

## General Fees Information – August 2021

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Due to the complexity of the matters we are often asked to advise on, it is difficult to provide a general fees guide that could be applicable in (i) bringing or defending unfair or wrongful dismissal cases or (ii) in relation to the preparation and submission of certain immigration applications.

This information has been provided in accordance with the SRA Transparency Rules and the associated Price and Transparency guidance. Please note that the information below is provided for general guidance purposes only. It is not a quote and the total fees applicable in any case you instruct us on may vary materially. We always provide a tailored fee assessment at the start of a matter and that assessment would override any of the information set out below.

Please see [here](#) for further details of the experience and qualifications of our solicitors.

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### **Examples of fees – Employment Tribunals - bringing and defending claims for unfair or wrongful dismissal**

We generally charge for our services on an hourly rate basis. All of our solicitors are of a senior or partner level, and their standard hourly rates for this type of work is between £295 + VAT (£354 including VAT) and £315 + VAT (£378 including VAT).

The following examples are intended to provide a range of costs for both unfair dismissal and / or wrongful dismissal employment tribunal cases, based on the hourly rate stated above. They are illustrative examples to help you judge how we could charge you in these cases. They do not take account of other types of claim (such as discrimination) which could materially increase the fees illustrated below.

- Simple case: £10,000-£25,000 + VAT (£12,000 - £30,000 including VAT) and disbursements. For example, an unfair dismissal claim following a redundancy consultation process.
- Medium complexity case: £20,000 - £60,000 + VAT (£24,000 - £72,000 including VAT) and disbursements. For example, an unfair dismissal case involving multiple acts of misconduct.
- High complexity case: £50,000 - £250,000 + VAT (£60,000 - £300,000 including VAT) and disbursements. For example, a factually complex case involving whistleblowing.

Disbursements are costs related to your matter that are payable to third parties, such as court fees, barrister's fees and expert witness fees. We handle the payment of the disbursements on your behalf and then add them to your invoice. We will agree disbursements with you prior to incurring them on your behalf. You would be responsible for all disbursement costs we incur.

The most common disbursements in Employment Tribunal litigation are barrister's fees. These often break out into three types, being (i) an hourly rate for initial advice or pre-claim meetings, (ii) a "brief fee" that covers preparation for and attendance at the first day of any hearing and (iii) a "refresher fee" which covers any additional days at the hearing. As an illustration:

- A senior barrister could charge £300 - £500 + VAT (£360 - £600 including VAT) per hour and a refresher fee of £3,000 - £5,000 +VAT (£3,600 - £6,000 including VAT) per day. The brief fee will depend on the complexity of the case and will typically range from £10,000 - £50,000 + VAT (£12,000 - £60,000 including VAT).
- A junior barrister will typically charge £150 - £300 + VAT (£180 - £360 including VAT) per hour and a refresher fee of £1,000 - £2,000 + VAT (£1,200 - £2,400 including VAT) per day. The brief fee will depend on the complexity of the case and will typically range from £5,000 - £25,000 + VAT (£6,000 - £30,000 including VAT).

You may have other funding options available, such as cover under an insurance policy and you should check that prior to incurring any fees with us.

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## Key Stages

Managing an Employment Tribunal claim usually involves a number of different stages. We would usually expect to include the following within the fee examples set out above:

- 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.
- Reviewing and advising on the claim (and drafting the claim when acting for an employee).
- Reviewing and advising on the response to the claim (and drafting the response when acting for an employer).
- Exploring settlement and negotiating settlement throughout the process.
- Managing the claimant's likely losses.
- Preparing for and attending a Preliminary Hearing to resolve any initial issues in relation to the claim.
- Reviewing potentially relevant documents and exchanging documents that need to be disclosed with the other party.
- Reviewing the documents disclosed by the other party.
- Preparing witness statements and reviewing/advising on the witness statements provided by the other side and any witnesses they have called.
- Agreeing and preparing the bundle of documents to be used at the final hearing. Agreeing a list of issues, a chronology and/or cast list.
- Agreeing a list of issues, a chronology and/or cast list.
- Preparation and attendance at final hearing, including instructions to the barrister who will represent you at that hearing.
- If some of the stages above are not required, the fees could be lower than the estimated fees above.

## Factors to Consider

The costs of bringing or defending an unfair or wrongful dismissal claim will vary depending on the details of the claim and the level of complexity. Factors that may make a case more complex/costly include:

- If it is necessary to make or defend applications to amend claims or defence or to provide further information about an existing claim or defence.
- Defending claims where the person bringing the claim does not have a lawyer representing them.
- Making an application against the person bringing the claim that they pay some of your legal fees.
- Defending an application from the person bringing the claim that you pay some of their legal fees.
- Complex preliminary issues such as the employment status of the person bringing the claim (if this is not agreed by the parties).
- The number of witnesses and documents.
- If the claim involves an alleged automatic unfair dismissal claim e.g. if the individual has been dismissed for legitimate trade union activity or whistle blowing.

## 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 could take two to six weeks. If your claim proceeds to a Final Hearing, your case could take six to twelve 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.

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## Examples of fees – Preparation and submission of certain immigration applications

Our immigration services for individuals are limited to Tier 2 visas (applications for initial entry and extensions) and settlement (indefinite leave to remain) applications.

### Application for entry clearance under Tier 2

For leave to enter under Tier 2 General or Intra-Company transfers we prefer to work on a fixed fee basis of £1,800 + VAT (£2,160 including VAT) for the main visa applicant. This applies to first time entry clearance and fees for extensions and dependent applications are set out in the table below. In rare circumstances, if the case is particularly complex, fees may exceed this fixed fee, in which case we will discuss this with you at the start of the matter.

This includes:

- Discussing the circumstances in detail with you and where appropriate, your employer;
- Exploring whether this is the most appropriate application for you to make and what other options may be available to you;
- Checking and advising on whether you and the role for which you are being sponsored meet the criteria under the Immigration Rules (such as level of role and salary);
- Assisting you on gathering the supporting documents that you are required to submit and advising you on the process at a visa processing centre;
- Preparing the visa application and submitting it on your behalf;
- Advising on any further steps you need to take (for example collection of the Biometric Residence Permit on arrival in the UK and registering with the Police).

### The costs quoted here do not include:

- Any Home Office fees for making the application. These fees are payable to the Home Office directly as part of the application process.
- Where the Home Office refuses your application, advice and assistance in relation to any appeal.

## How long will the application take?

We cannot guarantee how long the Home Office will take to process your application. Read the current processing times. We will advise you on the options you can take to speed up the visa application process.

Subject to the employer having complied with the steps it is required to take (eg: the resident labour market test where applicable, and assigning a certificate of sponsorship) we will normally be able to submit this type of application within 3 weeks of being instructed, but that will depend on how quickly you can gather the information you need and how quickly you respond to our enquiries.

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## Application for indefinite leave to remain (settlement)

Our standard hourly rate for this type of work is £315 + VAT (£378 including VAT) and on average an application for ILR takes between 6 and 8 hours which means that our fees (excluding disbursements payable to the Home Office) will be £1,700 - £2,500 + VAT (£2,040 - £3,000 including VAT), but we may offer a fixed fee in certain circumstances. The work includes:

- Discussing the circumstances in detail with you and advising on the criteria required to make this application;
- Exploring whether this is the most appropriate application for you to make and what other options may be available to you;
- Assisting you on gathering the supporting documents that you are required to submit;
- Preparing the application and submitting it on your behalf – generally online.

Current fees for the services we provide under the Points Based System and for indefinite leave to remain:

Visa/Application	Work involved	Fees
Tier 2 (General) or Tier 2 (Intra-Company Transfer) main applicant	<ul style="list-style-type: none"> <li>• Analysis of the case</li> <li>• Guidance on certificate of sponsorship</li> <li>• Advice on the appropriate data and supporting documents required for completion of the online application</li> <li>• Submitting online application</li> <li>• Booking of appointment at visa processing centre</li> <li>• Follow up advice on steps needed once visa is granted</li> </ul>	£1,800 + VAT (£2,160 including VAT)
Tier 2 extension applications	<ul style="list-style-type: none"> <li>• Analysis of case, checking correct job code and salary levels</li> <li>• Completion of online application and submission of supporting documents</li> <li>• Advice on possible use of premium or priority service</li> </ul>	£1,500 + VAT (£1,800 including VAT)
Tier 2 Dependents Visa (fee is per each family member)	<ul style="list-style-type: none"> <li>• Analysis of the case</li> <li>• Advice on the appropriate data and supporting documents required for completion of the online application</li> <li>• Assistance in completing the online application</li> <li>• Booking of appointment at visa processing centre</li> </ul>	£750 - £1,000 + VAT (£900 - £1,200 including VAT)
Application for settlement (indefinite leave to remain)	<ul style="list-style-type: none"> <li>• Analysis of the case</li> <li>• Advice on the appropriate data and paperwork needed for completion of the application</li> <li>• Guidance on gathering the supporting documents you will need to submit alongside the application</li> </ul>	£1,700 - £2,500 + VAT (depending on the complexity of the case) (£2,040 - £3,000 including VAT)