

Unfair dismissal - acting for employees

Defined in the transparency rules as:

The provision of advice and representation to employees in relation to the bringing of claims before the Employment Tribunal against an employer for unfair dismissal or wrongful dismissal.

Whether any fees or disbursements attract VAT and if so the amount of VAT they attract.

Our own charges attract VAT at 20%, payable in addition to the charges quoted.
Any disbursement that attracts VAT is identified below, and includes VAT at 20%.

The total cost of the service or, where not practicable, the average cost or range of costs. The basis for our charges, including any hourly rates or fixed fees.

Our charges for acting for an employer or an employee in a tribunal claim for unfair or wrongful dismissal brought by the employee are based on the amount of time spent on the work by the lawyer conducting the case. Typical hourly rates for our solicitors are £250 to £300.
If the claim is settled without the issue of tribunal proceedings, then our charges would typically be between £750 and £1,250. If proceedings are issued and replied to but are withdrawn or settled before the final hearing not defended, our charges would typically be between £1,250 and £2,500.
A substantial defended claim which goes to a full tribunal hearing would typically require between 20 and 40 hours of solicitors' time at a cost of up to £12,000.
These estimates do not include any charges for acting in an appeal by either the employer or the employee or enforcing a tribunal order on behalf of the employee through the tribunal or a court.

A description of, and the cost of, any likely disbursements, and where the actual cost of a disbursement is not known, the average cost or range of costs.

Unlike courts, Employment Tribunals do not charge fees.
Barristers' fees may be incurred, if a barrister is instructed to give specialist legal advice in connection with the claim or to represent you at a hearing.
Barristers' fees for advice are usually based on hourly rates similar to or higher than solicitors' rates. Barristers' fees for appearing at a hearing are often at an agreed flat rate regardless of the length of the hearing or the time spent waiting for the hearing to start.
VAT is payable at 20% on barristers' fees, unless the barrister's fee turnover is too low to require registration for VAT.

Details of what services are included in the price displayed, including the key stages of the matter and likely timescales for each stage, and details of any services that might reasonably be

In outline, the process of bringing or defending a claim of unfair or wrongful dismissal is similar to the process of debt recovery described separately in this publication, and the work we do is also similar.
A claim is made by the person dismissed. If it is not settled by negotiation or agreement, the person claiming can issue formal proceedings in the Employment Tribunal seeking compensation or an order for reinstatement.

<p>expected to be included in the price displayed but are not</p>	<p>The employer can reply to the claim giving reasons why the dismissal was not unfair or wrongful. The tribunal can give directions about exchanging documents or providing more information.</p> <p>Eventually there will be a hearing when the tribunal will hear evidence and argument and decide the claim. If compensation is awarded the claimant can bring enforcement proceedings in similar ways to enforcing a court judgment.</p> <p>Waiting times for tribunal hearings have increased in recent years. On average, a tribunal hearing will now take place between six months and a year after the claim is filed.</p>
<p>The experience and qualifications of anyone carrying out the work, and of their supervisors</p>	<p>Details of the lawyers who do this kind of work can be found in <i>Our people</i>. Civil litigation work, including employment law, is supervised by Christopher Cook, who is a partner.</p>
<p>If we use conditional fee or damages based agreements, we are required to tell you the circumstances in which clients may have to make any payments themselves for our services (including from any damages). We do not use these agreements in employment law work.</p>	

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