

Employment Tribunal (Unfair or Wrongful Dismissal)

(These fees are also applicable to businesses who are defending a claim in the Employment Tribunal)

Bringing/Defending a Claim

Case Type	Our Fees
Simple Complexity	£2,000 – £5,500
Medium Complexity	£5,500 - £12,5000
High Complexity	£6,000 - £20,000

+VAT

Factors affecting the complexity of a case

- The necessity to make or alter existing claims. This could include defending a claim from the other side or having to provide further information about an existing claim.
- Complex issues to the case, e.g. in a disability discrimination claim where the disability is disputed or if there are allegations of discrimination which are linked to the dismissal.
- The number of witnesses and volume of documents supporting your case and your opponent's case.
- The type of claim, e.g. discrimination claims and blowing the whistle claims will generally be highly complex.
- Arguments about the status of a claimant, e.g. whether they are an employee or a worker.
- Whether Counsel is required to attend a hearing or be instructed to advise on a claim, or if a conference is needed.
- Making or defending a costs application.

Disbursements and costs

There are currently no fees payable to the tribunal to start a claim. Clients should also be aware that if you are unsuccessful at an Employment Tribunal you may be ordered to pay some or all of the other side's costs. If you are successful you may be able to claim some of your costs from the other side. However, it is unlikely you will be able to claim all of your costs.

Stages of a claim in the Employment Tribunal

- Receiving your first instructions, reviewing the papers and advising you on merits and likely compensation.
- Carrying out further investigations and interviewing witnesses.
- Entering into pre-claim conciliation to see whether a satisfactory settlement can be reached.
- Preparing the main claim or responses.
- Reviewing and advising on the claim or response from other party.
- Exploring settlement options and negotiating a satisfactory settlement throughout the whole process.
- Preparing or considering a schedule of loss.
- Preparing for (and attending) a Preliminary Hearing or instructing counsel to.
- Dealing with documentation for disclosure and preparing a list.
- Exchanging documents with the other party, reviewing disclosure received, and taking instructions.
- Agreeing a bundle of documents for a hearing.
- Taking witness statements, drafting statements and agreeing their content with witnesses.
- 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, which may require instructing Counsel.

The time scale for a claim in the Employment Tribunal can vary based on the complexity of the case, whether it can be resolved, if so at what stage and whether a final hearing at the Employment Tribunal is required. If the case is resolved during the pre-claim conciliation, your case is likely to take under 4 months. If we have to proceed beyond pre-claim conciliation then the process may take a further 6 – 8 months, but it could take longer.