

SRA Fees Transparency: Employment Tribunals

Bringing and Defending Claims for Unfair Dismissal and Wrongful Dismissal

The Employment Team at Moorcrofts deals with both bringing and defending unfair and wrongful dismissal claims. The team is made up of Lindsey Abbott (Partner) and Leah Waller (Solicitor). Lindsey Abbott and Leah Waller's experience and qualifications can be found on the team page on our website. Other individuals, such as trainees or paralegals, may be involved in your case where appropriate. We will provide you with information about their experience and involvement, and their work will always be directly supervised by a Solicitor or Partner.

Costs

Our pricing for bringing and defending claims for unfair or wrongful dismissal:

This pricing is based on a Partner's hourly rate of £400 plus VAT and a Solicitor hourly rate of £325 plus VAT. VAT is payable at 20%. This pricing does not include disbursements (see below).

Simple case	£13,500 - £21,000 plus VAT £16,200 - £25,200 inc VAT
Medium complexity case	£21,000 - £34,500 plus VAT (£25,200 - £41,400 inc VAT)
High complexity case	£34,500 and upwards plus VAT (£41,000 inc VAT upwards)

Factors that could make a case more complex

- 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;
- making or defending a costs application;
- complex preliminary issues such as whether the claimant is disabled (if this is not agreed by the parties);
- if it is an automatic unfair dismissal claim e.g. bringing or defending a whistleblowing dismissal;
- the number of witnesses and documents;
- allegations of discrimination which are linked to the dismissal;
- whether a separate hearing to determine the level of compensation is required;
- if hearings are postponed and rescheduled;
- if you wish to make a costs application or a costs application is made against you.

Disbursements and Expenses

Disbursements are costs related to your matter that are payable to third parties, such as court fees and costs of medical reports. We handle the payment of the disbursements on your behalf to ensure a smooth process.

Those disbursements are then recovered from you in addition to our costs for handling the claim.

Barristers fees (the cost for a barrister to attend any hearing and represent you on the day) are dealt with as a disbursement. The estimated fee for instructing a barrister is dependent on experience and is likely to be as outlined in the below table.

We will also recover from you any expenses we incur for dealing with your claim such as reasonable travel costs for attending a tribunal.

	Junior Counsel (upto 10 years)	Senior junior	QC
Brief Fee for the first day of a hearing, to include preparation	£2,500 - £3,000 + VAT (£3,000 - £3,600 inc VAT)	£4,000 - £6,000 + VAT (£4,800 - £7,200 inc VAT)	£8,000 - £10,000 + VAT (£9,600 - £12,000 inc VAT)
Daily rate (Refresher Fee) for each additional day of the hearing	£1,500 - £1,600 + VAT (£1,800 - £1,920 inc VAT)	£2,500 - £2,850 + VAT (£3,000 - £3,420 inc VAT)	£5,000 - £6,000 + VAT (£6,000 - £7,200 inc VAT)

Key Stages

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

- taking your initial instructions, reviewing the papers and advising you on the merits of the claim and likely compensation (this is likely to be revisited throughout the matter and subject to change);
- entering into pre-claim 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 other party;
- exploring settlement and negotiating settlement through 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;
- reviewing and advising on the other party's witness statements;
- making a further information request;
- taking witness statements, drafting statements and agreeing their content with witnesses;
- preparing agreed hearing bundle;
- reviewing and advising on the other party's witness statements;
- agreeing a list of issues, a chronology of events and/or cast list;
- instructing counsel;
- preparation and attendance at hearing;
- advising on the tribunal decision;
- making/defending an application for costs

The stages set out above are an indication and not exhaustive. If further stages are required the fee will increase and if some stages are not required the fee will reduce. You may wish to handle the claim yourself and only have our advice in relation to some stages.

Other Important Information

- we don't offer a free initial meeting or free assessment of claim.
- we don't take on claims on a "no win no fee" or other contingent fee basis.
- we invoice for the time spent on a claim on a monthly basis rather than waiting to invoice for all the costs on the conclusion of a claim.
- if you have legal expenses insurance covering the costs of dealing with the claim and we are instructed to act, typically the costs paid under any insurance will be less than our hourly rates. If that is the case, you will be responsible for any shortfall in the costs paid by the insurer.
- if we make a successful application for costs and are able to recover costs from the other party, it is unlikely that such a cost award would cover all of the costs you incur. In those We don't offer a free initial meeting or free assessment of claim.
- in some circumstances you may be held liable for the other party's costs.



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Moorcrofts' employment team specialise in guiding employers and senior executives through the maze of employment law and the impact that this has on the employment life cycle, helping you to understand not only what the legal position is but also finding a workable solution to the problems you are facing.