

Sherrards Pricing & Services: Employment

December 2022

Please see the “our people” section for the profiles of our employment fee earners. We have various members of the employment team who may be able to assist with your matter. Regardless of who handles your matter, they will be supervised by their named partner/head of department.

At the outset, we would be happy to discuss your situation with you, to outline the likely fees should you wish to instruct us. We would discuss with you the proportionality of engaging us in the context of the value of the claim.

All of the members of the employment team operate on an hourly rate charging basis, ranging from £200 to £375 plus VAT. In certain circumstances we may be able to apply fixed costs for certain stages of the Tribunal process.

You should also check whether you have legal expenses insurance which may cover the legal fees you would otherwise incur in bringing or defending an Employment Tribunal claim.

The Employment Team at Sherrards do not undertake any Employment Tribunal work on a ‘No Win No Fee’ basis.

Range of Costs

We have set out below the estimated costs which you may incur in bringing or defending an Employment Tribunal claim(s), based on us being instructed from the outset (*either to issue a claim on your behalf or at the point at which you instruct us to lodge a defence to a claim you have received*) and on the assumption that the matter proceeds to a Final Hearing and is determined by the Employment Tribunal.

The range of costs takes into account the following steps:

- Taking your initial instructions, reviewing the relevant papers and advising you on merits and likely damages (this is likely to be revisited throughout the matter and subject to change)
- Entering into Early Conciliation to explore whether a settlement can be reached
- Preparing the Claim (on behalf of the Claimant) or the Defence (on behalf of the Respondent)
- Reviewing and advising on the Claim or the Defence from other party
- Preparing or considering a schedule of loss
- Exchanging documents with the other party and agreeing and preparing a bundle of document
- Taking witness statements, drafting the statements and agreeing their content with witnesses
- Preparation for Final Hearing, including instructions to Counsel

The range of costs is as follows:

- LOW RANGE CLAIMS – e.g., claims for unpaid wages: £3,000 to £8,000 plus VAT
- MID RANGE CLAIMS - e.g., claims for unfair dismissal or wrongful dismissal: £12,000 to £30,000
- HIGH RANGE CLAIMS – e.g., multiple claims that may include discrimination, whistleblowing, equal pay: £30,000 plus VAT +

The above ranges reflect the differing complexities associated with each claim. Factors that could make a case more complex include:

- If we are exploring settlement and negotiating settlement throughout the process
- 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) or jurisdictional issues
- An increase in the number of witnesses and documents

The above costs do not include any possible appeals or applications for reconsideration. The fees also do not include Counsel's fees (see below) or our attendance at any hearings (should that be required). Our fee for attending hearings would be between £1,500 - £2,000 per day plus VAT (not including travel expenses) depending upon which member of the team attended.

As outlined above, there are numerous steps that need to be undertaken in respect of the Tribunal process. If some of the stages above are not required, the fee will be reduced accordingly. It is also possible for a Claimant or a Respondent to handle the claim themselves as litigants in person which will substantially reduce the costs incurred, albeit we remain available to advise as the matter progresses. If you instruct us to undertake certain steps only, such as issuing a claim or lodging a defence, we will endeavour to provide you with a fixed fee for that particular step so that you can budget accordingly.

Disbursements

Disbursements are costs related to your matter that are payable to third parties, such as court fees or Counsel. We handle the payment of the disbursements on your behalf to ensure a smoother process.

Counsel's fees will also vary depending upon the relative experience of the advocate but for a 1 day hearing the fees may range between £1,000 to £2,000 plus VAT per day. For multiple day hearings, Counsel charge a brief fee which includes the first day of the Hearing and for further days there will be a lower refresher fee for each day. If a matter proceeds to a Hearing, we will obtain several quotes for you so you can consider the potential costs should you wish to be represented by Counsel.

How long will my matter take?

The time taken 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 Early Conciliation, your case is likely to take 4 – 8 weeks. If your claim proceeds to a Final Hearing, it depends upon which Tribunal office will be dealing with the claim and the number of matters to be determined, but cases tend to take between 6 - 18 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.

*Please note that while our pricing information seeks to ensure that you have the information you need to make an informed choice of legal services provider, including understanding what the likely costs may be, it is only indicative and you will be provided with more precise and personalised costs information should you decide to instruct us



Would you like to find out more?



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