

Employment Tribunal Claims

Services and Costs

We have set out below information about the key stages and costs of bringing or defending an employment tribunal claim to enable you to make an informed choice prior to instructing us.

Key stages of an Employment Tribunal Claim

Pre claim	Advice on potential claims. Early Conciliation Process via ACAS
Claim/Defence	The Claimant sets out their claim in a ET1 form and the Employer responds by putting forward a defence to the claim in an ET3 form.
Preliminary Hearing(s)	Telephone or face to face meetings with a Judge to discuss case management and preliminary issues. A Judge may need to make rulings on preliminary issues and any applications made by either party in relation to how the case is being progressed.
Disclosure	The parties are required to list and disclose all relevant documents in their possession. They then exchange documents and decide together which documents should go into the Tribunal Bundle.
Preparation of witness evidence	Preparing the written evidence to be relied on by witnesses at the Tribunal and exchanging statements with your opponent
Brief Counsel	Briefing the advocate who will represent you at Hearing
Hearing	This is the hearing where all the evidence will be presented before a Judge and the Judge will determine the issues in the case.
Remedies Hearing	If the Claimant in the case is successful, there may be a separate hearing to decide on the appropriate financial and non-financial remedies.

Costs

Our fees in relation to bringing and defending claims are based on the time spent on your case. Our fees will vary depending on the complexity and value of the claim pursued. However, our fees for unfair or wrongful dismissal claims are likely to fall into the ranges below:

Simple case: £15,000 – £25,000 (excl. VAT & disbursements)

Medium complexity case: £25,000 – £60,000 (excl. VAT & disbursements)

High complexity case: in excess of £60,000 (excl. VAT & disbursements)

Example factors that could make a case more complex (and expensive) include the following:

- 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 and/or against multiple respondents
- making or defending a costs application
- dealing with complex preliminary issues (such as whether a claim has been brought within the applicable time-limits)
- the number of witnesses and documents
- the length of the hearing.

Please note that the above indicative figures are not quotes and exclude disbursements (explained below). They also do not relate to more complex claims (such as discrimination and whistleblowing) as these do not fall into the category of a “simple” case. The fees for such claims are likely to fall into the medium or high complexity fee brackets.

Note that you may have other funding options available (such as cover under an insurance policy) and we would be happy to discuss this with you further.

What is included in the fees?

The fees set out above cover all of the work in relation to the key stages of a claim as set out below:

- 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 is 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.

- Our preparation for (and attendance at) a Preliminary Case Management Hearing (any barristers' fees will be in addition)
- 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 and any remedy hearing, including instructions to Counsel.

Disbursements

Disbursements are costs related to your matter payable to third parties. Example disbursements are set out below:

- Counsel's fees - The fees associated with a barrister will depend on the specific barrister, their experience, the complexity of the issues, the volume of documentation, the amount of work they need to undertake and the length of the hearing. However, as a guide, barrister's fees could be between £500- £3,000 per day excluding VAT (depending on seniority and experience of the barrister and the complexity of your case) for attending a hearing.
- Courier or copying charges - for example, in preparing disclosure or bundles of documents for the Employment Tribunal.

Employment Tribunals do not currently charge fees for bringing or defending claims.

You will be responsible for all sums charged by such third parties; however, we will handle the payment of disbursements on your behalf to ensure a smoother process and they are then added to your invoice from us.

Timescales

The time 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 no longer than 6 weeks.

If the claim proceeds to a Final Hearing, the case is likely to take 6 to 18 months (with the more simple cases usually being listed quicker). 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 case progresses.

Who will deal with my case?

[Harriet Calver](#), our Head of Employment, or [Anna Denton Jones](#), Consultant, will manage your tribunal claim and will be assisted by a paralegal where appropriate. Harriet and Anna have extensive experience of dealing with employment tribunal claims, acting for both Claimants and Respondents, including in respect of the most complex complaints. Please contact them via email or the phone number below.