



Transparency in pricing

Employment Tribunal

June 2024

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Birkett Long LLP is committed to providing clarity in its pricing and service in accordance with the SRA Transparency Rules.

Employment Tribunal - Range of Costs:

Our pricing for bringing and defending 'ordinary' claims for unfair dismissal or wrongful dismissal in an employment tribunal (unless we have agreed differently with you) will be as follows:

1. **Simple case: £4,400 – £13,300 (excluding VAT)**
2. **Medium complexity case: £13,300 – £20,400 (excluding VAT)**
3. **High complexity case: £20,400 – £38,500 (excluding VAT)**

The work we undertake for and on your behalf will be charged at an hourly rate (determined by the level of the particular fee earner(s) undertaking the work) unless we alternatively agree a fixed fee with you. The seniority of the member(s) of staff dealing with your case will depend on its complexity. We will discuss this with you when you instruct us. The **hourly rates applied for work undertaken in relation to this type of work currently ranges from between £165 plus VAT and £385 plus VAT (totalling between £198 and £462 per hour) and disbursements.**

Factors that could make a case more complex include:

If it is necessary to make or defend applications to amend claims or responses or to provide further information about an existing claim:

- Defending claims brought by litigants in person.
- Making or defending a costs application.
- Complex preliminary issues such as whether you, as the claimant, are a disabled person (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.

Charges will be at the higher end of the scale of costs where the tribunal hearing is scheduled to last for more than one day (excluding VAT). Generally, we would allow 3 to 5 days, depending on the complexity of your case.

Disbursements:

Disbursements are costs directly related to your matter that are payable to third parties or otherwise incurred by us on your behalf. We require advance payment of all disbursements and will then make payment of the disbursement on your behalf to ensure a smoother process. In relation to employment tribunal proceedings, the likely disbursements might be:

- Petrol expenses for return travel to employment tribunal hearings (which are charged at the rate of £0.45 per mile plus VAT), or where appropriate, alternative and incidental costs relating to parking, train, and taxi fares.
- Counsel fees may be incurred. These are estimated at between £1,250 and £3,000 (excluding VAT) per day (depending on the experience of the advocate) for attending a tribunal hearing (including preparation).
- For multi-day tribunal hearings out of the region, accommodation expenses incurred.
- Expert witnesses.

Key Stages:

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

1. 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).
2. Entering into pre-claim conciliation, where this is mandatory, to explore whether a settlement can be reached.
3. Preparing your claim or response.
4. Reviewing and advising on a claim or response from other party.
5. Exploring and negotiating settlement throughout the process.
6. Preparing a schedule of loss.
7. Preparing for (and attending) a preliminary hearing.
8. Advising on and reviewing disclosure documents.
9. Exchanging documents with the other party and agreeing a bundle of documents.
10. Taking witness statements, drafting statements, and agreeing their content with witnesses.
11. Preparing bundle of documents (although this is usually done by the other party).
12. Reviewing and advising on the other party's witness statements.
13. Agreeing a list of issues, a chronology, and/or cast list.
14. Preparation and attendance at a final hearing, including instructions to Counsel or dealing with the advocacy ourselves.

The stages set out above are only an indication, and if some of the stages above are not required, the fee could be less. 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 to suit your individual needs.

How long will my 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 and/or the date of any hearing. If a settlement is reached during pre-claim conciliation, your case is likely to take between 2 and 8 weeks.

If your claim proceeds to a final hearing, your case could take more than one year, given current employment tribunal listings. 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.

Our Team:

Our team of specialist employment law Solicitors has years of experience in dealing with employment disputes. Our senior employment law Partner heads up a team of 6 Solicitors and has been working in this area for more than 20 years. We also employ an HR Advisor and two Legal Support Assistants.

Our Solicitors have experience in all aspects of employment law, and we dedicate ourselves to ensuring our knowledge stays up to date, in order to give you the best service possible. We always make sure that junior Solicitors and members of staff are supported and supervised appropriately so that the quality of advice is not affected, regardless of who is working on your case.

You will be allocated a dedicated employment Lawyer. Regardless of who works on your matter, they will be supervised by Julie Temple, our Employment & HR Team Leader, who is in turn supervised by the Head of the Commercial Department, Tracey Dickens, Partner. You can view their respective profiles on our website, www.birkettlong.co.uk, which includes details of when they qualified and their areas of expertise.