

## **Businesses - Range of Costs\*\***

Our pricing for defending a business when a claim has been brought against them for unfair or wrongful dismissal

Simple case:  (e.g. unlawful deductions from wages / redundancy payments / holiday pay / failure to provide a section 1 statement)	£5,000 to £10,000 (excluding VAT) *
Medium complexity case:  (e.g. wrongful dismissal / dismissal for misconduct / constructive dismissal)	£9,300 to £30,000 (excluding VAT) *
High complexity case:  (e.g. dismissal for redundancy, ill health, performance, 'some other substantial reason', illegality / final straw constructive dismissal)	minimum £25,000 (excluding VAT) *

*\*\*This is not an estimate of our fees for your particular case. We would need to discuss the issues with you and give you a bespoke estimate of our fees. [Contact us](#) for information.*

\*rates vary depending on the fee earner

Things which are outside the scope of this cost information. [Contact us](#) for further information:

- Discrimination claims
- Whistleblowing claims
- Health and safety
- Trade Union issues
- Costs threats and/or applications (defending them or making them)

Each of our solicitors are employment law specialists. They spend 100% of their time advising on employment issues arising in employment. See [contact us](#) for details of our team and the services we offer. Our solicitors' standard hourly charge out rates are:

Head of Employment: £270 per hour plus VAT

Senior Associate: £250 per hour 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 the individual is dismissed after blowing the whistle on their employer
- Allegations of discrimination which are linked to the dismissal

We will always alert you to the fact that the assumptions we made in our cost estimate have changed and we will endeavour to give you a revised estimate before incurring additional fees on your behalf where possible. Typical examples of things which result in the costs estimate increasing are:

- Preliminary Issues which need a separate Preliminary Hearing (typically, wrongful dismissal, unfair dismissal and simple cases do not require a preliminary hearing).
- Making applications for more information from the Claimant, either because their claim is unclear, or because they have not provided all the documents we think are relevant.
- Handling additional information from you which was not given to us at the relevant key stage of the case preparation.
- Delays to the tribunal hearing and deadlines.
- Bringing multiple witnesses to give evidence for you.
- Multi-day hearings.

### **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. Disbursements are generally limited to Counsel's fees.

Counsel's fees are not always incurred but Counsel is recommended. The estimate of using Counsel is typically between £2,000 to £3,500 (plus VAT) (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 your response
- Reviewing and advising on claim from other party
- Preparing of a schedule of loss
- 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 (if necessary)

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 the case is resolved. If a settlement is reached during pre-claim conciliation, the case is likely to take one to four weeks. The Tribunal statistics suggest that the average life span of a tribunal claim which proceeds to a final hearing is 28 weeks. Our experience is that it can take a little longer than this and could be up to 12 months. However, settlement of a claim can occur at any time. 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.