



# Do I Have a Claim?

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Helping You Decide  
if a Claim is the Right Next Step

**Claimant Files**

Helping You Navigate Workplace Issues, ACAS and Employment Tribunal Claims

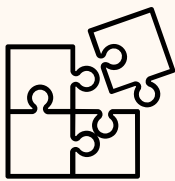
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# Welcome to Your Guide



## **Feeling unsure about what's happening at work?**

This guide is for employees who feel something is not right but are not sure what to do. Maybe you are still employed, worried about dismissal, or have already left. If your situation is affecting your confidence, wellbeing or ability to work, this guide will help you begin to understand your options.



## **Workplace Issues Can Be Subtle.**

Some signs of mistreatment are clear. Others are harder to name. Whether it is discrimination, unfair dismissal, silencing, or subtle shifts that feel wrong, this guide will help you make sense of it.



## **Know Where You Stand.**

You will explore whether your experience could give rise to a legal claim, what steps to consider next, and how to move forward. This guide offers clarity when everything feels overwhelming and uncertain.



## **Created by Real Claimants.**

This guide is built from the lived experience of people who have faced mistreatment, discrimination, and tribunals. It is designed for employees without legal support who want to understand their rights and take informed steps.

# What This Guide Will Cover

1. Whether your complaint falls under employment law
2. What kind of treatment counts as unlawful
3. Protected characteristics and discrimination basics
4. Whether your employer's actions broke the law
5. Time limits and when the clock starts
6. What to do if you resigned or were dismissed
7. Settlement Discussions
8. Whether you need evidence at this stage
9. Understanding how strong your claim might be
10. What are the next steps

**Note:** This guide is not legal advice, but it is grounded in UK employment law and built to help you understand your rights, weigh your options, and take informed steps with confidence. By the end, you will have a clearer picture of your situation. Whether you decide to move forward or not, you will feel more informed and more supported.

# 1. Does your complaint fall under employment law?

**Before anything else, you need to know whether your situation is something that employment law actually covers.**

**That means your issue must relate to your role, your workplace, or how your employer treated you before, during, or at the end of your employment.**

## **When it's likely to be covered:**

If the way you were treated connects to a legal right, or to something protected about who you are, there's a strong chance your complaint falls under employment law.

Examples include:

- Being dismissed, pushed out, or treated badly after speaking up about something serious (this could be whistleblowing).
- Feeling targeted or treated unfairly because of things like your race, age, sex, disability, religion, pregnancy, or another protected characteristic.
- Facing problems after taking legally protected leave, like maternity, parental leave, or time off for sickness.
- Experiencing bullying or harassment that goes beyond a clash of personalities and links to one of the protected areas above.

## **A helpful way to think about it:**

If your experience involves how you were treated because of something legally protected, or because you tried to exercise a right at work, it may well fall under employment law.



## 2. What kind of treatment counts as unlawful?

### **Not every disagreement at work is unlawful.**

Some situations at work are deeply unfair, but that doesn't always mean the law will step in. Employment law focuses on specific kinds of treatment that go beyond bad management or difficult personalities. For something to count as unlawful, it usually needs to involve a breach of your legal rights in a way that causes harm, loss or lasting disadvantage. Recognising the difference between a toxic workplace and actual legal wrongdoing can be tricky, but once you know what to look for, the picture becomes clearer.

### **Treatment that may be unlawful includes:**

- **Discrimination:** Being treated unfairly because of a protected part.
- **Harassment:** Unwanted behaviour that makes you feel humiliated, offended or intimidated.
- **Victimisation:** Being punished or side-lined for standing up for your rights or supporting someone else who has. For example, being treated badly after making a complaint of discrimination.
- **Unfair or wrongful dismissal:** Losing your job without a fair reason or without a fair process.
- **Failure to make reasonable adjustments:** If you have a disability, your employer has a duty to remove barriers where possible. Ignoring this can amount to unlawful treatment.
- **Breach of statutory rights:** This includes being denied things the law guarantees you, like rest breaks, sick pay, time off for dependants, or the right to request flexible working.



### 3. Do you fall under one of the protected characteristics?

**To bring a discrimination claim under UK employment law, your experience must link to what the Equality Act 2010 calls a protected characteristic.**

There are nine of them. If you were treated unfairly because of one of these, or because someone made assumptions about you related to one of them, then you may have been unlawfully discriminated against.

**The nine protected characteristics are:**

- **Age:** Includes being treated differently because you are seen as too young or too old for a role, opportunity or responsibility.
- **Disability:** Covers physical or mental health conditions that have a substantial and lasting impact on your daily life.
- **Sex:** Refers to being treated unfairly because you are a woman or a man.
- **Pregnancy and maternity:** Protects you during pregnancy, while on maternity leave, and shortly after returning to work.
- **Race:** Includes your skin colour, nationality, ethnic or national origin. It also covers accent, name and cultural background.
- **Religion or belief:** Covers all recognised religions and also includes philosophical beliefs. It also protects people with no religion.
- **Sexual orientation:** Whether you are gay, lesbian, bisexual, straight or asexual, you are protected.
- **Gender reassignment:** If you are transitioning, have transitioned or are planning to transition, you are protected.
- **Marriage or civil partnership:** Protects people from being treated unfairly at work because they are married or in a civil partnership.



## 4. Did your employer's actions break the law?

**To bring a legal claim, you need to be able to point to something your employer did, or failed to do, that went against your rights at work.**

This might sound straightforward, but in real life, it can be hard to tell where poor treatment ends and unlawful behaviour begins. Sometimes it is a single decision that crosses the line. Other times, it is a series of actions, or even silence, that causes the damage.

**Things that may break the law include:**

- **Treating you unfairly because of who you are.** If you were dismissed, demoted, excluded or treated differently because of a protected characteristic, that may amount to discrimination.
- **Punishing you for speaking up.** If you raised a concern about unfair treatment, health and safety, or wrongdoing, and were then treated badly or pushed out, this could be victimisation or whistleblowing.
- **Failing to act when you asked for support.** Sometimes, what an employer fails to do is just as serious as what they do. That might include ignoring complaints of bullying, refusing to make reasonable adjustments for a health condition, or not investigating concerns properly.
- **Using “process” to cover unfairness.** You might have been managed out through vague performance procedures or reshuffles that did not follow a fair or transparent process. Just because it was done under a policy does not mean it was lawful.
- **Ignoring your basic legal rights.** This includes not giving proper notice, not paying what you are owed, or denying your right to time off, flexible working, or sick pay where the law says you are entitled.



## 5. Are you within the legal time limits?

**For most employment tribunal claims, including discrimination, unfair dismissal, and victimisation, you usually have three months less one day from the date of the last act you are complaining about.**

That could be the day you were dismissed, the day a discriminatory comment was made, or the day your employer failed to act when they should have. That deadline includes weekends and bank holidays. It does not pause unless you take official steps.

### **ACAS Early Conciliation.**

Before you can make a tribunal claim, you must first go through ACAS Early Conciliation. This is where you notify ACAS that you are thinking about bringing a claim. Starting Early Conciliation pauses the clock, but it does not reset it. Once it ends, you only get the time you had left when you started it.

### **Why acting early matters.**

- You give yourself more breathing space to think clearly
- You have time to gather evidence and get advice
- You stay in control of the process, rather than racing against the clock

Knowing your deadline gives you power. Missing it can close the door completely. Even if you are still processing what happened or are unsure whether to act, find out your time limit now. Count it out on a calendar. Set reminders. Do not assume someone else will tell you.

You may have been treated unfairly, but to do something about it, you must act in time.





## 6. Did you resign or were you dismissed?

**Your employment status matters. Were you dismissed, or did you resign? The difference can shape your entire case.**

### **If you were dismissed:**

Ask yourself whether it was fair and lawful.

- Was there a clear reason?
- Were you given a chance to respond?
- Did your employer follow a proper process?

Even if the word “dismissal” was never used, actions like being forced out through suspension, isolation, or unfair procedures may still count as dismissal in legal terms.

### **If you resigned:**

Ask why you resigned. If you felt you had no real choice because of serious mistreatment, then it may be what is known as a constructive dismissal. That means you resigned because your employer’s actions broke the trust at the heart of your working relationship. The key is to show that:

- What happened to you was serious enough to justify walking away
- You acted quickly and clearly
- You kept records and ideally raised your concerns before resigning

Leaving a job is a huge step. It takes a lot of courage, especially when you feel like you are the one being punished for their behaviour.

If your claim is based on dismissal, the law needs to know who ended the contract and why. That starting point affects everything that comes next.



## 7. Settlement Discussions and Negotiations

**At some point after raising a grievance, or even before reaching that stage, you or your employer might open the door to settlement discussions.**

These talks can happen at any time, from early complaints to just before a final tribunal hearing. They can be informal chats, formal offers through solicitors, or part of ACAS Early Conciliation. No matter how or when they come, you do not have to say yes just because an offer is on the table. You do not have to settle just to make it stop.

**When settlement talks begin, employers may be more likely to enter negotiations if they:**

- Want to avoid bad publicity
- Know your claim is well prepared and supported by evidence
- Have seen you remain calm, organised and consistent
- Suspect you are willing to take it all the way

But even with a strong claim, settlement is never guaranteed. Some employers test your resolve no matter how solid your case is. Others may hope you will accept a low offer out of fear, exhaustion, or pressure to move on.

**What gives you power in a negotiation:**

- Evidence you know will stand up
- A clear understanding of your claim's value, including financial loss and emotional impact
- Confidence in your timeline, facts and legal rights
- Willingness to walk away if it is not fair



## 8. Is Early Conciliation the right next step?

**Before you can bring a tribunal claim, you must go through Early Conciliation with ACAS.**

Whilst this stage is a legal formality, it can also help you take control, put your case on record, and gather useful evidence, even if it does not lead to a settlement.

### **What Early Conciliation is.**

Early Conciliation is a free and confidential process where you let ACAS know you may have a claim. They contact your employer and give both sides a chance to talk things through without going to a tribunal.

It does not mean you are giving in or letting go of your claim. It means you are taking the right steps, in the right order.

### **Why it matters.**

- It pauses the legal deadline, giving you more time to prepare
- It builds your timeline, showing when you acted and how your employer responded
- It gives your employer a chance to put things right, or at least show their hand

Some employers will ignore Early Conciliation completely. Others will try to undermine your confidence, offering low settlements or acting like you are being unreasonable just for raising concerns.

That silence or pushback does not mean you are wrong. In fact, it often tells you something important about how they operate and how they may behave later at tribunal.



## 9. Do you need evidence at this stage?

**Evidence matters, and you should be collecting key evidence that supports your claim.**

However, this stage is not about presenting a perfect legal bundle. It is about showing that you have a clear and credible timeline, supported by whatever information you already have to hand.

### **What counts as evidence?**

- Emails or letters that show what was said or done
- Screenshots of messages from texts, WhatsApp, Microsoft Teams or internal systems
- Notes you made at the time, including diary entries or summaries
- Meeting invites, performance reviews, or shift patterns that support your timeline
- ACAS correspondence or previous complaints you raised

It does not have to be formal or flawless. What matters is that it helps paint the picture of what happened, when, and how it affected you.

### **Why it helps:**

- It anchors your version of events in something concrete
- It builds your confidence when the other side tries to deny or rewrite the story
- It gives the tribunal or ACAS a clearer starting point, if you move forward

Start gathering now. Even one message or note can make all the difference later.



## 10. Is your claim strong enough to proceed?

**There is no magic formula that tells you whether your claim will win.**

Even the strongest cases face challenges, and some weaker ones still succeed. But there are signs that help you work out whether your claim has the kind of weight that makes it worth pursuing.

From years of experience bringing my own claims and supporting others, I have learned that strength comes from a combination of clarity, connection and consequence.

**Here is what gives a claim strength:**

1. **The events are recent.** Most claims must be made within three months less one day of the issue happening. The closer you are to that timeline, the easier it is to show the tribunal you acted promptly and seriously.
2. **You can explain what happened clearly.** You do not need legal language, but you do need a clear story. What happened, who was involved, when it took place and what changed as a result. If you can talk through the key events without getting lost in emotion or guesswork, that is a strong sign.
3. **It links to a legal right.** This includes your rights under the Equality Act, the right not to be unfairly dismissed, the right to speak up about wrongdoing, or the right to reasonable treatment at work. If your employer's actions are connected to one of these protections, your claim has a legal foundation.
4. **You experienced harm, loss or disadvantage.** Whether it was financial loss, emotional impact, missed opportunities or damage to your reputation, the effects matter. The law is not just about bad behaviour, it is about consequences.



# What's inside the Claimant Files Toolkits



**SAR &  
Letters  
Templates**



**Evidence  
Preparation &  
Guidance**



**Case  
Planners**



**Tribunal  
Correspondence  
Templates**



**Insider  
Guidance &  
Real Examples**



**Witness  
Statement  
Guide**



**Check Lists**



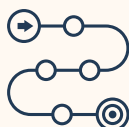
**Schedules &  
Tables  
Templates**



**Claim  
Strategy  
Support**



**Settlement  
Guidance &  
Templates**



**Time Line  
Templates**



**Clear Step  
by Step  
Guidance**

**The Claimant Files Toolkits are built for real people facing real challenges at work**

Each toolkit is carefully designed to give self-representing individuals the exact support they need to act with confidence at every stage of the employment dispute process. Each Toolkit includes a wide range of tools from formal templates and statement guides to timelines, checklists, and real-life examples, all written in plain language and ready to use.

What makes these Toolkits different is their structure. For every stage of your journey, from raising a concern to preparing for a final hearing, you get guidance and practical documents that match the step you are at. You do not need to piece it all together on your own. Each pack gives you the clarity, strategy and tools to stay in control and move forward with purpose.



## Key stages of a Claim

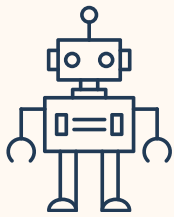
The roadmap above shows the typical journey of an employment tribunal claim. What it does not show is how difficult that path can feel without support. Legal fees rise quickly and AI tools often miss the human and legal context that matters.

The **Claimant Files Toolkits** give you clear and practical help at every stage. Each one is designed to guide self-representing claimants through the process, from documenting unfair treatment and raising concerns to responding to the other side and preparing for hearings. Whether you are just starting or already deep into your case, you do not have to navigate it without the right support.

# Why Choose Our Toolkits Over Legal Advice or AI



While legal representation offers knowledge and reassurance, it often comes at a steep price. Fees can range from £250 to £450 per hour and can quickly exceed £25,000 well before a final hearing even takes place. Legal teams also tend to rely on standard processes and may not fully understand the emotional weight of your experience. In no win no fee situations, their priorities might differ from yours, and they often take a significant cut of any settlement reached. Most importantly, you can lose control of how your case is presented.



AI tools might seem like an appealing alternative. They are often free or low cost, available around the clock, and able to generate letters or summaries. But they lack legal judgement, lived experience, and the ability to guide you through a real-life claim. AI hallucinations are very real and can be critical if you apply them to your proceedings. Because AI only responds to your prompt, vague questions or a limited understanding of the process can lead to misleading, overly optimistic or entirely false advice.



**Claimant Files Toolkits** give you everything you need to navigate your employment issue with confidence, clarity, and control. Whether you are representing yourself fully or working with limited legal support, these toolkits are designed to guide you through each stage of the process. Whether you are just beginning to notice that something feels wrong at work or preparing for a tribunal, each toolkit offers the structured support you need to move forward. Inside, you will find professionally written templates, step-by-step guides, checklists, insider tips, and strategic insights that most lawyers will not share and that AI tools will not think to provide. These are the exact tools you need to protect yourself, take informed action, and represent your case effectively.



# How to Get Started with the Claimant Files Toolkits.

**You do not have to face this without support.  
Get the tools that will help you move through the  
process with clarity and strength.**

You can get the Claimant Files Toolkits directly from [www.claimantfiles.com](http://www.claimantfiles.com).

The full Tribunal Kit offers the strongest foundation, giving you complete guidance from the first signs of mistreatment through to preparing for a hearing. But if you are not ready for everything at once, you can start with just the stage that fits where you are now. Each Toolkit is designed to walk you through that part of the process clearly and calmly. As your situation develops, you can return for the next step, or choose the full Tribunal Kit if or when you need to.

**Get the Toolkit →**

Think you might have a claim?  
You have a window to act. Make it count with the  
right guidance from the start.

# Visit

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