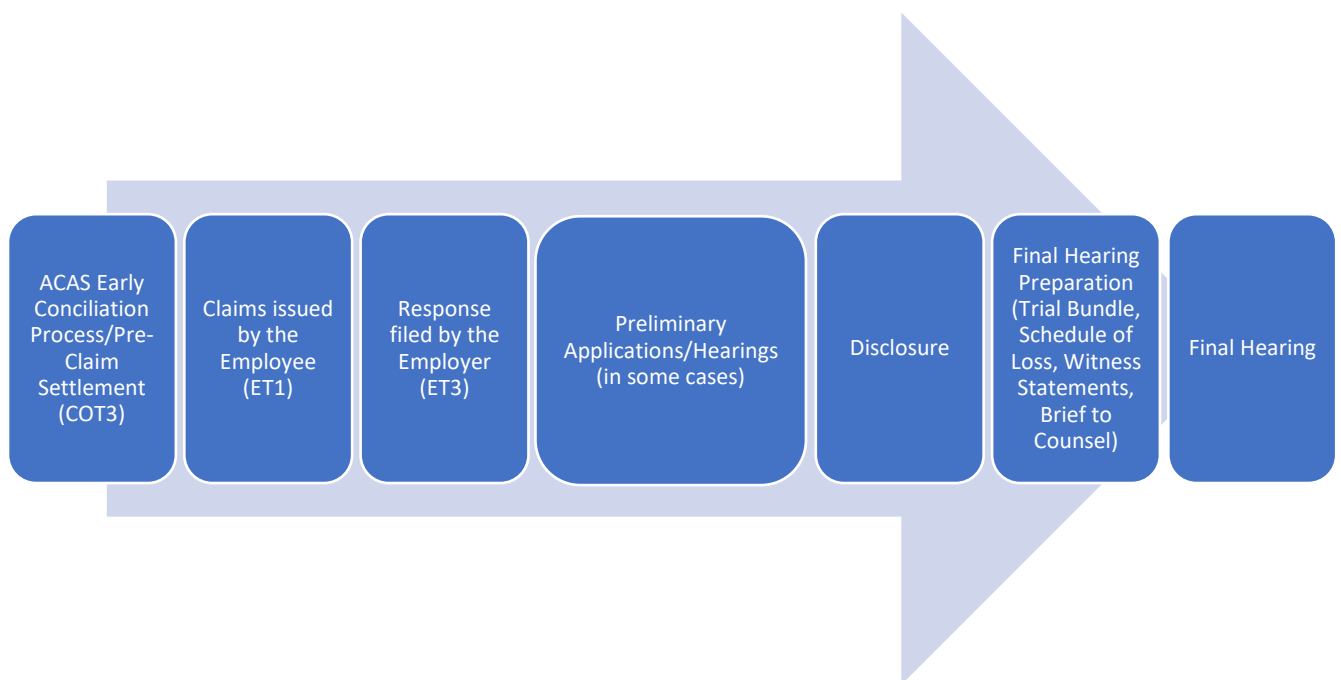


The costs of our employment tribunal services for bringing and defending an unfair or wrongful dismissal claim

At Law 365 we believe that the law should be transparent and accessible for all, and we believe the same should apply for our pricing. This page aims to set out and help you grasp the process, fees, and issues that may arise when a claim is brought against an employer in the Employment Tribunal. But do phone or email us if you have any questions as we would be delighted to chat through the process and any questions arising out of this information.

The Tribunal Process - Overview



Our hourly rates

We charge an hourly rate which varies according to the experience level of the individual member of staff dealing with your case. The hourly rates for our team are detailed below and exclude VAT (and are reviewed periodically and revised). Fees will usually be invoiced on a monthly basis, but we can provide more frequent updates as to fees incurred at your request.

| Experience Level | Hourly Rate (exc. VAT at 20%) |
|---------------------|-------------------------------|
| Partner | £350 |
| Senior Associate | £300 |
| Mid Level Associate | £250 |
| Associate | £175 |
| Paralegal | £150 |

Costs estimates to bring or defend a claim before the Tribunal

We recognise that every claim is different in terms of its underlying facts and complexity. This makes it difficult to provide an exact fee quote for every matter. However, we would expect most claims to fall within the ranges of costs set out below (excluding disbursements).

| | |
|-------------------------|-----------------------------------|
| Simple claim | £9,000 - £13,500 (excluding VAT) |
| Medium complexity claim | £15,000 - £26,500 (excluding VAT) |
| High complexity claim | £28,000 - £50,000 (excluding VAT) |

We will be able to provide an indication of the likely cost of *your* case following an initial meeting with one of our team.

The amount of time spent on each stage of the process will depend on the complexity of the matter. Factors that could increase the complexity of a claim include:

- Defending claims brought by litigants in person
- The cooperativeness and responsiveness of the other parties involved
- The Tribunal's approach to your claim and its capacity
- Whether there is a need to appoint experts and obtain expert evidence
- If there are complex preliminary issues to be determined (e.g. disability of the Claimant, if this is contested)
- The extent of disclosure (e.g. number of witnesses and relevant documents involved)
- If there are allegations of discrimination or harassment which are linked to the dismissal
- The making or defending of additional claims or preliminary applications
- Automatically unfair dismissal claims (e.g. whistleblowing)

What services are included in the cost of bringing/defending a Tribunal claim?

We advise and support on the broad stages as set out in the flow chart process above and as set out below

| |
|---|
| Services |
| Initial consultation with Employee who believes they might have a claim |
| Supporting Employee/Employer through the pre-claim conciliation process |
| Drafting and filing the response form (ET3) for when a claim has been made against the Employer. |
| OR |
| Draft the claim form (ET1) on behalf of the Employee. |
| Merits Assessment – Reviewing relevant documents, drafting case assessment summary and advising on quantum |
| Disclosure – Dealing with disclosure / preparation of list of documents and considering documents disclosed by Claimant |
| Trial Bundle (preparation of the documents required to be presented at the hearing) |
| Witness Statements – gathering statements and interviewing witnesses to build a case |
| Preparing for and attending Preliminary Hearing (via telephone) |

| |
|-----------------------------|
| Final Hearing preparation * |
| Settlement discussions |
| Case management |

**Note: the Final hearing itself is excluded as counsel is likely to be engaged.*

What factors can increase costs?

The above price estimate is based on the following assumptions:

- You will provide us with all of the necessary information and documents, and respond when needed, in a timely manner
- You provide us with adequate instructions and information to allow us to prepare the ET3 form at least 10 working days before the Tribunal deadline (if you are an employer)
- Both parties acts reasonably throughout the process without excessive levels of communication
- We don't attend a Tribunal hearing
- There aren't any protracted settlement negotiations
- We are not required to make or defend numerous or substantial applications to the Employment Tribunal
- The work proceeds without any unforeseen or unusual complications

If these factors change, there may be additional charges. As your case progresses, we will update you as to whether any additional charges seem likely.

I have a subscription with Law 365, can I use employment tribunals as a credit?

Unfortunately, due to the unpredictable costs and time estimates involved in Tribunal and court litigation, such work-fall outside the scope of our subscription service and the fees in line with those indicated on this page will apply unless we agree otherwise.

Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as court fees, travel expenses, or photocopying/printing costs. These are not included in the fees estimate above. We would normally handle the payment of the disbursements on your behalf to ensure a smoother process but will discuss this at the time they arise depending on the terms of the third party provider and other factors.

Also not included are the fees for a barrister, who may be used to provide an opinion on more complex issues and to represent you at the Final Hearing.

Barrister fees vary widely depending principally on the experience level of the barrister and the complexity of the claim. The typical fees for a junior barrister will range between £1,000 - £3,000(excluding VAT) for the brief fee (including preparation and the first day of the hearing) and £600 - £850 (excluding VAT) for the refresher fee (each additional day of the hearing).

We will select the barristers with the most appropriate level of experience to handle your claim and will obtain fee quotes for your approval prior to instruction.

What if I have insurance that covers claims?

If you have insurance, do check in with your insurance companies as some insurance companies require you to use specific law firms or gain their consent to using a firm not on their list of panel

solicitors. We advise that you contact your insurer at the earliest opportunity and before we begin work.

The scope of costs that an insurer is willing to cover and terms for that cover depends on the policy you have in place. We would be happy to discuss with you the basis upon which any additional costs may or may not be incurred above any amount being provided for by the insurer.

How long does an Employment Tribunal take?

The time it takes from your initial instructions to the final resolution of your matter depends largely on the stage at which the case is resolved. If a settlement is reached during the ACAS pre-claim conciliation stage, your case could take just 2-6 weeks. However, if the claim proceeds to a Final Hearing it could take between 6-12 months (with more complex matters taking up to 2 years).

It's hard to predict accurate timescales until we have your information and much depends on the level of claims being handled by the particular Employment Tribunal at the time, but you'll be kept informed throughout the entire process.

Meet your team

Here is our team of lawyers who may be involved in handling your Tribunal claim. No matter who is working on your claim, all are supervised by our Employment Partner, Megan O'Hara.

Partner Megan O'Hara

Associate Rebecca Williams

Paralegal Elliot Burton