

Employment Tribunal Costs Guide (December 2018)

This costs guide is based on a straight forward Unfair Dismissal Claim which does not have any elements of Discrimination, Unlawful deductions, or other forms of claim.

Instructions	Costs Guide
<p>To complete the claim form and provide particulars of claim detailing the legal basis for your claim and the nature of the dispute, including taking full instructions, initial meeting and advice letter.</p> <p>Subject to all documents and evidence being able to be reviewed within 1 – 1.5 hours</p>	<p>£675 - £900 + Vat</p>
<p>To complete the response form and provide particulars of claim detailing the legal basis for your defence when a claim has been made against you, including taking full instructions, initial meeting and advice letter.</p> <p>Subject to all documents and evidence being able to be reviewed within 1 – 1.5 hours</p>	<p>£550 - £775 + Vat</p>
<p>Making any application to or defending any application made to the Tribunal during the course of any claim</p>	<p>£150 - £250 per application</p> <p>This does not include any fees that may be payable to the Tribunal</p>
<p>Any additional procedural steps such as preparation and exchange of documents, preparation and agreeing contents of a witness statement, preparation of a bundle of documents, reviewing and advising on the other parties witness statements, agreeing a list of issues, preparation of a chronology and/or cast list and preparation for a final hearing including instructions to Counsel</p>	<p>Costs will be charged at an hourly rate which will be dependent on the experience and/or qualification of the fee earner concerned.</p> <p>e.g. A senior Solicitor will be charged at £225 per hour + Vat</p>

Factors that could make a case more complex:

- The necessity for applications to be made 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

There will be an additional charge for attending a Tribunal Hearing of £1,250 per day + Vat. Generally, we would allow 1 - 3 days depending on the complexity of your case.

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 £1,250 to £2,500 per day (depending on experience of the advocate) for attending a Tribunal Hearing (including preparation)

At the current time (December 2018) there are no fees payable to issue a claim in the Employment Tribunal.

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

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 according to 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 6 - 8 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 6 – 18 months depending on the complexity and allocation of the matter by the Tribunal. 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. Please note, complexities not originally envisaged may arise at any time, but you will be kept informed accordingly.