February 2000 to 31st January 2001, £58, 900 from 1st

February 2001 to 31st January 2002 , £60, 100 from 1st February 2002 to 31st January 2003 ,£61, 300 from 1st February 2003 to 31st January 2004, £63, 100 from 1st February 2004 to 31st January 2005, £65, 200 from 1st February 2005 to 31st January 2006, £67, 100 from 1st February 2006 to 31st January 2007, £69, 900 from 1st February 2007 to 31st January 2008, £72, 900 from 1st February 2008 to 31st January 2009, £76, 700 from 1st February 2009 to 30th September 2009 ,£77, 600 from 1st October 2009 to 31st January 2010, £76, 700 (£65, 300 compensatory award plus 30 X £380 for maximum basic award) from 1st February 2010 to 31st January 2011 (the maximum limit on compensatory award was reduced on 1st February 2010, £80, 400 from 1st February 2011 (£68, 400 compensatory award plus 30 X £400 for maximum basic award). The main changes were made from 1st February 2012 are an increase from £68, 400 to £72, 300 in the maximum amount of compensatory award and and increase from £400 to £430 in the limit on a week's pay.

Council on TribunalsThe Council on Tribunals was an advisory non-departmental public body sponsored by the Ministry of Justice. It was set up in 1958 following the publication of the Franks Report on Administrative Tribunals and Enquiries in 1957 to keep review and report on the constitution and working of tribunals under its supervision and, where necessary, to consider and report on the administrative procedures of statutory inquiries.

ConclusionTribunals are formed to help people out, it's easier than going to court and it's faster, less cost to, main job of the tribunals is to get you back up running soon as they can and keep you running. For example Employment Tribunals they try to find you a job and give you compensation tells you can find one and start earning money again

or gives you compensation of the loss days at work where you could be earning money but you didn't. tribunals are here to help people sort their problems out the best way possible and keeping it fair.