

**Legal Fee Information for**  
**Employment Tribunal Claims for Unfair or Wrongful Dismissal**

**Introduction**

We have set out below the issues you need to consider in relation to Legal Fees and disbursements for presenting or defending a claim for unfair or wrongful dismissal.

Our Legal Fees cover all the work required to handle your case from instruction to conclusion.

You should be aware that before issuing a claim at the Tribunal, you will need to go through a process of pre-action conciliation with ACAS to explore settlement. We can guide you through this process and confirm our costs for assisting with these pre action stages.

**Legal Fees**

Legal Fees are the amount you will be required to pay for all the work performed by us in actioning your instructions from commencement of your case to conclusion.

**Initial appointment**

At Breese Gwyndaf, we offer the first meeting with your solicitor for a fixed fee. \*

We charge a fixed fee of £240.00 Inc. VAT (up to 1 hour) or £120.00 Inc. VAT (up to 30 minutes) appointment.

\* However, if you're not sure whether your question warrants the cost, you can speak to our solicitors for up to 10 minutes for free.

Any further time is billed based on an hourly rate which is from £180.00 - £230.00 plus VAT (£216.00 - £276.00 inc. VAT) and will depend on the experience and qualification of the case handler as follows: -

- Senior solicitor £230.00 plus VAT (£276.00 Inc. VAT)
- Assistant Solicitor £180.00 plus VAT (£216.00 Inc. VAT)

If your matter becomes complex (see below) our fees may increase further and we will notify you in advance of any increased costs.

Before bringing a claim, we suggest that we meet with you to understand whether you have a claim against your employer and, if so, what that claim would involve. We can't give you free advice, but we can help you to decide whether you need an appointment or if there's anything else we can do to support you. The costs which are indicated below will vary depending on our level of involvement with your matter.

**Wrongful Dismissal** - We would expect our costs for bringing and defending claims for wrongful dismissal to be between £1,000.00 and £2,000.00 plus VAT (£1,200.00 - £2,400.00 Inc. VAT) assuming that there is not a complicated factors behind the dismissal or a counterclaim is made.

The value and complexity of the matter alongside the stage at which the matter is resolved are factors that must be considered to confirm the fees in accordance with this scale.

**Unfair Dismissal** - Our fees for bringing and defending claims for unfair dismissal in the Employment Tribunal depend on the complexity of the case. No claim is the same and our fees will reflect the complexity of the claim being defended. We will always give you an individual cost estimate at the start of any instructions, after considering the actual features of the claim. The costs which are indicated below will vary depending on our level of involvement with your matter.

- Simple case: £3,500 – £6,000 + VAT (a total cost of £4200 - £7200 Inc. VAT)
- Medium complexity case: £7,000 – £10,000 + VAT (£8,400.00 – £12,000.00 Inc. VAT)
- High complexity case: £11,000 – £50,000 + VAT (£13,200.00 - £60,000.00 Inc. VAT)

Our fees can be calculated either based on hourly rates or as a fixed fee agreed in advance. All VAT is payable at a rate of 20%.

- We will charge the sum of £25.00 plus VAT (£30.00 inc. VAT) for electronic money transfers.

If at any stage our fees change, we will notify you and discuss the reason for any changes. This would typically occur if you changed your instructions, or your case involves an unforeseen complexity.

**Our fees assume that:**

- a) The transaction is concluded in a timely manner and no unforeseen complications arise.
- b) All parties to the transaction are co-operative and there is no unreasonable delay from any parties providing documentation.

**Disbursements and Other Costs**

Disbursements are costs payable to third parties. We handle the payment of disbursements on your behalf. For Employment Claims these will typically be Counsel's fees to provide advice or represent you at a hearing. If you bring your claim in the employment tribunal then there are no fees to pay, but you will need to pay the fees of a barrister to represent you.

If Counsel is required to be instructed a quotation for their services will be obtained from them and discussed with you before they are instructed to ensure you are fully aware of the fees that will be charged. However, we have given examples of costs below:

The fees of a barrister vary depending on the experience of the advocate and their expertise. In our experience, the initial fee for a barrister and the first day of the hearing (known as the brief fee) will be in the region of £1,000 - £3,000 plus VAT (£1200 – £3600 Inc. VAT). Each subsequent day would be an additional £500 - £1,500 plus VAT (£600 - £1800 Inc. VAT).

If you want a very experienced barrister, then the cost is likely to be more. You may also incur additional charges such as travel costs for us to attend meetings and hearings.

**Stages of the Process**

The precise stages involved in unfair or wrong dismissal claims vary according to the circumstances. We have set out the key stages of a standard transaction: -

- 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)
- Undertaking regulatory checks
- Entering into pre-claim conciliation where this is mandatory to explore whether a settlement can be reached
- Liaising with ACAS
- Preparing claim or response
- Reviewing and advising on claim or response from other party
- Exploring settlement and negotiating settlement throughout 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
- Taking witness statements, drafting statements and agreeing their content with witnesses
- Preparing bundle of documents
- Reviewing and advising on the other party's witness statements
- Agreeing a list of issues, a chronology and/or cast list
- Preparation at Final Hearing, including instructions to Counsel (1 day hearing)
- Reporting to you on the conclusion of the matter and closing your file.

The stages set out above are an indication and some of the stages above may not be required. 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 on your individual needs.

Please note that the fee estimates provided do not include the cost of attendance at a final hearing by us or a Barrister instructed to represent you. The fees also do not include the costs of a judicial or private mediation.

### **How long will my claim 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. If a settlement is reached during pre-claim conciliation, your case is likely to take 4 to 6 weeks.

If your claim proceeds to a Final Hearing, your case is likely to take 26 to 52 weeks. 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.

### **Factors That Could Make A Case More Complex**

The following factors may make your case more complex and impact on your legal fees and disbursements: -

- Inclusion of other employment claims
- Number of documents requiring review and advice
- Acting against a litigant in person (someone who is not legally represented in their claim)

- 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 the claimant is disabled (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 or whistleblowing which are linked to the dismissal
- Linked claims in other jurisdictions

Should any of these factors occur we will notify you and discuss with you any increase in our legal fees or disbursements.

### **Fee Earners**

The following fee earners handle Employment matters:

Lynda Roberts is the Head of Employment Law Department at Breese Gwyndaf, a qualified solicitor and has overall supervision of the employment law department and those working on employment law cases. Lynda is an experienced employment law solicitor with over 20 years experience. She is able to advise on employment issues and acts in employment disputes including discrimination, whistle-blowing, unfair and wrongful dismissal. You can view the full profile [here](#)

Our employment law team also includes:

Rhys Tudur – You can view the full profile [here](#)

### **Questions**

If you have any questions relating to our services and our fees, please [email us](#)