
employment tribunal costs

December 2018

The cost of bringing and defending claims for unfair or wrongful dismissal in an employment tribunal can vary greatly depending on the precise case involved. The information below is not intended to replace seeking specific fee information for specific circumstances.

Our fees are normally, unless some other arrangement has been agreed, calculated using an hourly rate. Hourly rates vary depending on the seniority of the fee earner involved. The hourly rate for a Solicitor towards the middle range of seniority would be about £250 per hour plus VAT. The work on a case is sometimes carried out by more than one fee earner, for instance the strategy may be set by a more senior fee earner but more routine parts of the case may be carried out by a more junior fee earner.

For illustration purposes only, a typical cost for bringing or defending an unfair or wrongful dismissal employment tribunal claim could be:

- Lower Complexity case: up to approximately £10,000 (excluding VAT)
- Medium complexity case: up to approximately £20,000 (excluding VAT)
- Higher complexity case: in excess of £20,000 (excluding VAT)

Factors that could make a case more complex include, but are not limited to:

- 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
- complexity of legal issues
- length of hearing
- any appeals

Disbursements

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

Sometimes Counsel is used to carry out advocacy at a hearing, where appropriate, rather than a Solicitor. Counsel's fees vary greatly depending on their experience and the nature of the case involved. For attending a one day hearing (including preparation) Counsel's fees might typically be estimated between £500 to £5,000 plus VAT per day.

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 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, representation and attendance at Final Hearing, including instructions to Counsel

The stages set out above are an indication only and if some of stages above are not required, the fees may well be lower. 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.

How long will my matter take?

The time that it takes from taking your initial instructions to the final resolution of your matter again depends on a wide variety of factors including the stage at which your case is resolved. Some claims will settle very early in the process during pre-claim conciliation, but this is certainly not the norm. If your claim proceeds to a Final Hearing, your case is likely to take at least 6 months and can be significantly longer. 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.

Our experience

We have at least one employment lawyer in each of our five offices. Within our national team, the employment law experience of our lawyers varies from those who have recently qualified through to individuals who have over 25 years' of experience.

We are a national law firm and experts across the private and public sectors. Our clients choose and stay with us because of our sector expertise, straightforward advice, pricing and product innovation and exceptional client service.

We don't just say it, we do it – here's why you'll want to work with us:

- **sector experts, working in partnership with our clients** – including blue chip corporates, local and owner-managed businesses, NHS Trusts, major insurers, education and public sector organisations
- **specialists in legal solutions across the private and public sectors**, providing a unique offering where they overlap
- **national reach from our offices in major UK cities** including Birmingham, Exeter, London, Manchester and Nottingham
- **over 500 lawyers, including over 130 partners, managed and supported by a team of professional specialists;** we are an employer of choice with accreditations from Investors in People and featured in the Sunday Times 100 Best Companies to Work For (2013)
- **a true partnership approach with our clients** – our clients stay with us for the long term because of our sector expertise, straightforward advice, pricing and product innovation and exceptional client service.

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They are fully deserving of our top award as they consistently demonstrate the highest levels of client experience and achieved high scores against all the criteria we measure.

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