

Defending a claim for unfair or wrongful dismissal

Our charges and services

In compliance with the Solicitors Regulation Authority's Transparency Rules, the following information explains our UK charges and services when advising employers on the defence of unfair or wrongful dismissal claims in the Employment Tribunal.

Our charges

It is not possible to give an exact figure for our charges in relation to defending a tribunal claim for unfair or wrongful dismissal, as much will depend on the nature and complexity of the claim and the time spent.

Our work on Tribunal matters is charged by reference to our standard hourly charge out rates and the amount of time likely to be spent on the matter. We would normally expect the defence of a claim which proceeds to a full hearing within the UK Employment Tribunal to be within the following ranges:

Simple case: £10,000 to £20,000 (excluding VAT)

Medium complexity case: £20,000 to £30,000 (excluding VAT)

High complexity case: £30,000 to £60,000 (excluding VAT)

Please call David Nathan on 0207 822 2222 to discuss a tailored estimate specific to you and your requirement.

Factors that could make a case more complex are:

- If it is necessary to make or defend applications to amend claims or to provide further information about an existing claim.
- Defending claims brought by a litigant in person.
- Making or defending a costs application.
- Complex preliminary issues such as whether the claimant is disabled (if this is something relevant to a claim and it is not agreed by the parties).
- The number of witnesses and documents.
- Allegations of discrimination which are linked to the dismissal.

There will be an additional charge for attending a tribunal hearing of £1,800 per day (excluding VAT). Generally, we would allow 1 to 10 days depending on the complexity of the case.

Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as court fees. We handle the payments of the disbursements on your behalf to ensure a smooth process.

A barrister will often be needed, and depending on the complexity of the case, he or she may be instructed at an early stage. A barrister will charge at an hourly rate on a time spent basis, and fees are typically between £100 and £600 per hour (excluding VAT), depending on experience. If the matter reaches a hearing in the Employment Tribunal, then depending on the complexity of the case, barrister's fees could be between £10,000 and £50,000 (excluding VAT).

Key stages

The fees set out above cover all of the work in relation to the following key stages of the claim:

- Taking your initial instructions, reviewing the papers and advising you on merits and likely compensation (it is likely to be revisited throughout the matter and subject to change).
- Entering a pre-claim conciliation where this is mandatory to explore whether a settlement can be reached.
- Preparing a claim or a response to a claim.
- Reviewing and advising on a claim or response from another party.
- Exploring settlement and negotiating settlement throughout the process.
- Preparing or considering a schedule of loss (to reflect the losses suffered by you as a result of the claim).
- Preparing for (and attending) a preliminary hearing (if appropriate).
- Exchanging documents with the other party and agreeing a bundle of documents.
- Taking witness statements, drafting statements and agreeing the content with the witnesses.
- Preparing bundles of documents.
- Reviewing and advising on witness statements of the other parties.
- Agreeing a list of issues and a chronology of events.
- Preparation and attendance at a final hearing, including preparing instructions to Counsel and liaising with Counsel.

The stages set out above are an indication and if some of the stages above are not required, the fee will be reduced. 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. However, so that there is continuity, we normally suggest that you instruct us to handle the whole of the matter.

All fees and costs shown above are exclusive of VAT. VAT will be added where applicable at the required rate (currently 20 per cent).

How long will my matter take?

The time it takes from taking your initial instructions to finding a resolution to your matter depends largely on the stage at which your case is resolved. If your claim proceeds to a final hearing it is likely to take anywhere up to 6 months. However, the claim may settle at any point before then. 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.