

COSTS INFORMATION

BRINGING OR DEFENDING A CLAIM FOR WRONGFUL OR UNFAIR DISMISSAL

At Dickins Hopgood Chidley we provide clear costs information at the outset of your matter, to ensure you are aware of the likely fees and expenses involved.

The legal fees to be incurred when bringing or defending a claim at the Employment Tribunal are calculated by reference to the main stages involved in each claim. These are set out in more detail below.

Main stages of a claim

The main stages involved in bringing or defending a claim are as follows:

- Taking your initial instructions, reviewing the papers and advising you on the 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;
- For Claimant clients: preparing Form ET1 (the claim form which outlines your case and the nature of the dispute or response) and the particulars of claim (which set out the factual detail of your claim and the legal basis for it);
- For Respondent clients: preparing Form ET3 (the response form when a claim has been made against you or your company);
- Reviewing and advising on the claim or response from the 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 the 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 and attendance at the final hearing, including instructions to Counsel.



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Estimated costs

The range of fees set out below are calculated on the basis of a claim proceeding to a final hearing. In practice the majority of our clients reach settlement prior to a final hearing, and our fees are then considerably lower than those listed below, as much of the legal work will not be required.

We will advise you of the fees to be incurred for each stage of a claim so that you are fully aware of the costs position at all times, and can then decide whether to continue with the claim or whether it would be more cost-effective to put forward an offer of settlement.

If you would prefer to handle the claim yourself, we can advise on specific elements of the claim as they arise and this may reduce the legal fees incurred.

Our fees for bringing and defending claims for unfair or wrongful dismissal (including all main stages from initial instructions up to and including the final hearing) are estimated as follows:

Simple case:	£5,000 - £7,500 (+ VAT of 20%, £1,000 - £1,500)
Medium complexity case:	£7,500 - £10,000 (+ VAT of 20%, £1,500 - £2,000)
High complexity case:	£10,000 - £20,000 (+ VAT of 20%, £2,000 - £4,000)

Employment tribunal matters of this sort are carried out by an experienced solicitor and are based on the amount of time spent on your matter. Sometimes a trainee solicitor will provide support, and their work is checked and managed by their supervising solicitor. The hourly rates are as follows:

Paul Owen:	£300 (+ VAT of £60)
Trainee Solicitor:	£160 (+ VAT of £32)

Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as Counsel's fees.

Counsel's fees will include any Advices or drafting of Court papers.

Counsel's Brief fees for attendance at a Tribunal Hearing (including preparation) are estimated at between a minimum of £1500 (+ VAT of £300) to £2,500 (+ VAT of £500) with a daily refresher for any subsequent days of a slightly lower amount (depending on the experience of the advocate and the complexity of the case).



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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 need for expert evidence
- 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

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.

If a settlement is reached during pre-claim conciliation, your case is likely to take between 1 and 12 weeks.

If your claim proceeds to a final hearing, your case is likely to take between 26 and 52 weeks. This timescale is an estimate and we will be able to provide you with a more accurate timeframe once we have more information and as the matter progresses.

Much will also depend on the Tribunal lists which is a factor completely outside our control.

Further Information

To discuss your circumstances in further detail, please contact Paul Owen on 01488 683555 or by email: powen@dhc-solicitors.co.uk