



MACROBERTS

**PROFESSIONAL FEES**

Employment

We are a commercial law firm and primarily advise and represent employers. However, in some cases we do act for individuals and so this information is provided to promote price transparency by publishing our pricing information in a way that is easily accessible, prominent and understandable for individual clients as consumers.

Varying complexity and circumstances of an individual's legal matters makes it difficult to provide set prices. The intent and purpose of this is to provide a general idea as to cost, not to publish a binding price. We can provide estimates for particular pieces of work on request, as long as sufficient information and, if requested, documentation is provided by the client for us to do so.

The most typical services we provide to individual consumers for advice in employment law are advice on Settlement Agreements and bringing Employment Tribunal Claims.

### Settlement Agreement – typical range of costs

The most common settlement agreement advice is on the terms and effect of the settlement agreement proposed to an employee by their employer.

We have set out below our example pricing structure for advice on settlement agreements offered by an employer to an employee based on the cost of advice on a typical agreement.

The price will vary depending on the complexity of the case. We will provide you with our estimated price following an initial discussion to discuss your particular matter.

The time spent on your case also impacts significantly on the price. More complex cases will require more time.

Factors which could impact on the complexity of the case include:

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| <ul style="list-style-type: none"> <li>• Whether there is a dispute as to your employment status or jurisdiction</li> <li>• Whether you are in dispute with your employer; and if so, the nature of that dispute</li> <li>• Whether there is related ongoing litigation – e.g. a tribunal claim or court action</li> <li>• Whether you agree the terms of the agreement in principle and are prepared to accept it</li> <li>• Whether you need advice from us on your circumstances for you to decide if you wish to accept the offer</li> <li>• Whether you wish us to write to your employer and/or negotiate on your behalf</li> <li>• Whether or not you have acted in line with your contractual obligations</li> </ul> | <ul style="list-style-type: none"> <li>• Whether you have restrictive covenants</li> <li>• Whether there are other factors, such as that you are a company director and or shareholder</li> <li>• The nature of your remuneration and/or employee benefits and/or pension arrangements</li> <li>• Whether you need advice on good leaver/bad leaver status</li> <li>• Whether you need corporate, tax and or pension law advice</li> <li>• Delay or failure in your giving us instructions</li> <li>• Whether the agreement needs signed twice/ reaffirmation</li> <li>• The urgency of your need for advice/representation</li> </ul> |
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Below, we have set out our typical range of prices by way of illustration:

<b>Simple case*</b>	£650 - £1,000 (excluding VAT at 20%)
<b>Moderately complex case*</b>	£1,200 - £3,500 (excluding VAT at 20%)
<b>Highly complex case</b>	£3,500 - £20,000 (excluding VAT at 20%)

\* This is unlikely to include detailed specialist tax, corporate law or pensions or employee benefits advice.

The above illustrative prices will include the following key stages, although these are provided for illustrative purposes only. Not all stages may be required. Other work such as specialist corporate, tax, pensions and employee benefits law advice may be required, which is not listed. This will depend on the circumstances of your case. Some cases may require more stages, and this will increase price.

- Taking initial instructions
- Review of your contract of employment and other relevant documentation
- Review of settlement agreement terms
- If instructed, negotiation with your employer as to the terms of the agreement
- Advising you on the terms and effect of the settlement agreement
- Signing the adviser's certificate to confirm you have received advice
- Sending your signed agreement and the adviser's certificate to the employer

Our fees are payable regardless of any contribution to your legal expenses which your employer may agree to make. If your employer makes a contribution, it is unlikely to cover all your costs. If they agree to make a contribution and do not pay it, you will be responsible for payment of our fees in full.

We charge by reference to the amount of time taken to undertake the work needed at the relevant hourly rates of the team members involved. Relevant hourly rates range from around £135 (plus VAT) for a trainee to around £350 (plus VAT) for a partner. The hourly rate for your case will depend on who is primarily working on your behalf and will be agreed with you at the time of our appointment. We also charge an administration fee of £30 for opening your file and checking your identity information.



## Employment Tribunal Claims – typical range of costs

The most common cases for individuals are claims for wages, redundancy pay, breach of contract, unfair dismissal, wrongful dismissal, whistleblowing detriment or dismissal; discrimination, holiday pay or working time; and equal pay. This is indicative and not an exhaustive list.

Below, we have set out our example pricing structure for bringing a claim for wrongful or unfair dismissal based on the cost for a typical case. Similar pricing structure will apply to the other types of tribunal claims above.

The price will vary depending on the complexity of the case. We will provide you with our estimated price following an initial meeting to discuss your particular matter.

The time spent on your case also impacts significantly on the price. More complex cases will require more time.

Factors which could impact on the complexity of the case include:

- Whether there is a dispute as to your employment status or jurisdiction.
- Whether there is related ongoing litigation – e.g. a tribunal claim or court action.
- The type of claim – e.g. a claim for wages or a redundancy payment, or which a fast-track tribunal case is less complex than a claim for ordinary unfair dismissal. A claim for ordinary unfair dismissal is less complex than a claim for whistleblowing dismissal or discriminatory dismissal or equal pay. Whistleblowing, discrimination, working time and equal pay claims are rarely simple and will usually be complex.
- The number of legal claims. Sometimes claims include different heads of claim under different legal provisions e.g. a claim for wages and for unfair dismissal will be more complex than a claim for wages only.
- The number of parties.
- The number of witnesses.
- The number/volume of documents.
- Whether the case is about a complex or novel point of law.
- Allegations of discrimination or whistleblowing.
- Whether it needs complex case management.
- Any delay in the case proceeding to a final hearing.
- Failure to agree issues.
- Delay or failure in you giving us instructions.
- The urgency of your need for advice/representation.
- The importance of the issues at hand.

Below, we have set out our typical range of prices by way of illustration:

<b>Simple case</b>	£7,500 - £25,000 (excluding VAT at 20%)
<b>Moderately complex case</b>	£25,000 - £50,00 (excluding VAT at 20%)
<b>Highly complex case</b>	£50,000 - £200,000 (excluding VAT at 20%)

The above illustrative prices will include the following key stages, although these are provided for illustrative purposes only. Not all stages may be required. Other work may be required which is not listed. This will depend on the circumstances of your case. Some cases may require more stages, and this will increase price. The pricing assumes there is no counterclaim by the employer and that the case is in the UK jurisdiction.

- Taking initial instructions and providing preliminary advice
- Entering into pre-claim conciliation to explore if agreement can be reached.
- Preparing claim or response to claim
- Instructions to counsel, if instructed
- Reviewing claim or response of other party
- Exploring possible settlement and entering into discussion where appropriate
- Preparation/reviewing schedule of loss
- Preparation and attending preliminary hearing(s)
- Making or responding to case management applications
- Taking and drafting witness statements and agreeing contents
- Preparing witness statements
- Reviewing opponent's case and witness statements
- Reviewing and preparing bundle of documents
- Agreeing list of issues
- General case management
- Preparation and attendance at final hearing
- Making or defending costs application
- Review of Judgement
- Exploring, negotiating and agreeing settlement

The price excludes outlays. There are sometimes costs that may need to be paid to third parties. These may include:

- Counsel's fees – if a decision is made to instruct Counsel to deal with any part of your case
- Expert witness fees
- Photocopying or documents and outlays for Bundle preparation
- Travel and subsistence costs if the case is not in the Scottish central belt

Our fees are payable regardless of the outcome of your claim. Usually in Employment Tribunal claims, expenses awards are an exception. Each party bears its own costs unless the Tribunal determines there are grounds for expenses to be ordered. Even in that case, any expenses award would be a contribution to, and would be unlikely to cover all your costs.

We charge by reference to the amount of time taken to undertake the work needed at the relevant hourly rates of the team members involved. Relevant hourly rates range from around £135 (plus VAT) for a trainee to around £350 (plus VAT) for a partner. The hourly rate for your case will depend on who is primarily working on your behalf and will be agreed with you at the time of our appointment. We also charge an administration fee of £30 for opening your file and checking your identity information.

Some individuals have a legal expenses insurance policy which may cover or contribute to the legal expenses of bringing a claim in the Employment Tribunal or Employment Appeal Tribunal or civil court, depending on the circumstances. You should check if you have such a policy.

If there is an agreement between us, an insurer, and a client to carry out work for the client under such a policy (specific terms about what is covered would need to be agreed) ultimately, the client is responsible for paying our fees if the insurer does not. Any work done for a client in order to get the insurance cover granted and/or before an arrangement is agreed between us and the insurer is also the client's responsibility. Our charges are based on the hourly rates above, unless otherwise agreed.



# Contact Us



Katy Wedderburn

Partner

[katy.wedderburn@macroberts.com](mailto:katy.wedderburn@macroberts.com)

0141 303 1372



Deborah Miller

Partner

[deborah.miller@macroberts.com](mailto:deborah.miller@macroberts.com)

01382 339 350

## About Us

MacRoberts is one of Scotland's leading law firms with a history and heritage tracing back over 150 years. Through the delivery of high-quality, innovative and practical solutions for clients, along with an impressive ability to adapt to the contemporary commercial landscape, we have maintained a position of leadership and prestige in the Scottish legal sector and beyond.

Our strength comes from our collaborative relationships and connections – we have an extensive network of clients and contacts throughout Scotland, as well as strong links to the wider UK and international markets.

We are more than just lawyers – we are industry experts with unrivalled commitment to the sectors in which our clients operate. In this era of digital revolution and economic difficulty, we have risen to the challenge in the same way we have done for more than 150 years – with sophistication, passion and expertise