

SCHEDULE 1

THE INDUSTRIAL TRIBUNALS AND FAIR EMPLOYMENT TRIBUNAL RULES OF PROCEDURE 2020

PART 9

PRELIMINARY HEARINGS

Scope of preliminary hearings

47.—(1) A preliminary hearing is a hearing at which the tribunal, notwithstanding any steps taken under rule 24, may do one or more of the following—

- (a) conduct a preliminary consideration of the claim with the parties and make a case management order (including an order relating to the conduct of the final hearing);
- (b) determine any preliminary issue;
- (c) consider whether a claim or response, or any part, should be struck out under rule 32;
- (d) make a deposit order under rule 34;
- (e) explore alternative means of resolving the issues in dispute, including the use of conciliation.

(2) There may be more than one preliminary hearing in any case.

(3) “Preliminary issue” means, as regards any complaint, any substantive issue which may determine liability (for example, an issue as to jurisdiction or as to whether an employee was dismissed).