

Employment tribunal

The following table sets out our pricing for bringing and defending claims for unfair or wrongful dismissal only.

Simple case	£7,985 - £21,585 (excluding VAT)
Medium complexity case	£13,575 - £38,280 (excluding VAT)
High complexity case	£20,040 - £55,000 (excluding VAT)

These estimates include provision for attendance at a tribunal hearing based on the assumptions set out below. There is a big difference between the lower and upper estimates because cases vary considerably. The specific facts of your case will determine the seniority of the solicitor who is handling your claim, as will where they are based. Hourly rates range from £175 (excluding VAT) for a newly-qualified solicitor (outside London) to £635 (excluding VAT) for a London-based counsel.

These estimates have been calculated on the basis of the following assumptions:

- In a simple case, there will be no more than one witness for the claimant and two witnesses for the respondent (employer) and the case will take no more than two days.
- In a medium complexity case, there will be no more than two witnesses for the claimant and three witnesses for the respondent (employer) and the case will take no more than four days.
- In a high complexity case, there will be no more than two witnesses for the claimant and four witnesses for the respondent (employer) and the case will take no more than five days.
- The full hearing will be conducted by counsel.

The actual costs may significantly exceed the estimated ranges set out above in cases involving one or more of the factors listed below that may make a case more complex. Changes to instructions and new evidence or information that change our understanding of the presentation of your case can double or triple our estimates above so it is important that you provide as complete and accurate as possible information upfront and accept the inherent risks associated with litigation. A tailored estimate can be provided if required depending on the actual circumstances of the case at the point of instruction.

Factors that could make a case more complex include:

- defending a claim that has not been clearly pleaded;
- if it is necessary to make or defend applications to amend claims or to provide further information about an existing claim or defence;
- defending claims that are brought by litigants in person;
- if there are a large number of witnesses and/or documents;

- if the process of disclosing documents is not completed in one go;
- if there is a hostile witness;
- if, when acting for an employer, one (or more) of the employer's witnesses is no longer employed at the time the full hearing takes place;
- if there are protracted settlement discussions;
- if, when acting for an employer, there is not a single point of contact for our instructions;
- where we are unable to get timely or accurate instructions from you or your instructions change;
- if a hearing does not go ahead on the dates it is scheduled for (i.e. it is postponed) or is not completed during the scheduled dates;
- if the case involves regulatory issues e.g. the claimant held a role covered by the Senior Managers and Certification Regime; or
- if there are reputational sensitivities e.g. as a result of the nature of the employer's business or the allegations the case concerns;
- New evidence is discovered or introduced, by you, the other side or respective experts and witnesses, which alters your original claim or introduces new issues that need to be responded to or alters our approach to existing issues.

These estimates apply to cases which involve only a claim of wrongful or unfair dismissal. They do not include cases where:

- there is an automatic unfair dismissal claim e.g. if the claimant claims he/she was dismissed after blowing the whistle on his/her employer; or
- there are allegations of discrimination which are linked to the dismissal.

Disbursements

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 are estimated to be between £850 and £3,000 (excluding VAT) per day (depending on experience of the advocate) for attending a tribunal hearing. Counsel normally charge a brief fee (equivalent to approximately 1.5 – 2 days at their daily rate) for the preparation work and first day of the hearing, followed by a refresher fee (at their daily rate) for each subsequent day of the hearing.

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 a claim or response;
- reviewing and advising on a claim or response from the other party;
- exploring settlement and negotiating settlement throughout the process;
- preparing or considering a schedule of loss;
- preparing for (and attending) a short preliminary hearing about case management issues (e.g. exchange of documents and witness statements);
- exchanging documents with the other party and agreeing a bundle of documents;
- taking witness statements, drafting statements and agreeing their content with witnesses;
- preparing a bundle of documents (if acting for the employer);
- reviewing and advising on the other party's witness statements;
- agreeing a list of issues, a chronology and/or cast list; and
- preparation and attendance at final hearing, including instructions to counsel.

The stages set out above are an indication and if some of these stages 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 based on your individual needs.

The estimates do not include:

- preparation for, or attendance at, a preliminary hearing on:
 - a procedural issues such as whether the tribunal has the power to hear the claim because there is an argument about whether it is a complaint the tribunal can deal with, that the time limit for bringing a claim has passed or that the ACAS early conciliation process has not been completed properly; or
 - a substantive issue such as whether the claimant is disabled (if this is not agreed by the parties); or
- making or defending a costs application.

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, your case is likely to take 8 to 12 weeks. If your claim proceeds to a final hearing, your case is likely to take 26 to 40 weeks. 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.