



## Costs and Service Information

### Employment claims for unfair or wrongful dismissal For Individuals

#### Prices

#### Fees charged by Banks Kelly Solicitors

Fee	Average legal fee	VAT		
Legal fee *	£12,500.00 - £20,000.00	£2,500.00 - £4,000.00		
			<b>SUBTOTAL</b>	<b>£15,000.00 - £24,000.00</b>

\* **Basis of charging** = hourly rates of £225.00 - £425.00 depending on the level and experience of the solicitor working on your case.

It is very difficult to provide accurate fee estimates without knowing the particular circumstances of your case and this is why our fee ranges are so broad. Please get in touch with us to discuss the details of your case so that we can let you know which end of the fee range your case is likely to sit at. The average top end fee assumes that your case proceeds to final hearing, requires representation from Counsel and the circumstances of your case require us to spend a lot of time reviewing and preparing documentation. For cases that settle prior to a hearing (depending on how early they settle before the hearing is due) our fees are likely to be less and may fall below the fee range quoted.

#### Paying for your legal fees

In some cases, we will be prepared to act for you under a Damages-Based Agreement, which means that we would recover our legal fee from the damages (compensation) that you recover if you win your case.

Under a Damages-Based Agreement, we will deduct a proportion (limited to 35%) of your damages to reward us for the risk we assume in pursuing your claim under this type of agreement. This is because if your claim is not successful and you do not receive any compensation, and you have not agreed with us otherwise nor broken the terms of the Damages-Based Agreement, you will not have to pay our legal fees.

If you do break the terms of a Damages-Based Agreement, or if we decide to terminate the agreement, you will be required to pay our costs.

Please contact us if you would like to discuss funding your case on the basis of a Damages-Based Agreement. Although please note that these agreements will not be suitable for all claims.

### **Work included and key stages**

The precise work and stages involved in bringing an unfair or wrongful dismissal claim vary according to the circumstances. However, we have set out the key stages involved in a typical claim:

- Taking your initial instructions, reviewing the papers and advising you on merits and likely compensation.
- Entering into pre-claim conciliation where this is mandatory to explore whether a settlement can be reached.
- Preparing your claim.
- Reviewing and advising on response from the other party.
- Exploring settlement and negotiating settlement throughout the process.
- Preparing a schedule of loss.
- Preparing for (and attending) any 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.
- Preparing bundle of documents.
- 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.

### **Services excluded**

Our service will **not** include any of the following:

- Advice or assistance in relation to any appeal.

### **Approximate/ average timescales**

The time that it takes from your initial instructions to the final resolution of your matter depends largely on the stage at which your case is resolved. If your claim proceeds to a Final Hearing, your case is likely to take up to 12 months depending on the employment tribunal's timetable. 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 your case progresses.

### **Factors that could increase costs**

In some circumstances we may increase our fees to account for additional time, work or skill required to meet your instructions. Examples include:

- If it is necessary to make applications to amend claims or provide further information about an existing claim.
- If we make a costs application.
- If there are complex preliminary issues to address.
- The number of witnesses and documents.
- If there is an automatic unfair dismissal claim e.g. if you are dismissed after blowing the whistle on your employer.
- If there are allegations of discrimination which are linked to the dismissal.