



## **EMPLOYMENT SETTLEMENT AGREEMENTS**

An employer routinely contributes towards an employee's legal costs in obtaining advice on a Settlement Agreement. This is a legally binding agreement between an employer and an employee under which the employee agrees to settle their potential claims and in return the employer will agree to pay financial compensation. It is important to be aware that an employer will not necessarily cover all of an employee's costs however, and that any shortfall in the payment of our costs by your employer would be due from you.

### **Our pricing for bringing and defending claims for unfair or wrongful dismissal**

Simple case: £1750 -£2500 (ex VAT, charged at 20%)

Medium complexity case: £2500 to £5000 (ex VAT, charged at 20%)

High complexity case: £5000 plus (ex VAT, charged at 20%)

We charge based on an hourly rate which varies depending on the member of staff dealing with your matter. Our lowest hourly rate is £295 and our highest hourly rate is £375. The seniority of the members of staff dealing with your case will depend on its complexity. We will discuss this with you when you instruct us.

Factors that could make a case more complex:

- 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)
- The number of witnesses and documents
- If it is an automatic unfair dismissal claim e.g. if you are dismissed after blowing the whistle on your employer
- Allegations of discrimination which are linked to the dismissal

There will be an additional charge for attending a Tribunal Hearing of £1750 per day (excluding VAT, charged at 20%). Generally, we would allow 2 days depending on the complexity of your case.

## **Disbursements**

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

Counsel's fees estimated between £2500 to £5000 per day excluding VAT, charged at 20% (depending on experience of the advocate) for attending a Tribunal Hearing (including preparation)

## **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 claim or response
- Reviewing and advising on claim or response from other party
- Exploring settlement and negotiating settlement throughout the process
- preparing or considering a schedule of loss
- Preparing for (and attending) 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
- 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

The stages set out above are an indication and if some of stages above are not required, the fee will be reduced. You may wish to handle the claim yourself and only have our advice in relation to some of the stages. This can also be arranged on your individual needs.

## **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, your case is likely to take 3-4 months. If your claim proceeds to a Final Hearing, your case is likely to take 9-12 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.