

## Employment tribunal – acting for an employee

Our fees are based on the amount of time it takes us to complete your claim in the quickest possible time and the seniority and experience of the lawyers and other fee earners working on your matter. They will be specifically agreed with you at the outset of your matter once we know the details and circumstances involved.

Our current charge rates range from £260 for a newly/recently qualified solicitor to £420 for a senior partner/consultant.

Our fees for bringing and defending claims for unfair or wrongful dismissal:

Simple case	£20,000-£40,000 (plus VAT)
Medium complexity case	£30,000-£60,000 (plus VAT)
High complexity case	£50,000-£100,000 (plus 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 £1,500 - £2,000 per day (plus VAT). Generally, we would allow 1-10 days that will be decided by the Tribunal depending on the complexity of your case.

### Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as counsel's fees. We handle the payment of the disbursements on your behalf to ensure a smoother process. Disbursements are not included in our fee ranges.

Any photocopying that is required will be charged at a commercial rate and would usually be no more than £50 plus VAT where relevant unless proceedings are issued in which case court bundles will need to be produced. The cost of these will vary depending on size. If court bundles are required we will notify you of the additional expense as soon as reasonably practicable.

Junior Counsel's fees for preparing for the Tribunal Hearing are likely to be between £10,000 and £15,000 depending on the length and complexity of the case and after the first day they charge an additional daily rate of £1500 to £2000 depending on their experience. Counsel will

also charge an hourly rate for advice leading up to the Hearing and their rates vary from £150 to £400 per hour depending on their experience.

Senior Counsel and Queens Counsel are likely to charge substantially more than Junior Counsel - possibly up to double or treble the fees set out above.

Occasionally, a case may require expert evidence or the appointment of an expert in order to provide evidence. Typically an expert will charge between £1,000 and £1,500 depending on the level of their involvement and the complexity of the case. If the involvement of an expert is necessary we will notify you of the additional expense as soon as reasonably practicable.

You don't have to pay any fees to make an Employment Tribunal claim. If you lose an employment tribunal claim, there's a small chance you may have to pay or contribute towards your employer's costs of going to court.

## **VAT**

VAT is payable at 20% on all legal fees and taxable disbursements.

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

The time that 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 (a process where employer and employee try to reach an agreement before the case is heard in a tribunal) your case is likely to take 2-4 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 6 months to 1 year. 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.

## **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. You may wish to handle the claim yourself and only have our advice in relation to some of the stages. This can also be arranged on your individual needs.