

Employment Tribunals

Key Stages

Employment Tribunals (bringing and defending claims for unfair or wrongful dismissal) are cases that are rarely alike and so we provide estimates of costs on a case-by-case basis, before starting work for you and at key stages of a matter.

Key stages include:

- 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) a 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
- Enforcement

You may wish to handle the claim yourself and only have our advice or assistance in relation to some of the stages.

Every case is different but typically the costs of bringing or defending claims for unfair or wrongful dismissal will be as follows: -

- Simple Case: £7,500 - £12,000 (plus VAT of £1,500 - £2,400)
- Medium Complexity Case: £10,000 - £17,500 (plus VAT of £2,000 - £3,500)
- High Complexity Case: £15,000 - £30,000 (plus VAT of £3,000 - £6,000)

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 you are dismissed after blowing the whistle on your employer

- Allegations of discrimination which are linked to the dismissal

The typical costs set out above would usually include the costs of our attending a Tribunal Hearing.

Disbursements (Costs Payable to Another Organisation)

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.

We will often instruct Counsel to represent you at an Employment Tribunal hearing. Before instructing Counsel we obtain estimates of costs from Counsel's clerk and your agreement to those costs. Counsel's hourly rates vary widely depending on their experience.

In recent years court fees have been payable on Employment Tribunal claims but at present no fees are payable.

How Long Will My Matter Take?

Employment Tribunal cases are rarely alike and so we provide estimates of time on a case by-case basis, before starting work for you and at key stages of a matter.

Every case is different but typically the time taken to resolve claims for unfair or wrongful dismissal is between 4 – 36 weeks. The time that it takes 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 4 – 8 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 26 – 36 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.

Speak To Us

Contact us today if you would like to book an appointment with one of our Solicitors or Chartered Legal Executives.

Ripley Office: 5 Market Place, Ripley, Derbyshire, DE5 3BS

01773 744744, ripley@ellis-fermor.co.uk

Beeston Office: 2 Devonshire Avenue, Beeston, Nottingham, NG9 1BS

0115 9221591, beeston@ellis-fermor.co.uk

Long Eaton Office: 35 Derby Road, Long Eaton, Nottingham, NG10 1LU

0115 9725222, longeaton@ellis-fermor.co.uk

Belper Office: The Old Registry, 6 Derby Road, Belper, Derbyshire, DE56 1UU

01773 821665 Belper@ellis-fermor.co.uk