

# Pricing for bringing an Employment Tribunal Claim



If you wish to make a claim against your employer, SA Law can guide you every step of the way.

Making a claim against your employer can be a daunting prospect. At SA Law, we can guide you through the claim process should you choose to undertake it. From the outset, our team of experienced employment solicitors will determine the merits of your case, advising you on the best course of action.

Our objective is to resolve the issue as efficiently as possible to your advantage, which minimises the amount you need to pay.

Our [Work Life](#) page can give you more information on the other services that we offer for employees.

## WHAT WORK WILL BE INCLUDED IN THE KEY STAGES OF YOUR CASE

**The fees set out below cover all the work in relation to the following key stages of your claim:**

- Initial conversation with advice based on an understanding of your situation.
- Exploring whether a settlement can be reached at an early stage.
- Preparing the claim and reviewing the response from your employer.
- Preparing a 'schedule of loss', which details the sums you should be awarded if you win your claim.
- Preparing for any preliminary hearing (if this is required).
- Preparing documents, including exchanging them with the other side.
- Taking, drafting and finalising your witness statements, and reviewing your employer's witness statements.
- Agreeing a list of issues in the order they occurred and identifying the people involved.
- Preparation for the final hearing, including briefing and updating the chosen barrister (which may include a meeting between the witnesses, the barrister and ourselves prior to the hearing).

At any point during the process, you may decide to agree a settlement with your employer. Settlement at an early stage can greatly reduce your legal costs.



## OUR FEES

Our fees are largely determined by the complexity of your case, which is why an initial confidential chat with one of our employment experts is so valuable. We can identify the type of claim you are making and the likelihood of success. The stronger the claim, the more likely it is that your employer will seek to settle the claim with you early on in the process (otherwise known as early conciliation) and avoid going to a Tribunal.

Every case is different and many of our cases are complex and involve multiple parties and claims and difficult legal issues. There is no such thing as a typical case. However, for convenience we have divided employment tribunal claims into three bands according to complexity.

The following table provides an indication of our fee range for bringing an Employment Tribunal Claim depending on the complexity of the case.

For example, factors that could make a case more complex are:

- An unusually large amount of witnesses or documentation
- A difficult challenge such as determining whether you are disabled
- A claim of 'automatic unfair dismissal' because you believe you were dismissed in relation to a situation such as pregnancy or having made a 'whistleblowing' allegation
- Making or defending an application for legal costs
- Any allegations of discrimination you are making

### Our pricing ranges for bringing an Employment Tribunal Claim

Case Type	Average fees for SA Law legal fees
Simple cases e.g. unlawful deduction from wages	£5,000 to £7,000 +VAT at 20%
Moderately complex e.g. claims of wrongful or unfair dismissal)	£7,000 to £12,500 +VAT at 20%
Extremely complex cases e.g. claims of discrimination or whistleblowing)	£12,500 to £20,000 +VAT at 20%

\*The figures indicated above in the average total fee information includes the SA Law employment team advising you and providing legal advice as per each of the key stages of your case as details below. It also includes an average expected cost of disbursement charges. However, this is dependent on the specifics of your case and varies for every matter, depending on complexity.

If you would like your employment solicitor to be with you during the tribunal, this will incur a further cost of £900 to £2,000 + VAT at 20% per day depending on the seniority of the solicitor involved.

## Disbursements

Disbursements are amounts we pay to third parties for expenses such as travel costs and counsel's fees (Barrister fees), and court fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

If your case proceeds all the way to an Employment Tribunal hearing, then bear in mind that we would usually instruct a barrister to represent you. These costs will be higher if the case has complex elements. Barristers tend to charge a daily fee for appearing at the tribunal itself, and an additional fee for preparing for the final hearing.

We will discuss all disbursements with you in advance of incurring any costs on your behalf.

Disbursement detail	Price
Barrister daily fee for appearing at the tribunal	£750 and £3,000 +VAT at 20% per day for tribunal representation for up to 3 days.
Barrister fee for preparing for the final hearing	Preparation fees can range between £1,000 and £5,000 +VAT at 20%, depending on the experience of the barrister.
Travelling expenses	45p per mile or the applicable train fare (this may also be in addition to accommodation costs as applicable)
In more complex cases, there may be exceptional disbursements such as expert medical reports	Medical expert report - £500 - £2500 + VAT at 20%

## Exclusions

For the avoidance of doubt anything outside the scope of the legal advice we provide in the key stages will be priced separately. To give you a better understanding of what is excluded from the key stages, please see the list below:

- Making or defending applications to amend your claim, or to provide further information to the Tribunal.
- Making or defending a cost application.
- Bringing additional claims in the Employment Tribunal, such as discrimination or whistleblowing, or a claim in another Court of England and Wales.
- There have been more than one Claimant or Respondent.
- Applications having to be made for witness orders.
- There being detailed or complex preliminary issues, including complex legal arguments.
- Claims which include reference to company directorships, shareholdings or corporate governance.
- Claims which include issues relating to insolvency, TUPE, or collective redundancies.
- Mediation outside of negotiations through ACAS.
- Preparing for a preliminary hearing ordered by the tribunal or requested by the parties.
- Reviewing and disclosing documents which exceed 150 pages.
- Calling more than one witness to give evidence for your claim.
- Where the hearing is listed for more than one day by the Tribunal.
- Representing you at the tribunal hearing or a preliminary hearing as opposed to instructing a barrister to do so.
- Anything else not specifically identified in the essential elements of a straightforward claim set out above.
- Any appeal against a decision or judgment of the Employment Tribunal.
- Any detailed tax advice, for example relating to a settlement payment.
- Any detailed pension advice.
- Any insurance cover you may have in place.
- Anything else not specifically identified in the 'Summary of Work involved'.

## **DO YOU HAVE INSURANCE THAT CAN HELP WITH FEES?**

Insurance can help to cover some or all of these costs, so check whether any of your existing insurance policies provide legal expenses cover for employment claims. For example, your home insurance, car insurance, credit cards, premium bank accounts and any trade union or professional body membership may offer you insurance cover. If not, we may be able to suggest other options to help you.

## **HOW LONG WILL IT TAKE?**

If a settlement is possible early on in the process, then you can expect the case to last between 4 and 6 weeks. If the case runs all the way to a final hearing, it can take between 3 months and 2 years depending on its complexity and the caseload of the Employment Tribunal. We will keep you updated on the likely timescale through the duration of the case.

## **WHO WILL UNDERTAKE THE WORK?**

You will be advised on bringing an Employment Tribunal Claim against your employer by one of our specialist employment lawyers.

Get in touch by calling 01727 798000, or email [info@salaw.com](mailto:info@salaw.com).