



OUR FEES

No two employment law clients are the same.

The Employment Department acts primarily for employers 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.

For contentious work, such as Employment Tribunal and Court cases, it is impossible to provide an exact quote for the cost of the work to be undertaken. The reason for the difficulty that, because no two cases are exactly the same, 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 cases, we advise clients that no litigation can be guaranteed success, no matter how strong the case appears to be. We do not generally agree to any fee structure that is dependent upon a particular outcome.

Our practice when advising clients on such 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

£12,000 - £15,000 plus VAT (£14,400 - £18,000)

Level 2 Case

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

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



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

£20,000 and more, plus VAT (in excess of £24,000)



Factors Affecting the Level of Complexity and Cost

There are factors over which you may have or may haven't any influence but they could significantly affect the level of costs of your tribunal. Some of these, can be due to the actions of the other side or the Tribunal.

Preliminary Hearings: This will always take place to agree matters of cases management and may also occur to consider particular applications from either side. The greater 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 and, if the other side produces a large volume of documents this will incur more fees.

Number of Solicitors Involved: Depending on the specifics of a case we may require to assign a team 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: Settlement talks will often take place during the progress of a case. We will establish with our client whether the main driver for them is "economic cost" or "principle". We always seek to 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 procedures 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 is generally that no such statement is provided and the witness gives evidence on the day. In recent years some Scottish Employment judges have started to ask for witness statements to be provided in discrimination cases to assist with clarifying the detail of the allegations or response in advance of the hearing. As a rule of thumb, cases which involve witness statements take more time to prepare for a hearing and as such, the cost increases.

Representation: One of the key parts 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. Our clients rely on our expertise to give them the best chance of winning their case – albeit that there is no guarantee of success in litigation. The number of days involved in a case will impact on the cost.

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