

Employment Law Advice - Fee Structure



The normal rule in the Employment Tribunal is that costs are not recoverable by the winner from the loser. However the Tribunal can award costs against either party if they have acted vexatiously, abusively, disruptively or otherwise unreasonably in either the bringing of the proceedings (or part) or the way that the proceedings (or part) have been conducted; or if their claim or response had no reasonable prospect of success.

The best way to fund a claim is through Legal Expenses Insurance and many home insurance policies cover Employment Tribunal legal expenses for claims by the policyholder and members of the policyholders family living with them. Extremely limited legal aid is available from the small number of firms that still take funding that way for those whose finances mean they can not afford to pay even for that very limited help.

For those who are not eligible for legal aid and have no access to funding from legal expenses insurers, the Citizens Advice Bureau and ACAS can provide limited help for free.

If however you need to pay for a solicitors then the hourly rate at John Hodge Solicitors for Employment Law work is £266 + VAT for a senior solicitor (one qualified for over 15 years) and £196 + VAT for other solicitors.

Settlement Agreements. A Judge has recently commented that just to go through the agreement should normally cost some £500. To advise on the alternatives would normally costs more, however John Hodge Solicitors aim to charge what the employers will contribute and to waive their fees if, on our advice, the settlement agreement is not accepted (since otherwise there is a risk that clients sign for fear of having to pay our fees themselves). Normally we send our invoice to the employers for payment direct. Call us when you have the agreement and we shall let you know whether we can keep within the price offered by your employers but the days of £250 + VAT have largely been left behind in the 1990's by firms that still have solicitors rather than caseworkers meet with and advise clients on settlement agreements.

Unfair Dismissal Claims (arguing "I should not have been dismissed at all") normally cost about £600 - £1,000+ VAT to issue and an additional £7,000 - £10,000 + VAT to take to a final hearing. Many clients with low value claims choose to use us to issue the claim only.

Wrongful dismissal claims (arguing "I have not received by Notice period pay and perks") normally costs about £600 - £1,000+ VAT to issue and an additional £3,000 - £7,000 if it goes to a final hearing.

We should warn that extraordinary cases might cost more and we do other work as well such as discrimination but the prices for that can vary enormously so please contact us for more information. After we have been given the basic background we can assess the likely issues and likely evidence needed to address those issues and give you a guide to the likely cost.

If you are an employer then defending the claim can cost much the same as bringing the claim since it is normally the employers responsibility to prepare the hearing bundles. We can help avoid those costs by advising on and preparing settlement agreements.