

## Costs Transparency – Employment Tribunals

### Introduction

#### **Employment Tribunal - Range of Costs - Employee claims only**

We will consider acting for you on a contingency fee basis but only after a full investigation as to the circumstances and merits of your case has been concluded.

If we are able to advise you on a contingency fee basis then our contingency fee terms are that if you fail to recover compensation during the currency of our retainer then you pay no fee.

If you recover compensation during our retainer then you pay us one third of the compensation you receive which is inclusive of VAT.

The contingency fee agreement explains what happens if you unreasonably terminate the agreement and a copy of our contingency fee terms are available upon request.

#### **Our pricing for bringing and defending claims for unfair or wrongful dismissal or discrimination claims**

Simple unfair dismissal claim - £2,000 to £3,000 plus VAT

More complex unfair dismissal claim or discrimination claim where case listed for hearing for more than one day - £3,000 to £10,000

Very complex cases where case listed for hearing for more than three days - £10,000 to £20,000 plus VAT

There are rarely disbursements in Employment Tribunal claims. If there are, they are often expert's fees, for example medical report fees. Medical reports often cost between £500 and £1,000.

There are also sometimes Counsel's fees to either advise or represent you at the final hearing. Counsel's fees are usually between £750 to £2,000 plus VAT per day (depending on the experience of the advocate).

#### **Key Stages**

The fees set out above cover all of the work and the following table explains the role of your solicitor at each of stage of a standard employment tribunal proceeding, whether you are the individual employee who is bringing the claim, or the employer who is responding to the claim.

We hope this helps you to understand the process, and how our employment lawyers can support you at every step of the way.

Individual employee - the claimant	Employer - the respondent
<p>We take your initial instructions, review any papers and advise you on the time limits, merits and likely compensation.</p> <p>We will review these as the matter progresses and as we learn more about your case and your employer's response.</p>	
	<p>We take your initial instructions, review any papers and advise you on your position and next steps.</p>
<p>When required, we will contact ACAS, to explore whether you could settle the case before bringing your claim to the tribunal;.</p>	<p>We will respond to contact from ACAS to explore whether the employee will settle the case before bringing a claim to the tribunal.</p>
<p>We prepare the claim and file the claim form with the employment tribunal.</p>	<p>We receive, review and advise you on the employee's claim.</p>
<p>We review and advise on the response that your employer files with the employment tribunal in its defence against your claim.</p>	<p>We prepare the response and file the response form with the employment tribunal.</p> <p>We advise you on the merits of the employee's claim and any likely compensation.</p> <p>We will review these as the matter progresses.</p>
<p>We help you to prepare for and attend any preliminary hearing.</p> <p>We deal with any case management orders made by the employment tribunal.</p>	<p>We help you to prepare for and attend any preliminary hearing.</p> <p>We deal with any case management orders made by the employment tribunal.</p>
<p>We consider and advise you on the possible settlement of your case and negotiate any settlement. We will do this throughout the process.</p>	<p>We consider and advise you on the possible settlement of the employee's case and negotiate any settlement. We will do this throughout the process.</p>
<p>We prepare a schedule of loss, setting out the compensation that you are claiming.</p>	<p>We receive and advise on the employee's schedule of loss.</p>

<p>This may need to be updated shortly before the hearing.</p>	<p>We prepare and provide the employee with a counter-schedule of loss.</p>
<p>We collect any relevant documents from you, prepare a list of these for the employer and provide the employer with documents they request from the list.</p>	<p>We collect any relevant documents from you, prepare a list of these for the employee and provide them with documents they request from the list.</p>
<p>We receive the employer's list of documents and request and consider documents on the list.</p>	<p>We receive the employee's list of documents, request and consider documents on the list.</p>
<p>We agree a bundle of documents with the employer that the employment tribunal needs to consider at the hearing.</p>	<p>We agree a bundle of documents with the employee that the employment tribunal needs to consider at the hearing.</p>
<p>We agree with the employer, a list of issues, a chronology and a cast list for the employment tribunal to use at the hearing.</p>	<p>We agree with the employee, a list of issues, a chronology and a cast list for the employment tribunal to use at the hearing.</p>
<p>We take a witness statement from you, draft the statement and agree the statement with you.</p>	<p>We take witness statements from your staff, draft the statements and agree the statements with your witnesses.</p>
<p>We receive and check the agreed bundle of documents, which is usually prepared by the employer.</p>	<p>We prepare copies of the agreed bundle of documents and provide these to the employee and the employment tribunal.</p>
<p>Exchange witness statements with the employer.</p>	<p>Exchange witness statements with the employee.</p>
<p>We receive and advise on the witness statements provided by the employer.</p>	<p>We receive and advise on the witness statements provided by the individual.</p>
<p>We prepare instructions to the barrister, who will represent you at the hearing.</p>	<p>We prepare instructions to the barrister, who will represent you at the hearing.</p>
<p>We attend the employment tribunal hearing with you and the barrister.</p>	<p>We attend the employment tribunal hearing with you and the barrister.</p>
<p>We receive the employment tribunal's judgment and advise you on the implications.</p>	<p>We receive the employment tribunal's judgment and advise you on the implications.</p>

The stages set out above are by way of indication, and some of the stages may not be required.

There may be additional stages in some cases, for example:

- In a case involving disability discrimination which may require expert medical evidence; or
- Where a party applies for an order from the employment tribunal to require the other party to pay a deposit before being allowed to continue with part of their case.

If the claim is successful, the employment tribunal will decide how much compensation the employer has to pay the individual and if the employer should re-employ the individual. This may be at a separate hearing.

### **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 4 - 8 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 12 - 30 weeks, dependent on the work involved and how soon the Employment Tribunal can list your case. 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.

### **Employment Team:**

Our employment department consists of a mix of qualified Solicitors supported by a team of experienced paralegals and secretarial staff.

You can view more information about the individual team members [here](#).