

Employment Tribunals

We charge our standard hourly rates for advising on Employment Tribunal claims. The standard hourly rates (excluding VAT) for the team are as follows:

	<i>(Subject to experience)</i>
Partner	£320 - £380
Assistant/Associate	£245 - £300
Solicitor	£180 - £200
CILEX Para-legal	£180
Trainee	£160

We will do our best to give you a cost estimate for the claim at the outset and on a periodic basis as the matter progresses.

Fees

Employment Tribunal claims vary greatly in the legal issues involved and the circumstances of each case. This makes it difficult to give an estimate of costs for advising on Employment Tribunal claims. However, below is the range of typical charges for simple and more complex cases (this does not include disbursements such as Counsel's fees, about which see further below):

Type of case	Fees	VAT
Simple case	£3,500 - £12,000 plus VAT	£700 - £2400
Medium complexity case	£12,000 - £30,000 plus VAT	£2,400 - £6,000
High complexity case	£30,000 - £175,000 plus VAT	£6,000 – £35,000

VAT on our fees is charged at 20%.

The following are examples of what could make a case more complex:

- Unrepresented parties – e.g. claims by litigants in person
- Having to make or defend applications to amend claims or to provide further information about an existing claim
- Multiple parties
- The location of the Tribunal and the length of the hearing
- The number of witnesses and documents
- Disagreements between parties about preliminary issues
- The need for expert evidence
- Making or defending costs applications
- Discrimination and whistleblowing claims

There will be occasions when an exceptionally complex case means our costs might exceed the highest end of the price ranges set out above. It will usually be obvious from the outset when a case is of this level of complexity and we will discuss costs with you at that point.

It is not our normal practice to attend each day at a Tribunal hearing when Counsel is involved. If our attendance is necessary for the case or if you request it, we will endeavour to attend each day in full but there will be an additional charge. This will be discussed with you as and when this becomes applicable.

Please note that the above charges do not cover the costs that may be involved in dealing with any review, redetermination or appeal following determination of a claim or interim issue. Estimates of costs in such circumstances will be provided prior to any work being carried out.

Disbursements

Disbursements are costs incurred in relation to the case but payable to third parties such as court fees, travel costs, expert fees and Counsel's fees. We will request the money to pay the disbursements from you and then arrange to pay them on your behalf.

Disbursements vary from case to case.

Counsel

In the same way that our fees vary depending on the nature of the case in question, Counsel's fees also vary. Counsel's fees will depend on the level of experience of the particular barrister. We will always recommend Counsel that is appropriate to the facts of the case (for example, a barrister who specialises in race discrimination if applicable). We will always discuss choices for Counsel with you before giving any formal instructions. This will include a quote for instructing the barrister.

We would expect to pay the following fees to Counsel:

Type of case	Brief fee (excluding VAT)	VAT	Daily rate (for each day at Tribunal) (excluding VAT)	VAT
Simple case	£1,500 - £5,000	£300 - £1000	£250 - £750	£50 - £150
Medium complexity case	£5,000 - £15,000	£1000 -£3000	£750 - £2,000	£150 - £400
High complexity case	£15,000 - £50,000	£3000 – £10,000	£2,000 - £5,000	£400 -£1000

Other charges

As well as our fees and disbursements, there may be charges for electronic bank transfers:

Bank Transfer and handling fee £35 + VAT of £7 per bank transfer

Payment of bills

We reserve the right to request money on account of our fees before starting work on your matter.

We try to bill on a monthly basis to keep costs as manageable for you as possible.

Key stages

The fees outlined above cover all of the work in relation to the key stages of a claim and include:

- Receiving initial instructions from the client, reviewing relevant paperwork, assessing and advising on the merits of the claim and considering likely compensation.
- Carrying out early conciliation and attempting to reach settlement.
- Preparing a claim or response to a claim.
- Reviewing and advising you on a claim or response to a claim from the opposing party.
- Attempting settlement and negotiations throughout.
- Preparing, submitting and reviewing any applications made to the Tribunal.
- Liaising with the Tribunal as necessary.
- Preparing and considering a schedule of loss.
- Preparing for and attending a preliminary hearing.
- Exchanging documents with the opposing party and agreeing on a bundle of documents.
- Taking and drafting witness statements (to include discussing and agreeing on the content with the client).
- Preparing and checking the bundle of documents.
- Reviewing and advising on the witness statements to be used by the opposing party.

- Agreeing a list of issues.
- Agreeing and preparing a chronology.
- Undertaking any necessary pre-hearing conference with counsel.
- Preparing instructions to Counsel.
- Preparing and attending the final hearing.

In many instances, some of the stages listed above will not be relevant and the fee will be adjusted accordingly.

Some clients may wish to handle a lot of the claim themselves and only take our advice on an ad-hoc basis which will also be reflected in the costs.

Time period

The length of time it will take to settle the claim largely depends on the nature of the claim and at what point during the process it is resolved.

For example, a claim that is resolved during early conciliation may only take 6 weeks to conclude. On the other hand, a complex case which requires a Tribunal hearing of several days will take a lot longer to conclude and will greatly depend on how busy the relevant Tribunal is. Some Employment Tribunals are currently listing final hearings up to 18 months after the claim is lodged, but these are usually complex cases. It is usual for a claim to take 26 weeks from lodging the claim to being heard at a Tribunal, but realistically it could take up to 18 months.

We will be able to give a more accurate time scale once we have sufficient information about the claim.

Dated last reviewed: Monday, 9 June 2022. KTM.