

PRICING FOR BRINGING AN EMPLOYMENT TRIBUNAL CLAIM

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.

Visit the Work Life page on our website for more information on the other services that we offer to employees.

OUR FEES

Our fees are largely determined by the complexity of your case, and we can assess this in our initial conversation with you. 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 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 or situations that may add complexity are:

- An unusually large amount of witnesses or documentation
- Any difficult issues/challenges 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

<i>Case Type</i>	<i>Average fees for SA Law legal fees</i>
Simple cases e.g. unlawful deduction from wages	£5,000 to £10,000 +VAT at 20%
Moderately complex e.g. claims of wrongful or unfair dismissal	£10,000 to £30,000 +VAT at 20%
Extremely complex cases e.g. claims of discrimination or whistleblowing	£30,000 to £100,000 +VAT at 20%

On instructing the firm, we will assess the complexity of your case at the earliest opportunity to determine which case type your matter falls within, and will provide you with an accurate indication of your anticipated fees.

We base our charges on hourly rates, which vary depending on the seniority and experience of the solicitor who carries out your work. Our hourly rates range from £240 +VAT at 20% for our non-partner fee earners and £425 +VAT at 20% for partners. We do not offer any conditional fee arrangements or damages based agreements.

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.

As no two cases are the same, the above indication of fees should be referenced as a guide only. In the event of any conflict between this guide and our fee estimate provided on instructing the firm, our fee estimate shall take precedence.

DISBURSEMENTS

Disbursements are payments we make to third parties for expenses such as travel costs, counsel's fees (Barrister fees), court fees and expert fees. Once received, we will pay any disbursements on your behalf to ensure a smoother process.

If your case proceeds to an Employment Tribunal hearing, a barrister would usually be instructed to represent you. Barristers tend to charge a daily fee for appearing at the tribunal itself (£750 - £8,000 +VAT at 20% per day, depending on experience), and an additional fee for preparing for the final hearing (£750 - £20,000 +VAT at 20%).

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

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

The fees set out above 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 and issuing the claim and reviewing the response from your employer
- Preparing a 'schedule of loss', which details the sums you expect to 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.

If there are additional stages, then further costs will be incurred. Additional stages might include:

- Making or responding to additional applications, for example applications for specific disclosure, to strike out a claim, to seek additional time to take a step in the process, to seek an unless order to compel the other side to complete a step in the process
- Joining additional parties or dealing with additional parties
- Amending pleadings
- Dealing with appeals

The key stages set out above are an indication. If some of the stages are not required, the fee will be lower. 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 in accordance with your individual needs.

For the avoidance of doubt, we will advise you if there is anything outside the scope of the legal advice we provide in the key stages which will incur additional fees.

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 in the process, then ordinarily the case will 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.



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