

## **Employment Tribunal – Range of Costs**

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

Simple case: £7,500 -£10,000 (excluding VAT)

Medium complexity case: £10,000 - £50,000 (excluding VAT)

High complexity case: £50,000 -£75,000 (excluding 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 the claimant has been dismissed after blowing the whistle on their employer
- Allegations of discrimination which are linked to the dismissal

An Employment Tribunal hearing can last between one and ten days depending on the complexity of the case.

You have the option to ask us to instruct counsel to conduct the advocacy in an Employment Tribunal case. However, all of the qualified solicitors in the Hugh James Employment Law Team are able to conduct advocacy themselves.

If we instruct counsel, counsel's fees are estimated as being between £750 to £2,500 per day (depending on experience of the advocate). There may also be an additional charge to have a junior solicitor attend the Employment Tribunal Hearing to accompany counsel of up to £1,500 per day (excluding VAT).

## **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. In employment tribunal claims there are no court fees and it is very unusual to have disbursements in straightforward cases. The exception is where an expert medical report may be required.

## **Scope of work**

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 including drafting a settlement agreement
- Preparing or considering a schedule of loss
- Preparing for (and attending) a Preliminary Hearing including preparing a list of issues and dealing with preliminary case management and other issues
- 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 and/or a skeleton argument to Counsel
- Ensuring that you are made fully aware of the progress of the case and are regularly updated

The stages set out above are an indication only. If some of stages above are not required, the fee will be reduced. This can arise if the case is able to be settled at an early stage.

There is also the possibility of some or all elements of the claim being struck out at an early stage.

You may wish to handle some aspects of the claim yourself and only have our advice/ support in relation to some of the stages. This can also be arranged depending 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 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 two to six weeks.

If the case does not settle during the pre-claim conciliation period, it may still be possible to reach a settlement at a later stage. It may also be possible to win the case at an early stage, if the Employment Tribunal decides the claim is out of time or the claimant has little prospects of success.

If, however, your claim proceeds to a final hearing, your case may between nine and twelve months or even longer. This is because of the timetable set by the Employment Tribunal Service.

Please note that these timescales are just estimates and we will of course be able to give you a more accurate timescale once we have more information about your specific case.

#### Details of lawyers who may work on the matter

Name of individual	Title	Qualifications	Year Qualified	Complexity or type of issues they typically deal with
Emma Burns	Partner and Head of Employment Law Team	Qualified Solicitor LLB (Hons) - First Class Post Graduate Diploma in Law - Distinction	1999	
Andrea Thomas	Partner	Qualified Solicitor  BSC Econ – 2:1 Diploma in Law - Distinction	1996	All
Louise Price	Partner	Qualified Solicitor  LLB in Law – 2.1 Legal Practice Certificate (Commendation)	2003	
Eleanor Bamber	Senior Associate	Qualified Solicitor  BA Law (Jurisprudence) (2:1) Legal Practice Certificate (Commendation)	2008	
Rhiannon Dale	Associate	Qualified Solicitor  LLB (Hons) Law with German – 2:1 Post Graduate Diploma in Law - Commendation	2013	All
Elinor Jones	Associate	Qualified Solicitor	2014	
Sali Owens	Solicitor	Qualified Solicitor  LLB (Hons) Law – 2:1 Post Graduate Diploma in Law - Distinction	2017	All

We also have a trainee solicitor who works with the team. The trainee solicitor has completed the academic stages of training to be a lawyer and has a training contract with us for two years. During that time they work in different departments to get work based experience. They change departments every six months.