

Employment tribunal: Range of costs

It is difficult to provide a fixed cost since applications to tribunals vary and the issues and behaviour of an opponent affects the nature of the work.

All employment matters must be referred to ACAS who will seek to conciliate. An application may not be made until that has been done and that ACAS have certified as such.

The core steps are:-

Form ET1	The claim form outlining your case and the nature of the dispute
Form ET3	The response form when a claim has been made against you
Particulars of claim	Document that sets out the factual detail of your claim, and the legal basis for it.
Making an Unless order	If you do not comply with an order made by the Employment Tribunal you risk losing part (or all) of your claim/response.
Interlocutory applications	A provisional decision given during the course of a legal action

Range of costs

Our fees for bringing and defending claims for unfair or wrongful dismissal

Simple case: £1250.00 - £2500.00 (excluding VAT and disbursements)

Medium complexity case: £2500.00-£7500.00 (excluding VAT and disbursements)

High complexity case: £7500.00-£25,000.00 (excluding VAT and disbursements)

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 you are dismissed after blowing the whistle on your employer
- Allegations of discrimination which are linked to the dismissal
- Where your opponent seeks to contest factual issues and raises complex legal arguments

There may be an additional charge for attending a Tribunal Hearing of £1500.00 per day (excluding VAT). We would usually advise that a Barrister be instructed to represent you before the Tribunal as this in our view contains the costs

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.

Counsel's fees estimated between £750.00 and £3000.00 per day (depending on experience of the advocate) for attending a Tribunal Hearing (including preparation)

Key stages

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
- preparing or considering a schedule of loss
- Preparing for (and attending) a Preliminary Hearing

- 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 to Counsel

The stages set out above are an indication and if some of stages above are not required, the fee will be reduced. If we have agreed to charge on an hourly basis we shall of course only charge for work done

You may wish to handle the claim yourself and only have our advice in relation to some of the stages. This can also be arranged 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 8 - 12 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 12-24 weeks. This is just an estimate and we will of course be able to give you a more accurate timescale once we have more information and as the matter progresses.