

Business customers – employment tribunals

Pricing information

We have set out below our pricing range for defending claims for unfair or wrongful dismissal. Please note, the pricing does not cover any other type of claim, such as a discrimination claim, which the company might need to defend. We do not offer any conditional fee arrangements or damages based agreements.

Our fees

We cannot give an exact cost for this work as it will depend on the complexity of the claim(s) that are being brought against the company. However, we have set out below a pricing range which shows you our charges for dealing with a claim from the start up to (but not including) a Tribunal hearing according to its complexity:

- Simple case: £10,000-£20,000 (plus VAT at 20%).
- Medium complexity case: £20,000-£40,000 (plus VAT at 20%).
- High complexity case: £40,000-£70,000 (plus VAT at 20%).

We will provide you with a fixed fee quote within the appropriate range once we have a better understanding of the claim against the company.

Please note that we will charge VAT on top of our costs for the work we carry out for you.

Factors that could make a case more complex are:

- If it is necessary to make or dispute a request to amend the claim or defence or to provide further information about an existing claim.
- Defending claims that are brought by litigants in person.
- Asking for legal costs to be paid to the company or disputing a request that the company pays the legal costs of the individual bringing the claim.
- Dealing with complex issues before the Tribunal hearing such as whether the claimant is an employee (if this is not agreed by the parties) and whether the claim is in time.
- The number of witnesses and documents needed at the Tribunal hearing (the higher the number, the more complex the claim).
- If it is an automatic unfair dismissal claim e.g. if the claimant was dismissed after “blowing the whistle” on the company or in connection with their employment being transferred to another employer.

Hearings

Where we represent the company at the Tribunal hearing, there will be an additional fixed fee charge for our attending the hearing. The range of fixed fee charged for attendance is between £1,800-£4,000 per day (plus VAT at 20%) depending on the complexity of issues involved and on the seniority of the Solicitor attending the hearing. Generally, we estimate 1-4 days depending on the complexity of the case the company is facing.

Additional costs and disbursements

Disbursements are necessary costs relating to your claim which are payable to third parties. You may wish to have a barrister represent you at any Tribunal hearing rather than someone from our firm. Barristers are lawyers who specialise in attending hearings. Where you decide to instruct a barrister to represent you at the Tribunal hearing there will be an additional cost (called Counsel's fees). Counsel's fees for an unfair dismissal or wrongful dismissal claim are estimated between £1,800-£4,000 per day (plus VAT at 20%) depending on the number of years' experience which the barrister has. This cost is for attending a Tribunal Hearing (including their preparation).

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 the strength of the claim against the company and the likely compensation the company could be asked to pay the claimant (this is likely to be revisited throughout the matter and subject to change).
- Entering into settlement negotiations where this is required before the claim is brought against the company to explore whether a settlement can be reached.
- Preparing the company's response to the claim and sending this to the Tribunal.
- Exploring settlement and negotiating settlement throughout the process.
- Considering the table setting out all the amounts the claimant is claiming from the company (called a schedule of loss) and preparing a counter schedule.
- Preparing for (and attending) any hearings which are needed to resolve issues prior to the main Tribunal hearing (these are called Preliminary Hearings).
- 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 for use at the Tribunal hearing.
- Reviewing (and advising you on) the other party's witness statements.
- Agreeing a list of issues, a chronology and/or cast list for use at the Tribunal hearing.
- Preparation for and attendance at the Final hearing, including instructing a barrister if that is what you want to do.

The stages set out above are an indication and if some of the stages above are not required, this will reduce our costs. 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?

This will depend largely on the stage at which your case is resolved. If a settlement is reached before we have to file your claim, or shortly after filing, your case is likely to take 2-6 weeks. If your claim proceeds all the way to a final Tribunal hearing, your case is likely to take around 6 months but may be longer depending on how quickly the Tribunal can find a date for the hearing. 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.

Who will carry out my work?

The level of complexity of the claim (and which of our offices is closest to you) will determine who carries out the work on your claim. Typically a simple claim will be dealt with by a solicitor, supervised by an associate or senior associate, whereas a more complex claim will be dealt with by either an associate or senior associate, supervised by a partner or legal director.

Please [click here](#) for further details of the experience and qualifications of the individuals who may work on your claim.

©Shoosmiths LLP 2023



©Shoosmiths LLP 2023

SHOOSMITHS

www.shoosmiths.com

**FOR
WHAT
MATTERS**