

MILNE MOSER

SOLICITORS

EMPLOYMENT LAW: ADDITIONAL INFORMATION ABOUT COSTS

Fee Information for Employment Tribunal Claims for Unfair or Wrongful Dismissal

The cost of pursuing or defending an unfair or wrongful dismissal claim can be difficult to estimate at the outset as factors may arise which increase the complexity of the case. Some of the factors that could make a case more complex include:

- 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; for example, if you are dismissed after blowing the whistle on your employer;
- Allegations of discrimination which are linked to the dismissal.

Our pricing for bringing and defending claims for unfair or wrongful dismissal is as follows:

- A simple case would start at £6,000 but would on average be around £8,000 excluding VAT (£9,600 inclusive of VAT)
- A medium complexity case would start at £8,000 but would on average be around £10,000 excluding VAT (£9,600 - £12,000 inclusive of VAT)
- A high complexity case would start at £10,000 but would on average be around £15,000 excluding VAT (£10,000 - £18,000 inclusive of VAT)

There will be an additional charge for us to attend a tribunal hearing of £700.00 per day excluding VAT (£840 inclusive of VAT). For a hearing before the Employment Tribunal, you may also incur the fees of a barrister. Such fees start from £1,000 per day, and cases typically last 1 to 2 days. On average, in straight forward cases which reach a final hearing before a tribunal, barristers' fees are around £1,500. However, this may increase depending on the experience of the advocate. The above estimate includes Counsel's fee for attending the tribunal hearing and for preparation for the hearing.

You may have legal expenses cover under an insurance policy. This type of policy usually provides cover for employment matters and therefore, it is worth contacting your insurer in the first instance.

Hourly Rates

Our fees will be calculated using hourly rates, which will depend upon who carries out the work:

Partner/Consultant £240 per hour plus VAT (£288.00 inclusive of VAT)

Associate Solicitor £200 per hour plus VAT (£240.00 inclusive of VAT)

Trainee Solicitor/Paralegal £100 per hour plus VAT (£120.00 inclusive of VAT)

Key stages

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

1. Taking your initial instructions, reviewing the papers and advising you on the merits and likely compensation (this is likely to be revisited throughout the matter and subject to change).
2. Entering into pre-claim conciliation where this is mandatory to explore whether a settlement can be reached.
3. Preparing the claim or response.
4. Reviewing and advising on the claim or response from the other party.
5. Exploring settlement and negotiating settlement throughout the process.
6. Preparing or considering a schedule of loss.
7. Preparing for a preliminary hearing.
8. Exchanging documents with the other party and agreeing a bundle of documents.
9. Taking witness statements, drafting statements and agreeing their content with witnesses.
10. Preparing bundle of documents.
11. Reviewing and advising on the other party's witness statements.
12. Agreeing a list of issues.
13. Preparing a chronology.
14. Preparation and attendance at the final hearing, including instructions to Counsel

The stages set out above are an indication and if some of the stages 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 depending 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 between 4 and 12 weeks. If your claim proceeds to a final hearing, your case is likely to take 6 to 12 months. 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.