



## **Services and Costs – Employment Tribunals for bringing and defending claims for unfair or wrongful dismissal**

When we are asked to represent you in an Employment Tribunal claim, whether bringing or defending the claim, our first step is to sit down with you, understand the issues and work out the best strategy for dealing with the claim.

For individuals, we may have been advising you already on your employment situation and will have set out clearly how our pricing works up to this point. In brief, we will have an initial telephone consultation with you for no charge, to establish whether we can assist you with your case. Work undertaken by us before you reach the stage of bringing a claim will generally have to be paid by you privately as legal expenses insurance is not available for pre-claim work. The cost of this work can vary hugely as it depends on how complex your case is and what is involved. Our standard hourly rate applies throughout. However, we do not expect payment to be made in advance or generally until the conclusion of the case. If we help you resolve your dispute without you needing to bring a claim, this will usually be through a Settlement Agreement. Employers are expected to make a contribution to the cost of you being advised on the Agreement which can range from £250 - £750 plus VAT. If the costs are higher, we will always try to obtain the employer's agreement to pay any excess over their contribution, but, failing this, you will be required to pay the balance but we always ensure any cost to you is proportionate to the outcome achieved.

We are focussed on outcomes above all. We will always assess a case at the outset, to make sure the cost of assisting you is proportionate to the value of the claim and that there is sufficient merit in bringing or defending the claim as opposed to seeking resolution with the other party.

In the event we go ahead and represent you in relation to the bringing or defending of a claim in the Employment Tribunal, we will check with you whether you have legal expenses insurance in place which may cover the costs involved. Insurance will only cover the costs from the time a claim is being prepared but insurers should be notified early on, so that they can carry out their own assessment of the merits of the case to help them decide whether to accept the case.

Other than when an insurer specifies a lower hourly rate, our standard hourly rate for all work, for both businesses and individuals, is a highly competitive £150 plus VAT.



We set out below our prices for Tribunal work:

Simple case: £4,000 - £6,000 (excluding VAT)

Medium complexity case: £6,000 - £8,000 (excluding VAT)

High complexity case: £8,000 - £10,000 (excluding VAT)

Factors that could make a case more complex:

- If it is necessary to make or defend applications to amend claims or to provide further information about an existing claim
- Defending claims that are brought by litigants in person
- Making or defending a costs application
- Complex preliminary issues such as whether the claimant is disabled (if this is not agreed by the parties)
- The number of witnesses and documents
- If it is an automatic unfair dismissal claim e.g. if you are dismissed after blowing the whistle on your employer
- Allegations of discrimination which are linked to the dismissal

There will be an additional charge for attending a Tribunal Hearing of £750 per day (excluding VAT). Generally, we would allow 3-5 days depending on the complexity of your case.

#### **Disbursements (not included in the above prices)**

Disbursements are costs related to your matter that are payable to third parties, such as court fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

Counsel's fees estimated between £750 to £1,200 per day (depending on experience of the advocate) for attending a Tribunal Hearing (including preparation)

#### **Key stages**

The fees set out above cover all of the work in relation to the following key stages of a claim:

- Taking your initial instructions, reviewing the papers and advising you on merits and likely compensation (this is likely to be revisited throughout the matter and subject to change)
- Entering into pre-claim conciliation where this is mandatory to explore whether a settlement can be reached;



- Preparing claim or response
- Reviewing and advising on claim or response from other party
- Exploring settlement and negotiating settlement throughout the process
- Preparing or considering a schedule of loss
- Preparing for (and attending) a Preliminary Hearing
- Exchanging documents with the other party and agreeing a bundle of documents
- Taking witness statements, drafting statements and agreeing their content with witnesses
- Preparing bundle of documents
- Reviewing and advising on the other party's witness statements
- Agreeing a list of issues, a chronology and/or cast list
- Preparation and attendance at Final Hearing, including instructions to Counsel

The stages set out above are an indication and if some of stages above are not required, the fee will be reduced.

#### **How long will my/our matter take?**

The time it takes from taking your initial instructions to the final resolution of your matter depends largely on the stage at which your case is resolved. If a settlement is reached during pre-claim conciliation, your case is likely to take 1-3 months, but this depends on when you instructed us to advise you and how protracted the matter becomes. If your claim proceeds to a Final Hearing, your case is likely to take 6-9 months. This is just an estimate and we will of course be able to give you a more accurate timescale once we have more information and as the matter progresses.