

Employment Tribunal claims for unfair or wrongful dismissal: Range of costs

If you want to bring or defend a claim to an Employment then the following price information gives you an overview of what the likely costs will be. *

Of course, each case is different and so at the outset Carmel Sunley will discuss with you the costs that your case is likely to incur and any particular complexities or requirements of your case which may mean the price differs from what is set out below. This may include for example the number of claims that are being brought or need to be defended in addition to unfair and wrongful dismissal, such as unlawful discrimination. Or there may need to be interim orders or applications that need to be made to ensure that you are placed in the best possible position in the litigation.

As set out in our Principles of Practice, unlike other law firms when you instruct Sunley Solicitors your case will not be handed to a junior lawyer but will be handled exclusively by Carmel Sunley who has over 27 years' post qualification experience of specialist employment law practice, including advocacy at Employment Tribunals.

Carmel will guide you throughout the litigation process and give you the benefit of her extensive experience of appearing before employment judges at Employment Tribunals in the full range of employment disputes over the last twenty seven years.

Carmel will also consider throughout the litigation the prospects of settlement and in doing so will always discuss with you the cost/risk benefit in assessing and advising on a recommended approach or settlement.

Our pricing for bringing and defending claims for unfair or wrongful dismissal

Simple case: £3,000 to £5,000 (excluding VAT, charged at 20%)

Medium complexity case: £5,000 to £7,000 (excluding VAT, charged at 20%)

High complexity case: £7,000 to £15,000 (excluding VAT, charged at 20%)

We charge based on an hourly rate of £250 plus vat.

Factors that could make a case more complex:

- 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 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 £1000 per day (excluding VAT, charged at 20%). Generally, we would allow 1-2 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 £1000 to £1500 per day excluding VAT, charged at 20% (depending on experience of the advocate) for attending a Tribunal Hearing (including 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 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

The stages set out above are an indication and if some of stages above 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 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 4-6 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 12-18 months, depending on the Tribunal lists (as at August 2021 the Tribunal service has a large backlog of cases and cases are taking up to two years to be heard). 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.

* Carmel will also discuss with you whether you have legal expenses insurance to cover for your legal expenses and this is set out clearly in our terms of business.