**Additional information about attending your tribunal hearing**

**Security Checks**

As security checks are in place at our venues, please make sure you arrive ***15 minutes*** before the booked time, if you are delayed please let us know. If you do not attend, the tribunal may decide the appeal in your absence.

Please bring the appeal papers with you when you come to the hearing. This is the set of papers relating to your appeal, which was sent to you; and your representative if you have one. You will need to make copies for any other person you bring with you if you want them to have a set of appeal papers.

If you have any further evidence which you want the tribunal to see, please send it to us at least 7 days before the tribunal hearing. This will give the tribunal time to consider it with your other papers.

**Can I bring my children to the Hearing center?**

Please remember that children should not be left unattended at any time. The hearing venue does not have anyone to look after children and our staff cannot supervise them or be held responsible for their safety. In most circumstances, you cannot take children into the hearing room with you. They can stay in the waiting room as long as there is another adult with you to look after them.

**Special Requirements**

If you have special requirements that you have not already told us about, which needs to be taken into account to allow you to attend the hearing you should contact the office as soon as possible to discuss these.

**Other Information**

* Smoking is not allowed anywhere in the building
* Mobile phones must be turned off in the hearing room
* Please keep all personal possessions with you at all times. The Scottish Courts and Tribunals Service cannot be held responsible for their safety.

**Help and Advice**

When you arrive at the hearing, the tribunal clerk will explain what will happen and answer any questions you may have.

Please note that Scottish Courts and Tribunals Service staff can advise you on Tribunal procedures and information about your hearing, but they cannot give you legal advice.

**Accessibility and Facilities**

* The venue is accessible by wheelchair
* There are disabled toilet facilities available
* Please note that you may be asked to pass through a security arch, or to be scanned with a hand-held detector before entering the tribunal area. You may also be asked to allow security officers to conduct a visual search of the contents of any bags. No physical contact is required for these security searches.
* Please note the tribunal hearing will be recorded

**What happens at a hearing?**

The tribunal clerk will take you and the other party into the hearing room, and show you where to sit. The chairperson/legal member will begin introductions, explain how the hearing will run and try to make the hearing as straightforward and easy to follow as possible.

The chairperson/legal member will manage the hearing so that everyone can have their say. You can conduct your case yourself or bring a representative/appointee to conduct the case for you.

***If you need to contact us, please have your NI Number and/or your Case Reference Number available.***

**Guide to Applying for Expenses**

**You must read these instructions before travelling to the tribunal.**

You may be able to claim the cost of travel to and from the place where the hearing is held. You will need to apply for this through the digital expense online portal. The digital expense team may be able to help you with the claim. This guide explains what we can pay for and also gives guidance for filling in your claim for travelling expenses. The allowances are meant to compensate you for your out-of-pocket expenses. **Please read this guide carefully when filling in your claim online.**

**Receipts or tickets must be retained and uploaded through the digital expense online portal.**

# What can I claim?

**Travel**

You may be able to claim for the cost of travelling from your home to the tribunal hearing. (**Please note:** you may not claim travelling expenses from any address other than your own unless you have permission from the tribunal in advance)*.* The amount depends on whether you used public or private transport (please see the table below).

**Public transport:** If you use public transport you can claim the cost of the fares. You must provide your tickets as evidence of your journey. Please note that you will only be able to claim a **standard class fare**.

**Own transport:** If you have travelled by private vehicle, you will normally only be able to claim the rates given in the table below.

**Please note:** Parking costs will normally only be paid where public transport is unavailable or unsuitable for your personal needs and it has been agreed that you can use private transport. Parking is normally only paid for up to **2 hours**.

**Taxi:** Taxi fares can only be paid in special circumstances. If you consider that you need to use a taxi, you must agree this with the tribunal **14 days** **before you attend the tribunal hearing to discuss the use of a taxi.** The tribunal will need to be convinced that no other kind of transport is available to you or that a journey using public or private transport would take an unreasonable time or be unsuitable for you. If travel by taxi is approved, you must produce a receipt showing the fare which you paid. In some circumstances we can arrange a taxi for you.

**Please note the** tribunal **clerk will not be able to pay a taxi fare on the day. If you contact us at short notice, your only option will be to claim back the taxi fare using the online portal. In all instances you must provide a receipt.**

|  |  |
| --- | --- |
| **Type of transport** | **Allowance** |
| **Public** | The cost of the ticket |
| **Private vehicle** | 25p per mile2p per mile for an additional passenger |
| **Taxi\*** | Fare paid |

# *\*Use of a taxi must be agreed in advance*. Please contact the tribunals if you need to use a taxi you must contact us 14 days in advance. Receipts must be retained.

# Living Expenses/Subsistence

* If you are away from home for more than 5 hours and you have to buy a meal, you can claim £4.25
* If you are away from home for more than 10 hours and you have to buy two meals, you can claim £11.40

**Overnight Stay**

If in special circumstances you may need to stay in a hotel overnight, you can claim living expenses. This will cover your accommodation and breakfast only. You must have a good reason for an overnight stay. You must have agreed with the tribunal that you can claim for an overnight stay otherwise we may not be able to pay the costs. You must phone the number on the front of the letter from the tribunal to agree an overnight stay.

We will pay costs up to:

* £65 for accommodation, and;
* £21 Additional meals allowance.

If staying with a relative/friend, we will pay:

* £25 for accommodation, and;

£5 for personal expenses excluding ***alcohol or cigarettes***

**Loss of earnings**

For the period you attend the tribunal hearing, you are entitled to claim if:

* Your employer **does not** pay you; or
* You suffer financial loss – for example, you are self-employed and suffer loss of earnings ***or*** have to pay someone to substitute for you while you are away, however we will not be able to pay you for both loss of earnings and for someone to substitute for you.

You can claim the actual amount you have lost on the basis of net earnings (after tax and National Insurance have been deducted). If you are **self-employed** HMRC rules mean that this will be based on your gross earnings and you will be responsible for declaring the money you get along with your business or other income. In both cases the amounts you can claim are **subject to the following limits:**

|  |  |
| --- | --- |
| **Amount of lost earnings** | **Allowance** |
| Up to a half day | £38.96 |
| Up to a whole day  | £75.59 |

To claim loss of earnings, you should first ask your employer to provide evidence of the lost income before payment can be made (for example headed notepaper or an invoice). You should then bring the evidence form to the tribunal when you attend your tribunal hearing. Without this evidence being completed and the required evidence being produced, payment cannot be made.

If you are self-employed, you will need to provide evidence of your earnings, such as an HMRC self- assessment tax return or certified accounts for the previous year to support your claim.

**Attendees from Overseas**

If you are attending a tribunal hearing from outside of Scotland we will normally pay expenses only from your place of entry into Scotland.

# Payment of Expenses

When you have filled in the online claim form, you will receive confirmation that your claim has been submitted along with a reference number. You should make a note of this reference number as it is not emailed to you. Your claim will be checked within 5 days of receipt. Payment will be made either to your bank account or a nominated bank account of your choice or by a cash payment sent to the post office. If you have any difficulty with these arrangements, then you should speak to the clerk of court on a confidential basis at the earliest opportunity or contact the DEPS central team by email at expenses@scotcourts.gov.uk or telephone 0808 196 9138.

# Do you need help to complete the claim form?

If so, tribunal staff will be happy to help and answer your queries. If you require this form in larger print, please contact the tribunal.

**Fraudulent claims**

Please be honest in your claims for allowances. It is a criminal offence to make a fraudulent claim. You are responsible for keeping your receipts. We will, on occasion, ask to see these even after we have paid the expenses claim. We recommend you keep your expenses receipts for ***12 months*** after the hearing date.