



For the purposes of this guide any reference to VAT is calculated at the standard rate for goods and services, currently 20%.

Price example to bring an Employment Tribunal

An example of our pricing estimate for bringing and defending claims for unfair or wrongful dismissal is illustrated below. You should note that each and every case is different and you should contact us for a more detailed discussion on your specific requirements. Our fees are normally, unless some other arrangement has been agreed, calculated using an hourly rate.

Lower complexity case: £8,500-£10,500 plus VAT (£10,200 - £12,600)

Medium complexity case: £10,500-£15,500 plus VAT (£12,600-£18,600)

Higher complexity case: £15,500-£20,000 plus VAT (18,600 - £24,000)

Disbursements (plus VAT) will be in addition to our fees.

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 or are brought as standalone allegations;
- Claims following a TUPE transfer
- Final hearing lasting 5 days or more

There may be an additional cost also for preparing for and attending preliminary tribunal hearings (which would be hearings that are listed by the tribunal before trial) of £1,250-£15,00 plus VAT (£1,500 - £1,800) for hearings which are listed for up to 3 hours.

Fee estimates quoted are based on a case proceeding on a private paying basis (i.e. where you are responsible for paying legal fees).

Cases may however be funded on an alternative basis if you have legal expense insurance, you may have this cover as part of your general business insurance – or as an individual as part of your home contents insurance cover. If you have either of these forms of insurance, you should contact either your insurance broker or your insurers directly to establish whether your policy will cover the legal costs associated with either bringing or defending an employment tribunal claim.



We will also on occasion (but not generally as a matter of course) run cases under a “Damages Based Agreement” (sometimes referred to as a no-win no-fee) – and are happy to discuss this type of funding arrangement where appropriate.

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.

For final hearing: Counsel's fees for representation at final hearing - estimated between £1,500 to £1,750 plus VAT (£1,800 to £2,100) per day (depending on experience of the advocate) for attending a one-day Tribunal Hearing (including preparation). Counsel will normally charge in the region of £1,000 plus VAT (£1,200) for additional days work where a case is listed for in excess of one day.

Key stages

The fees set out above cover all 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 and submitting same to tribunal;
- 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 (a document which sets out the value of your claim);
- Preparing for (and attending) a Preliminary Hearing;
- Exchanging documents with the other party and reviewing the documents disclosed by them;
- Taking witness statements, drafting statements and agreeing their content with witnesses;
- Preparing a bundle of documents for use by the tribunal at final hearing;
- Reviewing and advising on the other party's witness statements;
- Agreeing a list of issues, a chronology and/or cast list;
- Preparation for Final Hearing, including preparing instructions to Counsel to present your case at hearing

The stages set out above are an indication and if some of 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.



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 4 – 8 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 6 – 8 months (this timescale is however dependant on how busy the employment tribunals are at any given time). 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.

This illustration is to provide you with an outline of the likely costs of a case. Whilst we aim to be as accurate as possible, we strongly suggest you contact us directly to obtain a bespoke solution. For Employment matters please contact pas@djm.law.co.uk or telephone (01792) 656502.