



HECKFORD  
NORTON  
SOLICITORS

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## Bringing and Defending Claims for Unfair or Wrongful Dismissal

### Cost Information

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Heckford Norton acts for Employers and Employees alike in such cases before Employment Tribunals. We can advise you before commencement of proceedings on the merits of your case and prospects of success. We can also advise you on alternatives to proceedings, which may be considerably less expensive. However, if proceedings are to be brought, our guidance as to likely costs is set out below.

Such cases can vary considerably in terms of their complexity, and accordingly our guidance with regard to likely legal fees is set out in 3 different bands:

Standard case: £3,000 - £6,000 (+ VAT)

Medium complexity case: £6,000 - £10,000 (+ VAT)

High complexity case: £10,000 - £35,000 (+ VAT)

Factors that could make a case more complex:

- If it is necessary to make or defend applications to amend claims or to provide further 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 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 which are linked to the dismissal

Our hourly rate in respect of such cases is £240 + VAT per hour. We recommend that a barrister be instructed to represent you at Tribunal hearings: see below with regard to barristers' fees. We would not necessarily have to attend a hearing as well as the barrister, but if we are to attend as well, there will be an additional charge of £1,250 + VAT per day. Generally, we would allow 1-3 days for a final hearing in such cases, depending on its complexity. We would notify you as far in advance as possible how long your particular hearing may last.

Don't forget that you might have the benefit of legal expenses insurance, which could cover your legal fees.

## Disbursements:

Disbursements are costs and expenses related to your matter that are payable to third parties, including for example barristers' fees. You will be responsible for payment of all such disbursements to us, but we handle the payment to those parties on your behalf to ensure a smoother process.

Counsel's fees are usually estimated to be between £1,250 to £3,500 + VAT per day (depending on the level of experience of the barrister) for attending a Tribunal Hearing or other preparation work. We will however look to agree a fee with the barrister before he or she is formally instructed on your behalf, so that you can be clear as to the cost.

## Key stages:

The fees set out above cover all of the work in relation to the following key stages of a claim:

- 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)
- Entering into pre-claim conciliation where this is mandatory to explore whether a settlement can be reached;
- Preparing your claim or response
- Reviewing and advising on the 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 a bundle of documents for the Tribunal hearing
- Reviewing and advising on the other party's witness statements
- Agreeing a list of issues, a chronology and/or a list of witnesses
- Preparation and attendance at the Final Hearing, including preparation of Instructions to Counsel

The stages set out above are an indication only and if some of stages above are not required, the fee will be reduced. Similarly, if additional stages are required in your case, the fee will be increased. We will advise you if that is necessary and ensure you are informed of the additional fees. Alternatively, you may wish to handle the claim yourself and only have our advice in relation to some of the stages, depending on your individual needs.

## How long will my matter take?

The time that it takes from receiving your initial instructions up 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 4-8 weeks. If your claim proceeds to a Final Hearing, then 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 about your case and as the matter progresses.