

# Employment Tribunals

## Pricing

We have experience of acting on both sides of the fence in relation to a wide variety of employment claims in the Tribunals, including unfair and wrongful dismissal, 'constructive' dismissals, discrimination and harassment.

We offer clients an employment law service provided by qualified lawyers which is practical and tailored to your needs. The employment team also provide support to in-house personnel and management teams and can draft and advise on all employment related documentation, including:

- Preparing the full range of employer documentation ranging from one-off contracts or policies to a comprehensive suite of employment contracts and staff handbook.
- Advising with the preparation, negotiation and drafting of Settlement Agreements, as well as advising on best practice for discussions with employees.
- Advising on all aspects of unfair dismissal or constructive unfair dismissal claims, and representation before an Employment Tribunal.
- Offering legal advice and assistance in dealing with all aspects of a claim of discrimination.
- Advising in relation to disciplinary, grievance, capability or similar issues.
- advising as to the applicability of the TUPE Regulations and associated rights and obligations.
- advising employers contemplating a restructure or reorganisation.

## Case Studies:

We recently successfully represented a long standing client in defending an Employment Tribunal claim which alleged unfair dismissal and discrimination following an internal reorganisation. The employee was of mid-level management grade and following an internal reorganisation was unsuccessful in securing a ring-fenced role. The case also addressed issues around stress and anxiety with input being obtained from Occupational Health. Following a 2 day hearing, the claim was

dismissed in its entirety.

We have recently advised a client in relation to reviewing and updating its HR and employment policies and procedures following the implementation of the GDPRs. The client's existing contracts of employment, data protection handbook policy and privacy notices were reviewed and new privacy notices introduced for both staff and recruitment candidates. As part of the process, training sessions were also provided for the HR team.

### **Pricing range:**

We will be happy to provide you with a more accurate estimate based upon the best information you can provide. However, our price range for bringing and defending claims for unfair or wrongful dismissal will typically be:

**Simple case:** £2,500 to £4,250 (excluding VAT and any hearing attendance costs, either with Counsel or us)

**Medium complexity case:** £4,000 to £6,000 (excluding VAT and any hearing attendance costs, either with Counsel or us)

**High complexity case: £8,000** upwards (excluding VAT and any hearing attendance costs, either with Counsel or us)

There will be an additional charge for attending a Tribunal Hearing, if required, of approximately £2,000 to £3,250 per day (excluding VAT) depending upon the experience required for the advocate and whether we attend or if we need to instruct Counsel to appear on your behalf. Generally, we would allow 1 to 2 days for a hearing depending on the complexity of your case.

Factors that could make a case more complex are:

- 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
- 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 whistleblowing
- Allegations of discrimination which are linked to the dismissal
- Making or defending a costs application

### ***Key stages***

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

- Receiving 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 ACAS Early Conciliation where this is mandatory to explore whether a settlement can be reached;
- Preparing the claim or response
- Reviewing and advising on the claim or response from the other party
- Exploring settlement and negotiating a 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 a 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

The stages set out above are an indication only and if some of stages above are not required, the overall price may 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 employment 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 ACAS early conciliation, your case is likely to take 4-6 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 4 to 9 months. However, 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.

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