

Information

Our employment tribunal fees

Our pricing for defending claims for unfair or wrongful dismissal:

Simple case: £9,000 - £20,000 (plus VAT)

Medium complexity case: £20,000 - £40,000 (plus VAT)

High complexity case: £40,000 - £65,000 (plus VAT)

VAT is currently payable on our fees at 20%.

The above fees are our typical costs for unfair or wrongful dismissal cases, depending on complexity. We will always provide a specific fee estimate at the start of the matter.

We operate a range of pricing options, including hourly rates and fixed fees, which we are always happy to discuss at the outset of a matter (including whether you may have applicable insurance in place to cover our costs). The above fees have been calculated based on our current hourly rates (details of which are set out below). In most cases the work will be undertaken primarily by an Associate or Senior Associate. For medium and high complexity cases, there is likely to be greater involvement from a Principal Associate or a Partner.

The typical steps involved in an Employment Tribunal case, which are included in the above fee ranges, are set out later in this document.

Factors that could make a case more complex include:

- **Parties:** Defending claims that are brought by non-legally represented parties and / or cases where there are multiple respondents and we do not act for all respondents;
- **Witnesses and documents:** Where the number of witnesses and documents exceeds the average for a claim of this type (conversely, where there is only a small number of documents and few witnesses, costs may be lower);
- **Type of claim:** If it is an automatic unfair dismissal claim e.g. if a claimant is dismissed after blowing the whistle on their employer;
- **Length of hearing:** A final hearing which takes more than 3 days (including any time spent by the Tribunal deciding on compensation). A hearing of 1 or 2 days may mean costs are lower; and
- **Team members:** The seniority of the team members assisting with the case (which would be discussed with you at the outset).

Current hourly rates

Our current standard hourly rates (plus VAT) are:

- Paralegal / trainee solicitor: £200 - £240
- Associate / Senior Associate / Principal Associate: £250 - £530
- Partner: £630 - £700

Our internal advocacy fees for representing you at hearings are included in the price ranges set out above (and these tend to range from £1,750 to £6,000 per day plus VAT (currently at 20%) depending on the complexity of the case, the level of preparation required and the duration of the hearing). However, we may appoint an external barrister to represent you at the Tribunal hearing where appropriate and in discussion with you.

We have detailed the likely costs of using an external barrister below (please see the section on Disbursements).

There will also be an additional charge if a solicitor, paralegal or trainee solicitor in the team attends a Tribunal Hearing alongside the advocate representing you at that hearing (who may be an internal or external advocate).

This additional charge may range from £750- £4,000 per day (plus VAT, currently at 20%), depending on a range of factors (such as experience and the complexity of the matter). The attendance and fee will be discussed with you. The sum specified does not include travel time or disbursements (such as overnight accommodation), should the Tribunal Hearing be away from the lawyer's home office.

Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as advocacy fees payable to any external barrister who represents you at a Tribunal hearing. We handle the payment of the disbursements on your behalf to ensure a smoother process.

Apart from external advocacy fees (mentioned further below), the other likely disbursements are photocopying charges, courier charges and travel and accommodation expenses. These are likely to total between £175 and £350 for simple cases, £350 to £950 for medium complexity cases, and £950 to £2000 for high complexity cases, in each case plus VAT, currently at 20%.

The amount will depend on whether accommodation is required and the volume of documentation that needs to be disclosed and included in the hearing bundle. We will give you precise figures for any disbursements that are likely to arise in your case as soon as we are able to do so.

We will sometimes instruct an external barrister to represent you at a hearing. In such cases we will liaise with you about available barristers, their estimated fees and our recommendation as to which barrister to appoint, to enable you to make an informed choice of representation for the final hearing.

Where an external barrister is appointed, their fees are likely to be between £1,750 to £6,000 per day plus VAT (currently at 20%) for attending a Tribunal Hearing (not including fees for preparation). The exact cost will depend on various factors including the duration of the hearing, the complexity of the case and the experience of the advocate.

Key stages of a case

The fees set out above cover all the work in relation to the key stages of defending a claim, many of which are dictated by the Employment Tribunal, including:

- **Initial advice and responding to the claim**, to include:
 - **Initial instructions and advice:** Taking your initial instructions, reviewing documentation relevant to the issues in dispute and advising you on the prospects of success at a final hearing and likely compensation if a claim succeeds (this is likely to be revisited throughout the matter)

and subject to change); and

- **Response:** Preparing the response to the claim and sending this to the Employment Tribunal. Advising on the claim.

This stage is likely to take up to 4 weeks from receipt of the claim. If you instruct us before the claim is received, for example once ACAS notifies you that an individual is considering bringing a claim against you, this stage may take anything from 2 weeks if the case settles, through to around 4 months if there is no settlement, given Tribunal delays in issuing claims.

- **Preliminary Hearing:** Preparing for and representing you at a preliminary hearing at which the case will be clarified and instructions issued to prepare for the final hearing. The preliminary hearing, which may take up to a day but is more commonly between 1 and 3 hours, will usually take place up to a few months after submission of the response.

Preparation for the preliminary hearing will usually take place in the period falling 3 to 4 weeks before the hearing.

- **Case management**, to include:
 - **Schedule of loss:** Considering a document known as a schedule of loss, which sets out potential compensation should a claim succeed;
 - **Disclosure of documents:** Exchanging documents relevant to the issues in dispute with the other party and agreeing a bundle of documents for use at the final hearing;
 - **Hearing bundle:** Preparing the bundle of documents for the hearing; and
 - **Witness statements:** Taking witness statements by interviewing witnesses (usually online), drafting statements and agreeing their content with witnesses. Also reviewing and advising you on the other party's witness statement(s).

Where documentation and the number of witness statements are not significant, this stage may take around 8 to 12 weeks in total. In other cases, whilst the work itself may take around 8 to 12 weeks, these steps may take place over a much longer period, in some cases up to a year or even longer. Sometimes these steps are taken in the period immediately following the preliminary hearing. In other cases, they take place nearer to the final hearing (which is sometimes held a few months after the preliminary hearing and, in other cases, more than a year afterwards, depending on factors such as the complexity of the case, the estimated length of the final hearing and Tribunal availability to hear the case).

- **Final hearing and associated preparation**, to include:
 - **Documentation for final hearing:** Agreeing a list of the issues in dispute, a chronology of key events and / or a 'cast list' of key individuals involved in the dispute; and
 - **Final Hearing:** Preparation and attendance at the final hearing, including instructing the advocate who will represent you at the hearing.

This stage will usually take around 6 to 8 weeks in total and will include a meeting between you, your witnesses, us and the advocate instructed to represent you at the final hearing.

In addition to the above stages, throughout the case we will advise you on options, tactics and strategy, bearing in mind your preferred outcome, goals and budget, and if you wish enter into settlement discussions with the other party, via ACAS if required, exploring whether a settlement can be reached.

The stages set out above are an indication, and if some of the stages above are not required, the initial fee estimate we provide may be reduced.

Our fee ranges are based on the assumption that each matter proceeds in a timely manner, nothing unforeseen arises and the parties are cooperative throughout the process. The ultimate cost of a case will depend on the individual circumstances of each matter and the stage at which a settlement may be reached.

You may wish to handle a case yourself and seek our advice and input regarding some of the stages only. This can be arranged based on your individual needs and preferences.

The fee ranges indicated above do not include the following:

- **Amendments:** If it is necessary to defend applications to amend claims or to provide further information about an existing response;
- **Costs applications:** Making an application for payment of legal fees by the opposing party, or defending such an application;
- **Complex preliminary issues:** Complex preliminary issues such as whether the claim has been brought within the relevant time period and associated time limit arguments and/or whether the claimant was an employee;
- **Strike out:** Applying for the claim to be struck out due to no prospect of success (or defending an application for the response to be struck out) and/or applying for a deposit to be paid in order for specific allegations to proceed (or defending the same).
- **Additional case management hearing:** Additional case management hearings beyond a single case management preliminary hearing;
- **Additional allegations:** Defending allegations beyond unfair or wrongful dismissal, for example discrimination, whistleblowing and/or unpaid wages;
- **Judicial mediation:** Preparing for and advising / representing you at a judicial mediation and/or a dispute resolution appointment; and
- **Appeal:** Advising on a potential appeal and any work associated with an appeal, including seeking permission to appeal.

We will provide specific quotes for any / all the above aspects of the case at the relevant point in proceedings.

How long will my matter take?

The time that it takes from instructing us through to the final resolution of the matter depends largely on the stage at which the case is resolved.

Broadly speaking, if a claim proceeds to a final hearing, the case is likely to take 12 to 24 months (inclusive of ACAS early conciliation). This is an estimate based on our experience and we will of course provide you with a more accurate timescale once we have more information and as the matter progresses. A case could settle at any time, which would reduce this period.

As a guide, the more documents and witnesses there are, the more likely it is that a longer final hearing will be required. This increases the prospect of it taking some time before the Tribunal can consider the case at a final hearing.

What are the qualifications and experience of the people working on my case?

Your matter will be managed on a day to day basis by a solicitor within our Employment, Immigration and Pensions team. They will be your primary point of contact throughout the case and will advise you on the legal

process, options and strategy. We will identify the appropriate team member taking into account the complexity of the claim and the level of experience required to manage your case.

Your allocated solicitor will work in partnership with you to achieve the best possible outcome in your case, whether this is defending the case through to the final hearing or seeking to achieve a settlement on the best possible terms.

A full list of team members is available [here](#). The team list has links to team members' web profiles, which include details of their experience.

Unless otherwise specified, all team members are qualified solicitors specialising in employment law who provide advice on a range of contentious and non-contentious employment law matters. This includes defending Employment Tribunal claims.

Where appropriate, team members are assisted by a trainee solicitor. Typically, trainees spend four months in the team and work under the supervision of a qualified team member. Team members may also be assisted by paralegals in the team.

All matters are subject to strategic input and oversight by one of our Employment partners or another senior member of the team, all of whom have many years' experience successfully advising on the defence of Employment Tribunal claims and wider employment law issues and challenges, working in partnership with clients to help achieve their strategic goals.

We have successfully defended many claims that have been brought against our clients in the Employment Tribunal, as well as negotiated settlements without admission of liability, enabling organisations to move forward from time-consuming litigation and focus on other priorities. We have also helped organisations identify lessons to be drawn from employment litigation, assisting in the management of risk in the future as part of our aim to add value to all our clients.

Additional information

As a national full-service law firm with global reach, we can assist organisations with a wide range of legal issues.

To receive updates from us on legal issues of interest to you and your sector, and invitations to webinars and events, please sign up [here](#).

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