

Employment: our fees

Our fees for representing an employer or employee in relation to a claim made in the Employment Tribunal for unfair or wrongful dismissal are estimated fees and are based on our experience of the likely cost for a claim by one employee against one employer where the hearing is unlikely to last for more than one day. We expect our fee for such an unfair dismissal case to be £40,000 or more plus a barrister's fee. A wrongful dismissal claim is likely to lead to similar costs but will depend on the facts and complexity of the case. These fees are subject to VAT.

Wrongful dismissal claims arise where an employee argues that the dismissal has breached their contract of employment and the sum claimed will usually relate only to pay due in respect of the notice period. An unfair dismissal claim gives rise to the possibility of compensation, in addition to notice pay, which is capped at either one year's pay, or £93,878 if one year's pay would be more than that sum, together with a 'basic award' of compensation. The basic award is calculated by reference to a week's pay, age and length of service. There is a cap on the weekly pay taken into account for this award; currently £700.

The capped amounts are updated each year by the Government, usually in April.

The compensation which can be awarded by an Employment Tribunal for a wrongful dismissal claim is limited to £25,000.

We will agree a scope of work with you and that will tell you if we expect the fee to be higher, based on the facts of your particular case.

Our fees

Each case will have its own facts and information may become available during the course of dealing with your claim. If anything comes to light which changes our estimate of likely charges we will let you know.

Additional work outside of the agreed scope will be charged at the hourly rate of the solicitor with conduct of your matter. These hourly rates range from £295 to £395 plus VAT for Associates and Senior Associates and £535 plus VAT for Partners. Trainee Solicitors are charged at £175 plus VAT per hour. We expect that most of the work on a Tribunal Claim will be carried out by an Associate or Senior Associate along with a Trainee Solicitor but a Partner will supervise and advise as needed.

All references to VAT are to VAT at the standard rate.

Third party charges

- We may have to pay charges to another Company or person. This will include the barrister who will represent you in the tribunal if the claim proceeds to a hearing. The barrister may also be asked to advise in a meeting with you before the hearing.
- In some cases we may need to obtain evidence from an expert such as a medical specialist and you will be charged for their fees.

What our work will cover – the stages involved

The precise stages involved vary according to the circumstances. However, below are some typical key stages:

- Dealing with ACAS, the Advisory and Conciliation Service, a Government body which is obliged to offer assistance in resolving claims at an early stage. All new claims must be referred to ACAS before they can proceed.
- Starting the claim or preparing the defence. This will involve setting out what has happened in some detail and completing Tribunal forms.
- Dealing with the employment tribunal including attending a case management hearing or telephone call.
- Complying with the steps the Employment Tribunal sets down for the management of the claim.
- Obtaining from you all relevant documents for disclosure to the other party.
- Preparing witness statements for those who will give evidence in support of your arguments.
- Preparing documents for use at the hearing.
- Organising and briefing a barrister to represent you at the hearing.
- Dealing with any settlement negotiations which take place.
- Advising you throughout.

Discrimination claims

The estimates above do not apply to claims of Unlawful Discrimination. Such cases can be complex and we will provide a clear estimate of our fees for dealing with such a case. It will be based on the hourly rates set out above.

How long will my matter take?

An Employment Tribunal claim will typically take between 12 and 18 months to conclude. Some tribunals have longer waiting lists for hearings than others.

Who will deal with my matter?

The lawyers in this team can be found on our website. All are very experienced in dealing with employment law matters. The team spend 90% or more of their time dealing with employment law.

In each case, associate and senior associate solicitors will be supervised by one of the partners.