

Employment (Unfair and Wrongful dismissal)

Our legal charges for bringing or defending claims for unfair or wrongful dismissal

No case is exactly the same and our fees will reflect the particular circumstances of your case. For example if you are bringing a claim and it is undefended then the matter will be far more straightforward than a heavily contested case where there are a number of witnesses. Similarly if you are defending a claim, how long the matter may take will largely depend upon the particular circumstances, including the complexity of the facts and the number of witnesses.

Because of this we are unable to give you a reliable estimate of the cost of us helping you until we have details of your particular case. (If you would like to contact one of our lawyers please see the contact details at the end).

We can however give a range of possible costs.

Range of costs

Who would deal with your case?

We presently have two lawyers who could deal with your employment matter. Their charge out rates are as follows;

Debbie Sadler - Associate solicitor - £300 per hour

James Simpson - Partner - £350 per hour

Straightforward case

In a simple or straightforward wrongful dismissal or undefended unfair dismissal case we would assess the hours spent to be anywhere between 5 hours to 10 hours. If the matter was dealt with by an associate solicitor this would be between £1,500 to £3,000.

Complex case

In a more complex wrongful dismissal or straightforward but defended unfair dismissal case the time would be anywhere between 20 hours to 40 hours. An associate solicitor's charges in dealing with this would be between £6,000 to £12,000. (In some circumstances, where the matter is particularly complex this upper figure may be exceeded).

We are, however, willing to offer fixed fee or alternative charging options once we have assessed the complexity and merits of your case.

VAT

The costs would be subject to VAT which is presently 20%

Factors that could make a case more complex include:

- 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

The more complex the case, the greater the number of witnesses who may be involved and, therefore, the longer the hearing will generally be. There will be an additional charge for attending a Tribunal Hearing of between £1200 to £2400 depending on whether your claim is listed for half a day or a full day (excluding VAT). As a general rule a simple wrongful dismissal claim would usually be listed for half a day and a straightforward unfair dismissal claim would be listed for one day.

Disbursements

Disbursements are costs related to your matter that are payable to third parties. We handle the payment of the disbursements on your behalf to ensure a smoother process.

Counsel's fees will largely depend upon the seniority of the barrister. A very junior barrister may charge £300 per day plus Vat, however a very senior barrister may have a daily charge out rate of £6,000 plus Vat for attending a Tribunal Hearing (including preparation)

Key stages

The fees set out above cover all of the work in relation to the following key stages of a claim, including but not limited to;

- 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 the claim form 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 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 Final Hearing, including instructions to Counsel

The stages set out above are an indication and if some of stages above are not required, or, for example, there are fewer documents or witnesses, the fee 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. If a settlement is reached during pre-claim conciliation, your case is likely to take 4 – 6 weeks. If your claim proceeds to a merits hearing, your 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 and as the matter progresses.

Contact

If you would like to discuss your matter with one of our employment solicitors then call 020 3814 2020 and one of our lawyers will be happy to chat through the circumstances of your particular matter.

Alternatively you can email enquiries at enquiries@blasermills.co.uk and someone will be in contact with you within 24 hours