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Price and service transparency – Employment

Our estimated pricing for bringing and defending employment tribunal claims are broken down into the following three categories:

1. Simple case: £3,000 - £6,000 (excluding VAT).
2. Medium complexity case: £10,000 - £25,000 (excluding VAT).
3. High complexity case: £45,000 upwards (excluding VAT).

Factors that may result in a case becoming more complex and result in costs being increased include the following:

- If it is necessary to make or defend applications to amend claims or to provide further information about an existing claim.
- The number of legal issues in the claim that require determination, for example if discrimination claims are also being pursued within an unfair/wrongful dismissal claim.
- Defending claims that are brought by litigants in person.
- The level of disclosure that is required and which will ultimately need to be included in the Hearing Bundle.
- Making or responding to applications for specific disclosure or requests for further documentation and/or information.
- Dealing with issues involving failures to comply with an order made by the Employment Tribunal.
- Making or defending any costs applications.
- Complex preliminary issues that require determination at separate preliminary hearings. For example, whether the Claimant's condition qualifies as a disability (if this is not agreed by the parties) or determining the question as to whether or not the Claimant has made a protected disclosure.
- The number of witnesses who are to be interviewed and who are required to attend the Employment Tribunal Hearing to give evidence.
- Dealing with any settlement discussions.
- The length of the full merits hearing.
- If the full merits hearing ends up being part-heard.

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Clintons is a Partnership. A list of Partners is available for inspection at the above address. Clintons is authorised and regulated by the Solicitors Regulation Authority (whose regulations can be found at www.rules.sra.org.uk) with number 00045165. Our Los Angeles office is operated by Clintons LLP, a limited liability partnership organised under the laws of California, which is affiliated with Clintons.

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- There is a requirement to deal with remedy at a further remedy hearing.
- If any hearing is adjourned to another date by either party or the Employment Tribunal Hearing.

Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as Counsel's fees, expert witness fees or external photocopying charges. We handle the payment of the disbursements on your behalf to ensure a smoother process.

Counsel's fees are estimated to be between £750 to £15,000 per day (depending on the level seniority of Counsel) for attending a Tribunal Hearing (including preliminary hearings, full merits hearings and remedy hearings).

Key stages

The fees set out above cover all of the anticipated 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 the mandatory pre-claim conciliation to explore whether a settlement can be reached before legal proceedings are issued.
- Preparing and filing the particulars of the claim or the grounds of resistance with the Employment Tribunal.
- Reviewing and advising on the particulars of the claim or the grounds of resistance received from the other party.
- Exploring settlement and negotiating settlement throughout the process, which may in some cases involve holding a mediation.
- 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 for the Hearing Bundle.
- Taking witness statements, drafting statements and agreeing their content with witnesses.
- Preparing the Hearing Bundle.
- Reviewing and advising on the other party's witness statements.
- Agreeing a list of issues, a chronology and/or cast list.
- Preparation and attendance at full merits hearing, including instructions to Counsel.

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

How long will my matter 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 and how long it takes the Employment Tribunal to list the full merits hearing. There is also the possibility that a hearing may be postponed at short notice due to there being no Employment Tribunal being available. If a settlement is reached during the mandatory pre-claim conciliation, your case is likely to take approximately 6 weeks to conclude with settlement terms being agreed under a settlement agreement. If your claim proceeds to a full merits hearing, your case could take between 4 to 18 months to reach conclusion depending on the number of days that the full merits hearing is listed for by the Employment Tribunal. This is, of course, just an estimate. We will be able to give you a more accurate timescale once we have more information and as the matter progresses.

We are Clintons.

Clintons is an award winning boutique law firm, based in Covent Garden, Central London and in Los Angeles, California. It is a market leader in the entertainment, digital media and creative industries and is highly regarded for its family, litigation, property and corporate work.

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