



Example - Employment Tribunal costs

Our Fees

It is difficult to give a fixed price for conducting a case in Tribunal for the following reasons:

1. You don't know whether a case will be over quickly, perhaps because it settles or whether it will be fought all the way to a final hearing.
2. You have an opponent whose responses to developments cannot always be predicted.

We do like to give the best information we can about costs to assist a client budget for case.

Our standard range of pricing for bringing and defending claims for unfair or wrongful dismissal range from

- Simple case: £ 6,000 – £7,500 (+VAT @ 20%)
- Medium complexity case: £7,500 – £12,500 (+VAT @ 20%)
- High complexity case: £12,500 – £18,000 (+VAT @ 20%)

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) or whether or not a claim has been brought in time
- More than two witnesses on either side or a bundle of documents in excess of 150 pages
- 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
- Making or defending any preliminary applications e.g. to strike out a claim or to ask a claimant to pay a deposit

There will be an additional charge for attending a Tribunal Hearing of £1,500 per day (+VAT @ 20%). Most simple cases are heard on one day, medium complexity cases will generally last for between one and three days, and very complex cases will last for three days or over.

Our charges are based on an hourly rate of £250 per hour (+VAT @ 20%). We will also discuss costs at each stage of a case to help you decide upon the amount of work to be done and to budget for it.

Expenses (known as Disbursements)

Expenses are costs related to your matter that are payable as part of the costs of pursuing or defending a claim. We handle the payment of expenses on your behalf to ensure a smoother progress of a case.

In employment cases there are very few expenses. The only usual ones are AML/onboarding fees and travel to and from a Tribunal and Counsel's fees.

- Infotrack On-Boarding Fee (per person) £15.00 (+VAT @ 20%)

We do a lot of our own advocacy but it is often cost effective to use Counsel to deal with the case at Tribunal. Typically in employment cases Counsel's fees are about £1,500 – £2,000 per day (+VAT @ 20%) for a standard Tribunal. They can be a lot higher if the advocate is very senior or specialist. We do not instruct Counsel without agreeing the costs with you first.

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 Case Management Conference
- 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 and/or a chronology
- Preparation and attendance at Final Hearing, including instructions to Counsel.

The stages set out above are a good indication of what is required in most cases.

Timescales

It is impossible to say with any certainty how long a case will take to conclude. Clearly if a dispute settles early this is only likely to be a few weeks. If proceedings are issued and the claim is defended it is likely to take at least a year to get to Tribunal. The timing varies so much for different types of claim and different Tribunals that all we can do is advise you in each case.

Representing yourself

Unfortunately the ever increasing complexity of the law and the procedure means it has become very difficult to represent yourself in Tribunal. If you do wish to try this we offer a fixed fee advice and drafting service. We can agree to either advise you or carry out one of the steps above to suit where you need advice and to fit in with your budget. Just ask us and we will give you an individual quote for a piece of work.

If general advice is given outside of a 'fixed fee' quote or you would prefer to pay on a time basis we charge £250 (+VAT @ 20%) per hour for a senior specialist employment lawyer and £120 (+VAT @20%) per hour for a legal executive or trainee providing support for a case.