



MOON BEEVER: COSTS FOR EMPLOYMENT TRIBUNALS FOR EMPLOYERS

For businesses defending claims for unfair or wrongful dismissal.

A wrongful dismissal claim arises where an employee is dismissed in breach of the terms of their contract of employment. It is a contractual claim which can be brought either in an Employment Tribunal or in a Court. An unfair dismissal occurs where an employee is dismissed and the employer has no fair reason for doing so. Unfair dismissal claims can only be brought in an Employment Tribunal.

We can help employers navigate their way through the dismissal process to help ensure that costly mistakes are avoided. If you would like to speak to a member of our team, simply call 020 7539 4147 or email us at srushton@moonbeever.com

OUR FEES:

Our fees (shown below) will be determined by whether the case is one of simple, medium or high complexity. Aside from the legal issues involved, a key factor in relation to the overall costs of a case are the number of documents that need to be reviewed, the number of potential witnesses involved, whether it is necessary to make any applications during the course of the case and whether or not other claims are brought such as discrimination or whistleblowing.

The fees set out below relate to cases that are brought before an Employment Tribunal only. They are not applicable where a claim has been brought in the High Court or County Court for breach of contract (where Court fees will apply).

It is important to note that you might have other funding options available to you, such as cover under an insurance policy. The availability of insurance will be discussed with you.

We may in simple unfair dismissal cases where no other claims are brought be able to offer Employers fixed fees for certain steps/cases:

- (a) A 40 minute meeting and written advice on the merits of the case together with an explanation of strengths/ weaknesses, whether you should consider settlement etc. £600 plus VAT
- (b) To enter into negotiations with ACAS on your behalf £750 plus VAT
- (d) To prepare a settlement agreement £750 plus VAT.
- (e) To draft a standard Employment Tribunal Response (Form ET3) in a simple unfair dismissal case or wrongful dismissal case £1000 plus VAT **[this is only available if we have previously advised on merits].**

When acting for Employers, unless otherwise agreed, we charge an hourly rate based upon the time spent by the particular lawyer who is dealing with your case.

Otherwise we may charge based on our normal hourly rate (shown on the next page).



Estimated Range of costs for defending claims for unfair or wrongful dismissal claims*

Simple case	Between £1200.00 - £30,000.00	Excluding VAT
Medium complexity case	Between £1200.00 - £60,000.00	Excluding VAT
High complexity case	Between £1200.00 - £120,000.00	Excluding VAT
Attending a Tribunal hearing	£1,500 - £3,000 per full day depending upon level of fee earner/solicitor attending.	Excluding VAT
Tribunal Fees	At present there are no Tribunal Fees to pay	Excluding VAT
Counsel's fees	Between £150 - £400 per hour depending on level of experience of the advocate and their location.	Excluding VAT
Counsel's fees for attending Tribunal	£1000 - £3000 per day [excluding any brief fees]	Excluding VAT

* The above are estimates only and assume:

1. That we are instructed after the Employee has been dismissed, but before a claim is issued.
2. In the case of the lower scale estimates, that the matter settles quickly and within the first 4 weeks of our instruction. It does not include the cost of preparing any settlement agreement.
3. That the claim is for unfair dismissal or wrongful dismissal only and that no other claims or counter claims are made.
4. That we are given instructions promptly and as requested.
5. That your opponent is legally represented and complies with any Tribunal orders in a timely manner.
6. That there are no appeals.
7. That there is no separate liability hearing.
8. That the issue of directions is dealt with at the preliminary hearing and no further applications are required.
9. That there is no expert evidence.

The estimates exclude any expenses such as travel costs (where the case is outside of Central London) hotel fees (where overnight stay is necessary) photocopying charges, courier fees and experts fees (if necessary). We will provide estimates for this as is necessary, as the case progresses.

The estimate for Counsel's fees assumes an advocate of between 1-10 years PQE. We will obtain an estimate for you from Counsel at each stage of their instruction and we shall recommend appropriate Counsel where necessary.

The standard VAT rate is 20% and applies to all transactions of goods or services. Please bear this in mind when calculating costs. [Experian offer a free VAT calculator here](#)



The prices cited in this document are subject to change/increase/adjustment without notice and do not form a binding commitment to provide services at these costs. Fees will be confirmed at the point of a client/solicitor relationship being entered into on our standard terms of business at the relevant time.



MEET THE EMPLOYMENT TEAM

Further specific experience can be seen in Sarah’s staff profile found on our website in the ‘our people’ section.

Name & job title (In seniority)	Qualifications & years PQE	Hourly rate
 <p>Sarah Rushton Click here to view full profile.</p>	<p>Partner Head of the employment department. LLB, 20+ years’ PQE</p>	<p>£395 (plus VAT) per hour</p>
 <p>Edward Saunders Click here to view full profile.</p>	<p>Partner LLB, 20+ years’ PQE</p>	<p>£395 (plus VAT) per hour</p>
 <p>Please head to moonbeever.com/ourpeople to see specific staff members</p>	<p>Solicitors Variable – please see ‘our people’ page on our website for more information.</p> <p>Legal Executives or trainee solicitors Variable</p>	<p>Between £250 - £365 + VAT</p> <p>Between £150 - £250 + VAT</p>



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 then the case may be resolved very quickly and within a few weeks. If your claim proceeds to a Final Hearing, your case is likely to take at least 6- 9 months depending upon how busy the Employment Tribunal is. Whilst tribunals do have targets in terms of getting matters to final hearing, certain tribunals are significantly busier than others which can lead to unexpected delays. Other issues may also cause delay, for example if the case is transferred from one tribunal to another. We will be able to give you a more accurate timescale once we have more information and as the matter progresses.

KEY STAGES

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

- 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 a response;
- Reviewing and advising on claim from other party;
- Exploring settlement and negotiating settlement throughout the process;
- considering any schedule of loss;
- agreeing a list of issues (if necessary)
- Preparing for (and attending or instructing counsel as is necessary) 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;
- reviewing the bundle of documents prepared by the Claimant for the final hearing;
- 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;