



Burley Law

## Costs information for bringing and defending claims for unfair or wrongful dismissal.

Note: all costs are subject to applicable VAT in addition.

We do not do any work involving Tribunal claims on a fixed fee or contingency ('no win, no fee') basis. We would usually charge on an hourly basis depending on the seniority of the fee earner, which in turn depends on the nature of the claim. This can range from £165 to £195 per hour for a paralegal or solicitor apprentice to £320 to £360 per hour for a senior lawyer. Our fee earners range from junior paralegals and a solicitor apprentice to solicitors with many years' experience of HR and employment work. Our paralegals and solicitor apprentice have a degree in law. Our solicitors include Liz Burley and Des Burley who have many years of experience. Liz Burley qualified in 1996 and has practised in employment law for around 20 years. Des Burley qualified in 1998 and may work on certain aspects of employment matters. All Tribunal matters will be overseen and run by Liz Burley.

At the outset we will provide you with a written estimate of the costs that are likely to be involved, and we will keep you updated on costs at regular intervals as the matter progresses. We will ensure that the work is done by the most appropriate level of fee earner so that costs are well managed.

The Solicitors Regulation Authority (SRA) requires solicitors to publish information about some of the services we provide. In our case we are required to publish cost information about advising and representing clients (employers and employees) in unfair dismissal and wrongful dismissal claims in the Employment Tribunal.

It is important to point out that in many cases involving unfair dismissal and wrongful dismissal, a settlement is reached before the claim reaches a final hearing. It is also important to point out that in employment tribunal claims costs are almost never recoverable from the opposing party.

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

- Simple case: £7,500-£12,500
- Medium complexity case: £12,500-£20,000
- High complexity case: £35,000-£40,000

Examples include:

Simple cases – a claim for any of the following where the case is listed for a one-day hearing:

- unfair dismissal
- breach of contract
- wrongful dismissal
- unlawful deductions from wages.

Medium complexity cases – a 2/3 day hearing involving more than one of the claims listed above or a discrimination, harassment or detriment claim involving a limited number of alleged acts of discrimination or detriment and few witnesses.

High complexity cases – a 4+ day hearing involving multiple types of claim (unfair dismissal, discrimination, harassment, detriment, unlawful deductions from wages etc) and multiple witnesses.

**Personal. Expert. Straightforward.**

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(SRA number 617865)

### **Other 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), or whether the claim has been brought in time
- 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
- Multiple parties

### **Disbursements**

Disbursements are costs related to your matter that are payable to third parties, such as barrister's (also referred to as 'counsel') fees. We handle the payment of the disbursements on your behalf to ensure a smoother process. If a barrister is instructed you will be responsible for their fees. Barristers are only instructed after discussion with you and cost estimates will usually be obtained prior to them being instructed. We may recommend instructing a barrister to draft legal pleadings or to provide advice (either in writing or in a conference with you) on the merits and/or value of the claim and/or on specific procedural aspects of the case. A barrister's fee is usually based on the amount of time they spend reviewing the relevant documents, preparing pleadings or advice or attending a conference with you, according to their hourly rate – this can vary between £125 (junior) and £350 (senior). A barrister's fee for representation at a hearing (known as a brief fee) typically ranges from £1,500 to £3,000 per day (depending on the seniority and experience of the advocate) for attending a Tribunal Hearing (including preparation) – in exceptional cases, this may be higher. For multiple day hearings a refresher fee is charged for each subsequent day, ranging from £500 to £1,000 a day.

We will usually recommend that you are represented by Counsel at a final hearing.

### **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 if relevant to the claim
- 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 or parties' witness statements
- Agreeing a list of issues, a chronology and/or cast list
- Preparation and attendance at Final Hearing, including instructions to Counsel
- Regularly reviewing and advising on the merits of the claim as it progresses
- Dealing with remedies if appropriate (if the claim succeeds at the Final Hearing)

The stages set out above are a broad indication and if some of stages above are not required, the costs will be reduced. You may wish to handle the claim yourself and only have our advice in relation to some of the stages, in order to manage your overall legal spend.

## 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 ACAS conciliation, your case is likely to take up to 9 weeks. A settlement could also be reached at any time after the claim is issued in the employment tribunal up until the final hearing. If your claim proceeds to a final hearing, your case could last anywhere between 12-24 months, but some cases could take considerably longer.

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.

Timescales can also be affected by factors outside our control such as the approach taken by the other party or parties and administrative delays in the Tribunal system. During 2025, significant backlogs were reported for listing tribunal cases for hearing with some tribunals listing cases some 3 years ahead.

## Legal expenses insurance funding for employment claims

Legal Expenses Insurance (LEI) helps cover the cost of legal fees if you bring an employment claim, such as unfair dismissal or discrimination, to an employment tribunal. It's often included as an add-on to home, motor, or bank account insurance or it may be available through membership of a trade union or a professional association.

LEI is a policy that pays for legal costs when you need to make an employment-related claim. It must be in place before the issue arises. It typically covers:

- Solicitor and barrister costs for tribunal hearings
- Expert witness fees, if needed
- Opponent's legal costs, if ordered

There is usually a limit on the amount of cover that can be claimed under the policy. The limit will vary depending on the policy but can typically be anywhere between £25,000 and £100,000 in legal costs.

LEI does not usually cover:

- Early-stage processes like ACAS Early Conciliation
- Internal grievance or disciplinary meetings
- Legal issues unrelated to employment tribunal claims (for example advice on a data subject access request in employment)

### How to Use Your LEI

- Check your policy documents to confirm coverage
- Notify your insurer as soon as you receive your ACAS certificate
- Insurer appoints a solicitor from its approved panel to handle your claim. You may be able to choose your own solicitor, but this will be at your insurer's discretion and subject to their approval
- Submit all documents and evidence to your solicitor who will be required to conduct an assessment of your claim for the insurer's approval
- If approved, insurance covers representation and related costs and your solicitor will conduct the claim on your behalf

### Limitations & Pitfalls of LEI

- Approval depends on prospects of success (usually 51%) and financial value of the claim
- There may be eligibility criteria – time limits for reporting the claim, type of claim
- Panel solicitors agree to work for fixed rates in return for high volumes of work. They may offer limited service or may not have the relevant legal expertise for your claim. Your case may be handled by a paralegal rather than a solicitor

We are experienced at bringing and defending claims in the employment tribunal including those funded by LEI. Contact us to discuss your claim if you have LEI or if you would like to know more.