

GOUGH THOMAS & SCOTT SOLICITORS

EMPLOYMENT TRIBUNALS FOR INDIVIDUALS

This guide is for employees who are seeking advice in connection with an employment tribunal claim. 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 the claim
- Reviewing and advising on a claim or response from your employer
- 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

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)
- 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 your case depends largely on the stage at which your case is resolved.

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

Please note that there are strict time frames for issuing claims at the Employment Tribunal and this will dictate the length of time your case will take to final resolution.

Costs

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.

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| ○ Costs for initial advice and preparation of any letters | up to £500 plus VAT |
| ○ Ongoing advice with regard to grievance and disciplinary procedures with employer | £500 - £2,000 plus VAT |
| ○ Issuing and litigating employment tribunal proceedings | £5,000 - £15,000 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