

## **EMPLOYMENT TRIBUNAL REPRESENTATION**

We provide advice and representation to employers in relation to defending claims before the Employment Tribunal.

Typically, to defend claims of wrongful or unfair dismissal, our work will involve:

- A review of the case and all relevant documents
- Initial advice
- Drafting and submitting a response
- Case management throughout
- Taking and drafting witness statements
- Consideration of evidence provided by the claimant
- Attending Tribunal Hearings
- Settlement discussions where relevant.

The process can be complicated and take many months to conclude. Every case is different which is why we encourage you to contact us so we can provide an estimate outlining a range of potential fees to make sure that you get the right amount of support to meet your individual circumstances. We will update you regularly on your costs throughout the matter so you can stay in control throughout.

However, by way of example below details the service and pricing for defending an unfair or wrongful dismissal claim.

## **COSTS TO DEFEND UNFAIR OR WRONGFUL DISMISSAL CLAIMS**

### **Key Stages**

These are the key stages of a Tribunal claim, and our fees set out below cover these stages:

- Taking your initial instructions, reviewing papers and advising you on the strength of your defence and likely compensation you may be required to pay if you lose the case
- Entering into early conciliation to explore whether a settlement can be reached
- Reviewing and advising on the evidence (ET1 from the claimant)
- Preparing response (ET3 defence)
- Preparing for and attending a Preliminary Hearing

- Exchanging documents and agreeing a bundle of documents
- Taking witness statements, drafting statements and agreeing their content with witnesses
- Reviewing and advising on the claimants' witness statements
- Agreeing a list of issues, a chronology, and/or cast list
- Preparation and attendance at Final Hearing
- Case management throughout
- Exploring settlement and negotiating settlement throughout the process.

The stages set out above are an indication and if some are not required, the fee will be reduced accordingly.

### **Indicative Fees**

Simple case: £7,000 - £10,000 (excluding VAT)

Medium complexity case: £10,000 - £15,000 (excluding VAT)

High complexity case: £15,000 - £20,000 (excluding VAT)

The above costs are based on our current hourly rate of £360 per hour + VAT plus any disbursements, including travel and accommodation plus VAT on these as applicable.

Factors that could make a case more complex:

- If it is necessary to make or defend applications to amend claims or to provide 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 client 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 dismiss your employee after they blow the whistle;
- Allegations of discrimination which are linked to the dismissal.

### **Disbursements**

Disbursements are costs related to your matter that are payable to third parties, such as barrister's or expert's fees, expenses for travelling to attend hearings, overnight accommodation etc. We will inform you in advance of the approximate cost of any disbursement and whether they attract VAT and at what rate. We handle the payment of the disbursements on your behalf to ensure a smoother process.

## **What are the timescales?**

The time taken from initial instructions to the final resolution depends largely on the stage at which the claim is resolved. If you decide to settle during pre-claim conciliation, the case is likely to take 4-6 weeks. If you want to defend the claim and this proceeds to a Final Hearing, your case could take between 12-18 months to conclude. This is only an estimate, and we will give you a more accurate timescale once we have more details of the case and on progression of the matter.

## **Our Team**

Our employment team has extensive skills and experience in the successful defence of Employment Tribunal claims. Specific experience can be found on the individual staff profiles which you can access here: [Harry Sherrard](#), [Dan Soanes](#), [Rachel Nicholas](#). In addition, we have consultant a solicitor working with us, [Jane Smith](#).

The information on this page is an outline only and is not a formal estimate or quotation of the precise cost of a particular case. All our work is done in accordance with our terms of business, which we will be happy to provide to you upon request.

For further information or to discuss a potential case please call **01273 834120** or send an email to [\*\*advice@sherrardslaw.com\*\*](mailto:advice@sherrardslaw.com)