

Loss of earnings

For the period you attend the tribunal, 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** Inland Revenue 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 other income. In both cases the amounts you can claim are **subject to the following limits:**

Amount of lost earnings/benefits	Allowance
Less than 4 hours	£32.47
More than 4 hours (for the period from day 1 up to day 5)	£64.95
Whole day rate (for the period from day 6 up to day 100)	£129.91
Whole day rate (for each day following 100 days)	£230

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 hearing, preferably on the first day. **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 Inland Revenue self-assessment tax return or certified accounts for the previous year to support your claim.

You may be able to claim for financial loss as a result of your attendance at the the tribunal hearing through your home or personal insurance. If you are self-employed, it may be that your policy will cover the cost of hiring someone to run your business for you while you are attending the tribunal hearing. You should read your policy carefully to see if you are entitled to claim. It may be that this information can be found in a Legal Costs or Legal Protection section of your policy. Please read your policy carefully as different policies can have different terms.

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Loss of Benefit

You may be able to apply for loss of benefit if your benefit is withdrawn during your attendance at the tribunal hearing. You should contact your local benefits office to advise them of the requirement for you to attend the tribunal hearing. If they tell you that they are going to withdraw your benefit during your attendance at the tribunal hearing, you should contact the tribunal to request a Certificate of Loss of Benefit which you should send to the benefits office to complete. Without this certificate being completed and the required evidence being produced, payment cannot be made.

Child minding/dependant adult carer expenses

This allowance is for the extra expense of employing a childminder or a carer for a dependant adult. If you normally employ a childminder or carer, we will only pay the allowance if attendance at the tribunal hearing means you have to employ him or her for longer than usual. Please make sure you and your childminder/carers fill in the attached certificate and enclose it with your claim. The childminding/carers allowance is set by the Scottish Courts and Tribunal Service. If you are claiming for a registered carer for a dependant adult a maximum of £10 per hour can be claimed. If your childminder/carers is not registered we will only be able to pay £5 an hour per child/adult.

Other expenses

You may be entitled to claim for any other unusual expenses. Please make sure you bring along evidence to verify them.

Method of payment

When you have filled in the enclosed claim form, you should return it by post if an envelope is provided. Payment will be made by B5CG. If you have any difficulty with these arrangements, then you should speak to the tribunal on a confidential basis at the earliest opportunity.

Do you need help to complete the claim form? If so, court staff will be happy to help and answer your queries. If you require this form in larger print, please contact the court.

Fraudulent claims: Please be honest in your claims for allowances. It is a criminal offence to make a fraudulent claim.