

Information on Unfair Dismissal for Businesses

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This information sheet shows our likely range of costs acting for an **employer** defending a claim for wrongful or unfair dismissal.

Unfair dismissal

Taking initial instructions, reviewing paper and advising on the merits of your defence	Simple case £250 Plus VAT	Complex case up to £500 Plus VAT
Drafting and filing form ET3 which is the response form when a claim has been made against you	Simple case £1000 Plus VAT	Complex case up to £2000 Plus VAT
Compiling lists of documents, exchange of documents and preparation of bundle	Simple case £500 Plus VAT	Complex case up to £1000 Plus VAT
Drafting witness statements	Simple case £1000 Plus VAT	Complex case up to £2000 plus VAT
Preparation for and attending a hearing	Simple case £1500 Plus VAT	Complex case up to £3000 Plus VAT

Wrongful dismissal

Taking initial instructions, reviewing paper and advising on the merits of your defence	Simple case £200 Plus VAT	Complex case up to £400 Plus VAT
Drafting and filing form ET3 which is the response form when a claim has been made against you	Simple case £250 Plus VAT	Complex case up to £500 Plus VAT
Compiling lists of documents, exchange of documents and preparation of bundle	Simple case £250 Plus VAT	Complex case up to £500 Plus VAT
Drafting witness statements	Simple case £500 Plus VAT	Complex case up to £1000 plus VAT
Preparation for and attending a hearing	Simple case £750 Plus VAT	Complex case up to £1000 Plus VAT

Disbursements are costs related to your case which include costs payable to third parties (e.g counsels fees). In relation to third party costs we usually deal with the payment of these fees for you upfront and then include them in your bill.

Counsel's fees for unfair dismissal or wrongful dismissal are usually between £1,500 to £3,000 plus VAT (depending on the experience of the advocate and complexity of the matter).



However there are circumstances which make a matter more complex which are likely to cause an increase in our fees.

Factors that could make a case more complex include:

- If it is necessary to defend applications, or to provide further information about the defence
- Defending claims that are brought by unrepresented claimants
- 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 days that the hearing is listed for
- The number of witnesses and documents
- If it is an automatic unfair dismissal claim, for example if the claimant is alleging whistle blowing
- Allegations of discrimination that are linked to the dismissal

Key Stages

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

- Taking your initial instructions, reviewing the papers, advising you on the merits of your defence and likely compensation (which will be revisited throughout the case and will be subject to change)
- Preparing the defence
- Exploring and negotiating settlement
- 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 and agreeing content with witnesses
- Preparing a bundle of documents
- Reviewing and advising on the other party's witness statement/s
- Agreeing a list of issues, a chronology and/or cast list
- Preparation and attendance at the hearing, including instructions to Counsel

Of course a case can be settled at any point and may not go to Tribunal. If some of the stages above are not needed or relevant then the fees may be reduced.

How long will it take ?

The time it takes from taking your initial instructions to the final resolution of your matter depends on the stage at which your case is resolved. If a settlement is reached during pre-claim conciliation your case may take between 1 and 6 weeks. If your case proceeds to a hearing, it is likely to take 3 to 6 months.

This is just an estimate and we will be able to give you a more accurate timescale once we have more information and as the case progresses.