

Employment Tribunals

Thursfields has an experienced team of expert employment solicitors to guide you through any employment dispute. Bringing or defending litigation can be time consuming and emotionally draining. Our Team act for both employers and employees and this gives genuine insight when handling cases. We will give you straightforward advice on the process and likely costs to go to a full hearing - and remember, many cases settle before they get to a Tribunal Hearing, and we can advise as to whether settlement is right for you.

Our Team

Our Employment Team is made up of qualified solicitors. The Team is led by Jonathon Forrester. For more details of our Employment Team and their experience, please see our individual website profiles.

Our charges are based upon hourly rates which are reviewed annually. Our current hourly rates range between £175 plus VAT of £35 (gross £210) and £330 plus VAT of £66 (gross £396), depending upon level of experience. If you instruct us, we will set out the relevant hourly rate in our Client Care Letter.

Likely Costs for bringing/defending Unfair Dismissal or Wrongful Dismissal cases

Costs

Simple Case: between £4,000 plus VAT of £800 (gross £4800) and £7,500 plus VAT of £1500 (gross £9000)

Medium Case: between £10,000 plus VAT of £2,000 (gross £12,000) and £18,000 plus VAT of £3,600 (gross £21,600)

Complex Case: From £18,000 plus VAT of £3,600 (gross £21,600)

Please note that these costs do not include any pre-litigation work, such as dealing with grievances or disciplinary proceedings.

You may decide that you may wish to instruct a barrister to represent you at preliminary or final Tribunal hearings. Their costs will be in addition to those set out above. Our team conducts the majority of its own tribunal advocacy and it is not always necessary to instruct a barrister. Sometimes it is more cost effective to do so depending on which tribunal is hearing your case. We will obtain quotes in advance on your behalf and for your approval. To give you an idea of the extra costs, for a junior barrister to prepare for and attend a one-day Final Tribunal Hearing in a simple case, you would expect to pay in the range of £1,500 plus VAT of £300 (gross £1,800) to £2,500 plus VAT of £500 (gross £3,000).

Key Stages of a Tribunal Claim

Our fees will include all the key stages of a Tribunal Claim process:-

- 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 is subject to change);
- Entering early conciliation where this is mandatory to explore whether a settlement can be reached;
- Preparing claim or defence;
- Reviewing and advising on a claim or defence from another party;

- Exploring and negotiating settlement throughout the process and drafting of any settlement documents which could include a settlement agreement or Cot3 agreement;(COT3);
- Preparing or considering a Schedule of Loss;
- Reviewing all relevant documentation and exchanging documents with the other party;
- Reviewing other party's documents and agreeing and preparing bundles of documents;
- Interviewing witnesses, drafting witness statements and agreeing their content with witnesses;
- Reviewing and advising on the other party's witness statements;
- Agreeing a list of issues, cast list and a chronology;
- Preparation and attendance at Final Hearing, including, where appropriate, instructions to Counsel.

The key stages stated above show a guideline of the work involved. If some of those stages are not required, then the fee will be reduced.

Preliminary Hearings

In some cases, additional stages may be required, such as the listing of one or more preliminary hearings to deal with preliminary issues (such as whether the claim has been brought in time, or whether the Claimant is disabled). The costs associated with preliminary hearings are not included in the above price ranges. Usually, a preliminary hearing is listed for one day, depending on the number of issues to be determined and the complexity of the issues to be determined. The typical costs of a preliminary hearing would be in the region of £1,500 plus VAT of £300 (gross £1,800) to £2,500 plus VAT of £500 (gross £3,000). If a barrister is used for a preliminary hearing the fees would be different depending on the seniority of the barrister instructed.

What will make a case more complex (or towards the higher end of the range provided)?

- If there are claims to bring or defend in addition to Unfair Dismissal or Wrongful Dismissal. This might be allegations of discrimination, whistleblowing or automatic unfair dismissal;
- If it is necessary to make or defend applications to amend claims or provide additional information;
- If the case involves extensive documentation (i.e. more than 100 pages);
- If non-standard directions are issued by the Tribunal;
- If the other party is representing themselves (i.e. they have not got legal representation);
- If there are more than 2 witnesses who need to give evidence;
- If the case is listed for more than a one day hearing;
- If the claim has a potentially high value

Additional Costs

Law firms often talk about "Disbursements" and these are costs related to your matter that are payable to third parties, such as Court fees and a barrister's fee. There may also be additional expenses which are charges we will make in addition to our fees, such as an Electronic ID fee. We will always be upfront with you as to how much these charges are and what they relate to. If you instruct us, we set out any additional expenses in our Client Care Letter.

Timescales

The length of time that it takes to resolve your matter will depend upon a number of factors, such as Tribunal availability, complexity of the case and the parties' willingness to consider and negotiate settlement. If your claim proceeds to a final Tribunal hearing it may take at least 18 months. We can provide regular updates on timeframes as your matter progresses.

If you would like to speak with one of our Team to please call Sara Southall on 01905 730456 or email ssouthall@thursfields.co.uk

