

Claim for Wrongful or Unfair Dismissal

HOW LONG WILL MY CLAIM TAKE?

The average time is about 27 weeks from making a claim to getting a Tribunal decision. Sometimes it can take over a year in certain circumstances.

THE KEY STAGES OF YOUR MATTER

The following list indicates what is typically required in an employment tribunal case:-

- Preparing and submitting your claim
- Preparation for and attending a Preliminary Hearing (if necessary)
- Preparing a Schedule of Loss setting out how much compensation you are claiming
- Providing the Respondent with all the documents that you have relating to your case and them providing you with all the documents that they have
- Providing a Witness Statement for you and any other witnesses you want to give evidence at the hearing
- Arranging for the preparation of an indexed bundle to be used at the hearing
- Attending the final hearing

HOW MUCH WILL IT COST?

We always aim to give an estimate of the total cost of your case prior to starting work. The following table gives an example of the typical costs in an Employment Tribunal Case.

Example Cost of a claim for Wrongful or Unfair Dismissal Matter

Employment Tribunal – Unfair Dismissal		
	(£)	VAT (£)
Providing initial advice and assistance	300 - 500	60 - 100
Providing advice and assistance throughout the matter including preparation for hearings, witness statements, preparing a Schedule of Loss etc.	5,000 – 10,000	1,000 – 2,000
Counsel's fees for attending a Preliminary Hearing, if necessary (dependant on length & complexity of hearing)	750 - 1000	150 - 200
Counsel's fees for attending a Final Hearing (dependant on length & complexity of hearing)	2,500 - 5000	500 - 1000
TOTAL	8,550 - 16,500	1,710 – 3,300
GRAND TOTAL	10,260 – 19,800	

These are average costs and we will provide an individual estimate of costs prior to starting work.

Our fee assumes that:

- This is a standard case and that no unforeseen matters arise
- The case is concluded in a timely manner and no unforeseen complications arise
- All parties to the claim are co-operative and there is no unreasonable delay from third parties providing documentation
- Generally, we would allow 3 days for Tribunal Hearings depending on the complexity of your case. There will be an additional charge of approximately £1,500 per additional day (excluding VAT)

Where we have to undertake additional work it will be charged at an hourly charge out rate of £325 plus VAT. We will always inform you first before incurring extra costs.

HOW CAN I PAY FOR MY CASE

If you have home insurance, as part of this you may have legal expenses insurance which may cover the cost of your claim.

If you are a member of a trade union they may be able to support you in bringing a claim.

If you are funding your own case we will invoice you as your case progresses to spread the costs over a period of time.

FACTORS THAT WILL AFFECT THE COST OF YOUR CASE

- Dealing with multiple witnesses
- Other novel or complex aspects to the case
- A requirement for a medical report
- Other expert reports
- Dealing with an appeal
- Taking enforcement action to recover a Tribunal award
- If it is necessary to make or defend applications to amend claims or to provide further information about an existing claim
- Making or defending a costs application
- Complex preliminary issues such as whether you are disabled (if this is not agreed by the parties)
- The number of 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
- If the case settles early there may be a significant reduction in costs

Please call and speak to Janine Bryant for advice and an individual estimate of costs - 01202 29 2424