

## **GOUGH THOMAS & SCOTT SOLICITORS**

### **EMPLOYMENT TRIBUNALS FOR BUSINESSES**

This guide is for the advice given to businesses for cases involving an employment tribunal. The range of costs given below takes into account the fact that some cases are more basic than others. There are a lot of factors that can influence the amount of time, work and expertise required.

#### **The basic work in an employment tribunal case will involve the following:**

- Taking your instructions, reviewing the papers you provide and advising you on the merits of the case (this is likely to be revised throughout the matter and subject to change)
- Dealing with client care matters including ID documents and checks
- Carrying out any research required
- Exploring if pre-claim conciliation is an option in the case
- Preparing a claim or response
- Reviewing and advising on a claim or response from your employee
- Exploring settlement and negotiating settlement throughout the process
- Preparing or considering a Schedule of Loss
- Preparing for an attending any preliminary hearings
- Exchanging documents with the other party and agreeing a bundle of documents for the case
- Taking witness statements, drafting statements and agreeing their content with witnesses
- Preparing the bundle of documents
- Reviewing and advising on the other party's witness statements
- Agreeing a list of issues, chronology and case list
- Advising on any proposed settlements
- Preparation and attendance at a Final Hearing, including instructing Counsel where necessary

#### **Additional work that may be required is:**

- Advising on your grievance procedures and disciplinary procedures
- Advising on your discrimination policy and any discrimination issues
- Advising on your maternity leave policy and any maternity issues

## **More complex cases**

Examples of more complex cases, which will likely involve further costs are:

- Discrimination cases
- Whistle-blowing cases
- Constructive dismissal cases
- Making or defending further applications within proceedings
- Claims involving multiple parties
- Dealing with litigants in person (i.e. people representing themselves)
- Making or defending a costs application
- Cases involving substantial documentation or a large number of witnesses

## **Timescales involved**

The time that it takes from taking your initial instructions to the final resolution of the case depends largely on the stage at which the case is resolved.

If a settlement is reached during pre-claim conciliation, the case is likely to take 4 -12 weeks. If the claim proceeds to a Final Hearing, the case is likely to take 6 – 12 months. 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.

## **Costs involved**

Our fees are estimated on a tailored and individual basis. There are a lot of things that can influence the costs involved. We make an estimate based on the amount of time we anticipate spending on a case. We can also set budget limits so that costs are more manageable. The figures below are a general guide only and it is important to rely on the estimate given to you by your solicitor for your individual case.

- |                                                            |                           |
|------------------------------------------------------------|---------------------------|
| ○ Costs for initial advice and preparation of any letters  | up to £500 plus VAT       |
| ○ Advising on grievance and disciplinary procedures        | £500 - £1,000 plus VAT    |
| ○ Defending and litigating employment tribunal proceedings | £5,000 - £10,000 plus VAT |

## **Expenses**

### Tribunal Fees

None

### Counsel

In some cases Counsel's advice or assistance will be required. Counsel's fees will depend on the complexity of the case but as a general guide the initial costs for the advice would be in the region of £800 - £3,000 plus VAT.

If Counsel is required at a final hearing then costs may well be in the region of £5,000 - £10,000 plus VAT