

PRICING AND SERVICES GUIDELINE

The following information explains our UK charges and services when advising clients on both bringing and defending employment tribunal claims and appeals involving unfair or wrongful dismissal.

The employment team in London predominantly acts for multi-national employers, PLC's, SME's and senior executives and high net-worth individuals who earn in excess of £120,000. These matters are usually complex and of high-value where the stakes in terms of reputation and regulatory risk are significant and where strategic and tactical thinking provides a key element of our advice. Our service is partner led and the partner will be heavily involved in your matter from start to finish.

Fees for employment tribunal claims

We charge for our work on a time spent basis by reference to our hourly rates which range from £255 – £535 per hour¹ (excluding VAT). The applicable hourly rate will depend on the seniority and level of experience of the fee earner working on the matter.

While the cost of your matter will depend upon the complexity of the claim and time spent, we would normally expect our fees² for bringing and defending claims for unfair or wrongful dismissal to be within the following ranges:

Type of case	Range of fees <i>(excluding VAT and disbursements)</i>
Simple case	£35,000 – £70,000
Medium complexity case	£65,000 – £125,000
High complexity case	£100,000 – £250,000

Factors that are likely to make a case more complex include the following:

- 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;

- the amount of correspondence between the lawyers for both sides, or the amount of correspondence between us and the Claimant if he or she is a litigant in person;
- if documents need to be redacted, for example, because of legal privilege;
- if it is an automatic unfair dismissal claim e.g. if the Claimant is dismissed after blowing the whistle on alleged wrongdoing by their employer or a fellow employee or worker, or for any of the other automatic unfair dismissal reasons prescribed by statute;
- if we are required to attend Conferences with Counsel prior to the hearing; and
- allegations of discrimination which are linked to the dismissal.

There will be an additional charge for attending a Tribunal Hearing of approximately £3,000 – £3,500 (excluding VAT) per day, depending on the experience of the lawyer required, plus the cost calculated at our hourly rates of travel time to and from the Employment Tribunal. If you require an employment partner to attend any particularly important days of the hearing, the additional cost per day will be £3,750 to £4,500 plus VAT and travel time.

Generally, we would allow 2 – 5 days depending on the complexity of your case. However, please note that automatic unfair dismissal cases involving whistleblowing and/or discrimination can last on average for up to 10 days.

Legal expenses insurance

We recommend that our clients check the cover provided under any relevant insurance policy prior to instructing a law firm in the bringing or defence of a claim.

Disbursements

Disbursements are additional costs related to your matter that are either costs we incur or are payable to third parties and are payable in addition to our legal fees. We handle the payment of the disbursements to third parties on your behalf to ensure a smoother process (although we may require you to put us into funds to do so).

Disbursements vary from matter to matter. A typical employment tribunal matter would require some (or all) of the following disbursements:

- Counsel's fees (which vary according to factors such as the experience of the individual counsel,

1. Our rates are subject to review annually on or about 1 April.

2. All fees and costs are exclusive of VAT (charged at the prevailing rate, which is currently 20%) and disbursements which will be added where applicable to each invoice.

the complexity of the case, the length of the hearing and the amount of time spent)

- Expert witness fees
- Costs for non-legal services such as photocopying, printing and travel expenses

Key stages

The key stages of a claim which are covered within our estimated fees outlined above include, but are not limited to:

- 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 with ACAS where this is mandatory to explore whether a settlement can be reached;
- preparing the claim form or response/defence;
- reviewing and advising on claim or response from other party;
- exploring settlement and negotiating settlement throughout the process; including preparing or considering a schedule of loss, drafting without prejudice correspondence and reviewing/amending/drafting a settlement agreement or COT3 Agreement, as appropriate;
- drafting applications to the Tribunal and correspondence with the other side relating to such applications;
- preparing for (and attending) a standard Case Management Conference;
- 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; and
- preparation and attendance at Final Hearing, including drafting instructions to Counsel.

These key stages are an indication of the work that is typically required in relation to bringing or defending a tribunal claim for unfair or wrongful dismissal. If some of the stages above are not required, the fee will be lower. Claimants may wish to handle the claim themselves and only have our advice in relation to some of the

stages. This can be arranged according to a Claimant's individual needs.

Additional stages may be relevant depending on the exact nature of the claim, how it proceeds and the extent to which our advice is required in relation to each stage. If there are additional stages, the fees will be higher. Additional stages include:

- making or responding to additional applications, for example applications for specific disclosure, to strike out a claim, to seek additional time to complete a stage in the process, to seek an unless order to compel the other side to complete a stage in the process;
- joining additional parties or dealing with additional parties;
- amending pleadings; or
- dealing with appeals.

Timescale

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 5 – 12 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 6 – 12 months. This is just an estimate and we will be able to give you a more accurate timescale once we have more information and as the matter progresses.

Additional costs

Please note that any fee estimate will not include the following work:

- advising on or responding to data subject access requests and other General Data Protection Regulation queries;
- advising on or participating in any form of mediation;
- involvement of counsel at any stage in the litigation process; and
- any orders requiring you to pay the other side's costs or time spent preparing any dispute over costs.

Employment team

We will provide you with the names of the individual lawyers who will be acting on your matter, including the partner responsible for overall supervision, if you instruct us. Additional support may also be provided by trainee solicitors, who would be working under the supervision of the team member(s) acting on your matter.

To find out more about our Employment Practice and members of our Employment team, please click [here](#).