

## **Guildhall Chambers - Employment Tribunal cases**

### **(unfair dismissal and wrongful dismissal only)**

Certain barristers at Guildhall Chambers (within the specialist Employment Team) can advise both employees and employers on unfair dismissal and wrongful dismissal claims on a direct access basis. Certain barristers within the employment team can also represent both employees and employers on a direct access basis at the Employment Tribunal.

Please note that not all of the employment team at Guildhall Chambers can act for you on a direct access basis, please refer to the Direct Access page on our website (at <http://www.guildhallchambers.co.uk/public-access.html>) or contact the clerks to see which barristers can act for you on that basis.

None of our barristers are authorised to conduct litigation on your behalf.

### **Timescales**

Please read the general information provided on timescales ('Do you have timescales for the services which you provide?') which is available in our transparency information because this will apply to this area of work. All barristers will aim to complete any written/or advisory services within 28 days where possible.

If you need any advice and/or representation on an urgent basis then please contact our clerks and where possible our barristers will aim to represent/advise you on that basis. If you wish to instruct a barrister to provide their services within a fixed timescale, then you will need to agree this with the barrister via their clerk when providing instructions.

As a very rough estimate, more straightforward cases tend to have a preliminary hearing date within four to six months of a claim being made. Preliminary hearings are usually where decisions are made by the tribunal about what issues arise in your case and how it should progress through the Employment Tribunal.

Further hearing dates (i.e. those hearings after the preliminary hearing such as the trial) may be set at the preliminary hearing stage, and will normally be within six months of this date. Any remedy hearing could be immediately after the tribunal, or will be listed at the next convenient time for the parties involved.

### **Fees**

We will normally charge you a fixed fee for representation in employment tribunal cases concerning unfair dismissal and wrongful dismissal where you instruct a barrister from Guildhall Chambers on a direct access basis. We will normally charge you on an hourly basis for advisory work where you instruct a barrister from Guildhall Chambers in relation to unfair dismissal and/or wrongful dismissal on a direct access basis.

A 'fixed fee' means that we will charge you a figure for the work which the barrister will not normally exceed. However, in certain circumstances if further work is required not originally envisaged at the time that your fixed fee was provided or the circumstances of the case alter, then the barrister may be required to exceed that fee. However, we will aim to inform you if the fee provided is likely to be exceeded.

Please see below a range of **estimates** for the fees involved in instructing barristers from Guildhall Chambers to act on a direct access basis in cases involving unfair/wrongful dismissal matters. All fees **exclude** VAT (where applicable).

Junior Counsel	Written advice on your claim (based on 4-10 hours of work)	Preparation of case, including meetings with you and assistance with drafting of any tribunal documents (based on 4-10 hours of work)	Preliminary hearing (whole day)	First day's tribunal appearance*	Tribunal appearances per day, after the first day	Remedy hearing (to decide compensation)
Up to 15 yrs call	£800-£2,500	£2,000-£3,750	In the region of £2,000	In the region of £3,000	£1,500	In the region of £2,000
Over 16 yrs call	£1,000-£3,000	£2,500-£4,500	In the region of £3,000	In the region of £4,000	£1,750	In the region of £3,000

\* The fee for the first day in tribunal, depends on the complexity of the case, and the number of days the tribunal is expected to run for. The figures above refer to the first day of a two-day tribunal case.

Hourly rates for advisory work

	Hourly rate
Junior Counsel	
Up to 15 yrs call	£200-£250
Over 16 yrs call	£250-£300

**Please note that these are estimates only and may not apply in the circumstances of your case. Please contact the clerks at [Civil.Clerks@guildhallchambers.co.uk](mailto:Civil.Clerks@guildhallchambers.co.uk) (or telephone on 0117 930 9000) for a more detailed estimate applicable to the circumstances of your case.**

There will be certain factors which may increase the level of work involved, and therefore the fees which are likely to be charged (or the number of hours involved). These factors will determine where the fee involved in your case will fall within the range of above fee estimates (if the fee falls within that range at all) and the number of hours involved for advisory work.

Those factors include:

- (i) The seniority of barrister required for your case. The more experienced the barrister (which is normally calculated on the number of years since they were called to the bar) the higher the likely level of fees to be charged.
- (ii) The number of papers involved in the case and/or the complexity of the factual issues involved.

- (iii) The time in which you require the work to be turned around and/or the services to be provided. More urgent work will often involve a higher level of fee (for example if this involves the barrister working over a weekend or prioritising your case over other work).
- (iv) The amount of time that your case will require the barrister to be in court.
- (v) The amount of travel time required for the barrister to get to and from court. Travel time is usually charged at half the barrister's hourly rate.
- (vi) The complexity of the legal issues involved.
- (vii) The significance of the case more generally, for example if the case has wider ramifications for the client generally and/or public or legal significance.

If you are concerned about the level of fees which may be involved in your case please inform the clerks at the earliest opportunity who will be able to discuss with the barrister how costs can be managed on the case. Please note that fee indications are (unless expressly agreed otherwise) not "caps", and if a barrister is required to do more work on the case, then they will charge accordingly. We will always aim to inform you if the fees on the case are likely to exceed the fee quotes or estimates previously provided. The best way to manage the level of the fees is to discuss the circumstances of your case (including any issues regarding fees) with the clerks when initially seeking to instruct a barrister.