

## **Employment claims**

### Estimated fees

Bringing and defending claims for unfair or wrongful dismissal before the Employment Tribunal only (additional fees are payable in the event any appeal is made):

Simple case: circa £2,000-5,000 (excluding VAT)

Medium complexity case: circa £5,000-10,000 (excluding VAT)

High complexity case: circa £10,000-20,000 (excluding VAT)

Factors that could make a case more complex:

- If it is necessary to make or defend applications, for example 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 or strike-out application.
- Complex preliminary issues such as: whether the claimant is disabled (if this is not agreed by the parties) and if necessary instruction of experts; whether TUPE is engaged and the effects of this; any query as to the employment status of the Claimant; any query as to whether the claim has been brought in time.
- Pensions loss considerations and instruction of experts.
- 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.
- Preparing for and attending a Judicial Mediation or making submissions for a Judicial Assessment.

There will be an additional charge for attending a Tribunal Hearing of £2,000 per day (excluding VAT). Generally, we would allow 1-3 days depending on the complexity of your case.

VAT due in respect of our fees will be charged additionally.

### Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as court or experts fees. We handle the payment of the disbursements on your behalf to ensure a smoother process. You must provide us with funds to cover these costs in advance of them being incurred.

Counsel's fees estimated between £1,000 and £3,000 plus VAT per day (depending on experience of the advocate) for preparing for and attending a Tribunal Hearing.

## Key stages

The estimated 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) any 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.
- Preparation and attendance at Remedies Hearing (if separate to Final Hearing).

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 1-4 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 28-104 weeks. 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.

## **Temple Bright LLP**