



Example of costs breakdown for a Wrongful and/ or Unfair Dismissal claim

Costs of each Stage – this is for both employees and employers

Stage 1: Pre-claim

Work	Timescales	Costs
• Taking instructions. • Reviewing documentation. • Advising you on the merits and weaknesses of your potential claim. • Drafting a letter before action to your former employer.	The primary limitation period for you to issue an employment tribunal claim is 3 months (less one day) from the termination date (or date of detriment, in detriment claims). Prior to submitting a claim you need to go to ACAS and go through the 'Early Conciliation' process. This has the effect of extending the primary limitation period.	Simple claims: between £800.00 and £1,600.00 + 20% VAT
		Complex claims: between £1,600.00 and £3,800.00 + 20% VAT

Stage 2: Early Conciliation

Work	Timescales	Costs
• You will need to apply to ACAS and commence the 'Early Conciliation' process. • We will assist with the negotiations through ACAS.	The ACAS Early Conciliation period is usually 6 weeks. It can be curtailed if settlement is not likely to be reached.	Simple claims: approximately £800 + 20% VAT

This may result in reaching an agreement to settle the claim prior to issuing a claim to the employment tribunal. This can be done through ACAS via a simple 'COT3' agreement or, for more complex matters, by a more comprehensive settlement agreement. N.B. Settlement should be considered throughout the process.		Complex claims: between £800.00 and £2,200.00 + 20% VAT
		Settlement through ACAS (COT3 Agreement): between £800.00 and £1,100.00 + 20% VAT
		Settlement via settlement agreement: between £1,100.00 and £1,600.00 + 20% VAT

Stage 3: ET1 – Issuing the claim

Work	Timescales	Costs
- If the ACAS Early Conciliation process does not result in a settlement, then a claim will need to be issued in the employment tribunal. - We will prepare the ET1 claim form and particulars of claim.	2 – 3 weeks	Simple claims: between £800.00 and £1,600.00 + 20% VAT
		Complex claims: between £1,600.00 and £3,800.00 + 20% VAT

Stage 4: ET3 – Response to a claim

Work	Timescales	Costs
- If your former employer disputes your claim then they will submit an ET3 form and grounds of resistance which will outline their defence. - We will review this and advise you on the merits of the defence. - Settlement may be considered at this stage.	2 – 3 weeks	Simple claims: between £800.00 and £1,100.00 + 20% VAT
		Complex claims: between £1,100.00 and £1,900.00 + 20% VAT

Stage 5: Preliminary Case Management Hearings (if required)

Work	Timescales	Costs
- Sometimes an employment tribunal requires preliminary hearings to take place in order to consider preliminary issues or case management matters. - These can take place in person or by telephone. - We will need to prepare (and seek to agree) an agenda and a list of issues for the hearing. - The costs will vary depending on the forum, the issues to be considered and whether Counsel is to be instructed.	1 – 2 weeks	Simple claims: between £800.00 and £1,600.00 + 20% VAT
		Complex claims: between £1,600.00 and £4,400.00 + 20% VAT

Stage 6: Case Preparation

Work	Timescales	Costs
Following receipt of the ET3, or after a Preliminary Hearing, the employment tribunal will order a timetable of preparatory work for the final hearing as follows: - Preparing a Schedule of Loss - Reviewing the Respondent's counter Schedule of Loss - Collating and reviewing documents for disclosure - Agreeing a bundle of documents for the final hearing - Preparing witness evidence Settlement may be considered at this stage in light of disclosure of documents.	This will be set out in the Case Management Order and will prescribe dates by which each task must be completed based on when the final hearing is listed. Usually 6 – 8 weeks.	Simple claims: between £2,200.00 and £5,500.00 + 20% VAT
		Complex claims: between £5,400.00 and £8,700.00 + 20% VAT

Stage 7: Interim Applications (if required)

Work	Timescales	Costs
Sometimes it may be necessary to make an interim application for example: • For an extension of time; • For a preliminary hearing; • To postpone or adjourn a hearing.	2 – 4 weeks	Simple claims: between £800.00 and £980.00+ 20% VAT
		Complex claims: between £800.00 and £1,300.00 + 20% VAT

Stage 8: Tribunal Hearing

Work	Timescales	Costs
• Preparing instructions to Counsel (if required). • Advising you on the process of a hearing. • Liaising with witnesses. • Ensuring the papers are ready. • Attending the hearing.	Hearings are normally between 1 – 5 days	Simple claims: between £1,300.00 and £2,200.00 + 20% VAT
		Complex claims: between £2,200.00 and £3,800.00 + 20% VAT

Stage 9: Remedy Hearing

Work	Timescales	Costs
If you are successful and remedy is not dealt with at the final hearing then a separate remedy hearing will be necessary. • Preparing instructions to Counsel (if required). • Advising you on the process of a hearing. • Liaising with witnesses. • Preparing a remedy bundle with evidence of loss and mitigation. • Attending the hearing.	Hearings are normally between 1 – 2 days	Simple claims: between £800.00 and £2,200.00 + 20% VAT
		Complex claims: between £1,300.00 and £3,800.00 + 20% VAT

Stages of a claim

