

PRICING FOR BRINGING CLAIMS FOR UNFAIR OR WRONGFUL
DISMISSAL

BRINGING EMPLOYMENT TRIBUNAL CLAIMS



Our fees for bringing claims for unfair or wrongful dismissal are set out below.

Simple Wrongful Dismissal	Simple Unfair Dismissal	Medium Complexity	High Complexity
£2,000 to £3,000	£5,500 to £8,000	£8,000 to £15,000	£16,000 to £30,000

All above fees exclude VAT which will be applied in all cases.

Factors that could make a case more complex:

- if your employer alleges that you lack 'standing' to bring the claim for some reason – for example, you were never really employed or you were not employed for long enough to qualify to bring a claim;
- if it is necessary to make or defend applications to amend claims or to provide information about an existing claim;
- making or defending a costs application;
- complex preliminary issues such as whether the person bringing the claim is disabled (if this is not agreed by you and your employer);
- 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;
- if there are allegations of discrimination which are linked to the dismissal.

There will generally be an additional charge for attending a Tribunal hearing of £1,500.00 per day (excluding VAT). Generally, we would allow 1 to 5 days, depending on the complexity of your case.

How will I know which price bracket is applicable to my case?

The price brackets set out above cover all of the work in relation to the key stages of a claim but we acknowledge that when you are trying to make a decision as to whether to instruct a solicitor to help with your claim, these brackets are only moderately helpful at best. However it is very hard to give an accurate estimate of the likely legal costs for bringing an employment tribunal claim for wrongful or unfair dismissal as every case is different and the response of the employer cannot be predicted. Some claims that we assess as simple and which we consider should settle quickly may end up in a contested employment tribunal hearing. Other cases which we assess as complex may settle at a very early stage.

The best yardstick we can provide as to how much this will cost you is to say, the more steps we are required to take in the process, the more you can expect to pay. Please click [here](#) to see an overview of all the steps involved in bringing an employment tribunal claim.

This is an overview of all steps required and can be used to plan and budget but it is not an exhaustive list of the tasks necessary to complete the matter. Certain tasks may not apply in every claim or may be carried out in a different order from the one presented. If some of the steps are not required, the overall fee will be reduced. You may wish also to handle the claim yourself and only have our advice in relation to some of the stages. This may be able to be arranged based on your individual needs.

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.

If you are bringing an employment tribunal claim, there are no longer any employment tribunal fees to pay to lodge your claim with the tribunal. However you may have to incur other fees throughout the case.

For example, in some cases, expert evidence will be required to assist the tribunal in determining an issue in the proceedings, such as whether you were disabled at the relevant time. The expert will charge a fee for preparing their report which you will be required to meet. The cost of

this report will vary depending on the complexity of matters or the amount of involvement required from the expert but it may range from £200 to £1,000. VAT may apply to this fee.

It is usually more cost effective to ask a barrister to attend any final tribunal hearing on your behalf. Barristers are commonly known as “counsel”. Counsel’s fees are estimated at between £1,000 to £2,000 per day (depending on experience of the barrister) for attending a Tribunal Hearing (including preparation). If we engage a barrister to attend on your behalf, we are unlikely to also attend and therefore there will be no additional Tribunal hearing fee for our attendance.

Alternatives to paying privately

The fees on this information sheet will apply where you decide to pay us privately for our services. However there are other options available to fund your costs, such as:

- legal expense insurance, e.g. under your house or car insurance
- via a trade union or other membership organisation
- some sort of pro-bono representation (free representation provided by legal volunteers)

You ought to check whether any of these options are available before you instruct us.

In some cases, subject to a thorough case assessment which is normally charged at our usual hourly rates, we may agree to act on the basis of a damages-based agreement or ‘DBA’ if we are satisfied that a DBA is suitable for your needs and takes account of your best interests.

A DBA is a type of “no-win, no-fee” agreement. However because your legal costs are not recoverable in an employment tribunal, even if you win, the payment of your legal fees is deducted directly from any compensation which you recover at a fixed percentage rate, usually 35%.

If you are offered a DBA, we will still require you to fund any disbursements which apply to your case as it is underway such as expert or barrister’s fees (as above).

If you lose your case and it is funded by a DBA, you will not be liable for the payment of our fees — this is the whole purpose of a DBA. You will be liable for any disbursements you have already incurred and you may be liable to pay your opponent’s legal costs, although this is rare in employment tribunal cases.

Remember that the employment tribunal procedure is supposed to be simple enough for you to use without the assistance of lawyers. It is always open to you therefore to bring the claim yourself without any legal assistance (however please see the note on ACAS below).

ACAS

If you consider that you do not wish to instruct solicitors or there is no viable form of funding available to you, then you should consider contacting the Advisory, Conciliation and Arbitration Service (ACAS).

ACAS offers an independent and trusted service for dealing with disputes:

- between groups of workers, their representatives and their employers
- where individuals claim their employer has denied them a legal right

ACAS can offer alternative methods of resolving employment disputes, such as arbitration, mediation or conciliation and these services are often free of charge for individual applicants. You can find more information on the ACAS website at www.acas.org.uk or by calling the ACAS helpline on 08457 47 47 47 (Monday to Friday, 8am–8pm and Saturday, 9am–1pm).

How long will it 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 at the “pre-issue considerations” stage, your case is likely to take around 8 weeks. If your claim proceeds to a Final Hearing, your case is likely to take about 6 months to 1 year again depending on how complex the issues are. 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.

Our Team

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