



Hamilton Davies
LLP Solicitors

28 High Street
Stevenage
Herts, SG1 3HF
Tel: 01438 315898

Employment Transparency Rules

Employment work is carried out by Paul Davies who has over thirty years' experience in acting for and advising both employees and employers. Paul's interest in Employment Law began at university when he took the subject as an option while taking his Law Degree. Paul is the Senior Partner at the firm and his hourly rate is currently £240.00 per hour plus VAT.

We charge based upon time spent on a matter and its complexities. Our hourly rates are reviewed regularly (not more than once a year).

At the initial meeting, Paul will discuss funding options and the likely stages in any matter and the costs that will be incurred as the matter proceeds. Frequently there may be alternatives to funding a case privately. In Paul's experience, many employees may receive assistance in funding a case either from a Union or alternatively through private Legal Expense Insurance which is commonly linked to household insurance policies. Clients are always advised to check any policies of insurance at the outset. In addition, many employers also have the benefit of insurance to cover the cost of handling Employment Tribunal cases.

A claim to a Tribunal must generally be commenced within three months of the act complained of. This can be extended by entering a process of pre-issue conciliation. This is a free service provided by ACAS. If such conciliation is not successful, then proceedings may be commenced.

The Employment Tribunal is often referred to as a "no cost jurisdiction". No fee is currently payable to the Employment Tribunal to issue a claim and unlike in proceedings in the County Court or High Court, costs Orders requiring a "losing party" to pay costs to the "winning party" are rare. However, this can have an impact upon any claim as generally clients will be responsible for the legal costs incurred regardless of the outcome of the matter.



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We always encourage clients to be mindful of the costs as the matter progresses.

A basic Tribunal claim will include the following stages:-

1. Receipt of initial instructions and advising on the merits and possible awards
2. Collection of evidence
3. Pre-issue conciliation (this normally lasts up to four weeks)
4. Review and preparation of evidence and merits and issue of a claim in the event of conciliation being unsuccessful
5. Receipt of response and further review of merits of claim in the light of response received
6. Collection and collation of relevant documents
7. Preparation of Schedule of Loss to value claim
8. Exchange of documents with the other party
9. Preparation of Witness Statement
10. Exchange of Witness Statement
11. Further review of merits
12. Preparation of Bundle of relevant documents and Statements for hearing
13. Preparation of Statement of Issues and Chronology of important dates
14. Preparation for hearing
15. Hearing and Briefing Counsel to attend
16. Enforcement of any Order or award

It should be remembered that these are only indications and all cases are different. Some stages may not be required and in others additional stages including the possible need to attend a preliminary hearing, may be necessary.

It is our usual practice to Brief Counsel (specialists Advocates) to conduct any hearing. In addition, depending upon the complexity of a case, it may also be advisable to seek Counsel's Advice on evidence or the merits of a case.

Counsel's fees for advice generally range between £750.00 to £1,000.00 plus VAT.



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Counsel's fees for a hearing lasting one day are generally between £1,200.00 to £2,000.00 to include all work spent in preparation.

Our fees for a simple matter resulting in a hearing lasting one day at an Employment Tribunal on average amount to £9,000.00 plus VAT. In some cases, fees may be less whilst in other cases fees may be more. We will discuss with you the likely fees and budgets in each case. Complex cases which include meeting with and taking Statements from numerous witnesses and the preparation of many Witness Statements and also reviews and consideration of large numbers of documents, will result in costs in excess of £9,000.00 plus VAT. Cases of medium complexity or which require a hearing lasting in excess of a day are likely to cost £10,000.00 to £17,000.00 plus VAT while highly complex or cases which last over three to four days are likely to incur costs of over £18,000.00 to £25,000.00.

We will require payment on account of costs and disbursements, and it is our practice to deliver regular interim bills.

Throughout the case, we advise on the merits and likely award and the costs incurred and to be incurred to enable you to monitor matters and consider the most appropriate course of action and any possible offers for settlement made by the other party or which you may wish to make to achieve an earlier resolution and avoid additional costs being incurred.

As to time scale a tribunal case would normally last 9-12 months from issue of the claim. There are not normally any anticipated services not included but each case is individual and should additional services be needed they would be discussed as and when necessary.

Please Note: VAT is added to costs and each disbursement at the prevailing rate – currently 20%