



## OUR FEES

The Employment Department acts primarily for employer clients in the private and public sector and provides advice in relation to contentious and non-contentious employment law matters. We also act for individuals when asked to do so. No two employment law clients are the same

For contentious work, such as Employment Tribunal and Court cases, it is not possible for us to provide an exact quote in advance for the cost of work to be undertaken because each case differs in terms of content and complexity

The requirements of each individual case will directly impact the amount of time taken and, as a consequence, the end cost to the client.

In relation to Employment Tribunal or court cases, the outcome of litigation cannot be guaranteed. On the basis that each case has a litigation risk we do not agree to any fee structure which is dependent upon a successful outcome.

Our practice when advising clients on contentious matters is to provide a detailed advice note at the outset of a case advising on the prospects of success and likely cost.

The following estimated examples are based on our experience of an "average" case.

## Pricing for Employment Tribunal Claims

Most cases fall into one of three levels of complexity, with the simplest being level 1.

### Our Estimated Fees

#### Level 1 Case

1. Small number of documents
2. One claim such as Unfair Dismissal
3. Only one solicitor involved
4. A one day tribunal hearing

£15 - £20,000 plus VAT (£18,400 - £24,000)

#### Level 2 Case

1. More documentation
2. One or two claims with a more complex background
3. 2 solicitors involved
4. One preliminary hearing and 2 days on tribunal hearing

£20,000 - £24,000 plus VAT (£24,000 - £28,800)

### Level 3 Case

1. Complex cases with a high number of documents
2. A series of claims with a complex background
3. Extensive communication with the other side
4. Case management hearings and more than 2 days tribunal hearing

£24,000 and more, plus VAT (in excess of £28,800)



## Factors Affecting the Level of Complexity and Cost

There are various factors which can significantly affect the level of cost of your Tribunal case.

Some of the factors are within your control and others are not.

**Preliminary Hearings:** A preliminary hearing will always take place to agree matters of case management and further preliminary hearings may take place to consider particular applications from either side. The greater the number of such case management hearings which take place the higher the cost will be.

**Number of Documents:** The amount of documentation produced by either side will impact the time taken to prepare for a case. We have a requirement to read all of the documents disclosed by the other side

**Number of Solicitors Involved:** Depending on the specifics of a case we may require to assign more than one member of staff to the case. This will be the practice if the case is particularly complex and/or where the other side have significant resources. The larger the team involved the higher the cost will be.

**Negotiations:** We will establish with our client whether the main driver for them is "financial reward/cost or "principle". The large majority of cases are motivated by financial reward/cost and settlement talks will often take place during the progress of these cases. We always progress the case in the manner which best suits the client's priorities. Negotiation in litigation can be time consuming and incur costs.

**Witness Statements:** We act for clients across the UK. The Employment Tribunal procedure for Scotland differs from that of England and Wales insofar as there is no general requirement in Scotland to provide written statement for witnesses. The process in Scotland has recently been clarified by the President of the Employment Tribunal Service and written statements will continue to be relatively rare, and only for discrimination cases if the Employment Judge and both parties agree. As a rule of thumb, cases which involve witness statements will take more time to prepare and the cost will increase accordingly.

**Representation:** One key element of our work for clients is representation at Tribunal Hearings or in Court. This element is of significant importance to the management of a case. The number of days involved in a case will impact the cost.

The factors listed above are examples and not intended to be an exhaustive list. There are other factors such as defending claims brought by litigants in person and making or defending a costs application - we always explain any additional cost that we may incur before we do so.