



CLYDE&CO

SRA Transparency Rules

Updated 11 March 2019

Pricing for claims for unfair and wrongful dismissal in England and Wales

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Our charges for bringing and defending routine claims for unfair and wrongful dismissal in England and Wales

For routine instructions (where the substantive hearing is scheduled for three days or less) we price on a fixed fee basis as shown below (the fees quoted are exclusive of VAT and disbursements).

- One Day £28,000
- Two Day £35,000
- Three Day £45,000

A list of factors which would cause an employment tribunal claim to fall outside of this fixed price proposal are noted below. Any instruction which would not be covered by these fixed price proposals would be identified on instruction and we would agree with you a fee estimate for your instruction.

For clients wishing to engage with us across a portfolio of tribunal or employment work more generally we would recommend contacting us directly to discuss your requirements as we are likely to be able to adjust the scope and pricing of our offer to reflect your specific needs and budget.

What is not covered by our fixed fee proposals?

There are a number of factors which would cause an instruction to become more complex and therefore fall outside of these fixed fee proposals. Those factors would be:

- If it is necessary to make or defend applications in the course of the claim: examples include to add or remove parties, to seek or provide further information, for strike out or deposit orders, unless orders, confidentiality or restricted reporting orders, costs, witness attendance orders, and admissibility of evidence
- Defending claims that are brought by litigants in person or vexatious or serial litigants
- To bring or defend an interim relief application (an order for continuation of employment pending the claim being resolved)
- Preliminary issues such as the identity of the correct employer or over the employment status of the claimant
- If it is an automatic unfair dismissal claim e.g. an allegation the employee has been dismissed after whistleblowing or for a trade union reason
- Dismissals connected to a transfer of a business or out-sourcing which are caught by the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) and if there are multiple parties
- Dismissals connected to a collective redundancy process or if a union is involved
- If expert evidence is required, for example in relation to pension loss or job prospects
- Dealing with orders to dismiss a claim or response or for default judgment or to seek to revoke a default judgment
- Applying for or defending an application for a review
- Judicial or other mediation
- If the employer has a counterclaim against the employee
- Multiple claimants or respondents
- If disclosure is required from a third party
- Concurrent, overlapping or related proceedings (e.g. High Court or professional regulatory proceedings)
- There is an overseas element to the claim e.g. (i) the respondent is an overseas organisation and the claimant works in the UK; (ii) the respondent is a UK employer but the claimant works abroad, or (iii) the respondent is an overseas employer and the claimant works abroad but UK employment law impacts on the relationship

Disbursements

Disbursements are costs related to your matter, being either costs we incur or those which are payable to third parties, such as barrister's fees. We handle the payment of the disbursements to third parties on your behalf to ensure a smoother process (although we require you to remit us funds in advance).

Barrister's fees for preparing for and attending the hearing are additional to the prices quoted and are charged at cost.

We would estimate barrister's fees to range from £1,000 - £5,000 (excluding VAT) for a case falling within the remit of our fixed fee proposal.

Cases where expert evidence is required to support the claim would fall outside of the scope of our fixed fee proposals and we would agree with you at the outset of an instruction what the likely additional costs of these disbursements will be.

Other disbursements, such as travel and accommodation expenses together with copying and printing are included within our fixed fee.

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 the other party
- Exploring settlement and negotiating settlement throughout the process, this can include mediation if appropriate
- Preparing or considering a schedule of loss or producing a counter-schedule
- Preparing for (and attending) a Preliminary Hearing
- Exchanging documents with the other party and agreeing a bundle of documents
- Taking witness evidence, drafting statements and agreeing their content with witnesses
- Preparing bundle of documents
- Reviewing and advising on the other party's witness evidence
- Agreeing a list of issues, a chronology and/or cast list
- Preparation and attendance at Final Hearing, including instructions to a barrister

It may be that not all of these stages are required in respect of each instruction however, the fee is fixed, and will neither increase nor decrease, irrespective of which of these stages are required.

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 is likely to take 4-8 weeks. If your claim proceeds to a Final Hearing, your case is likely to take 24-36 weeks. 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. Timetables are generally set by the court or tribunal.

Who will be responsible for my matter?

The Employment Team in England and Wales is distributed across our offices and managed by a partner team based in London. Detailed profiles of our Partners, Legal Directors and Senior Associates can be found on our website (<https://www.clydeco.com/people/>)

Partners:

- Charles Urquhart London
- Chris Holme London
- Frances Ross Glasgow
- Graham Mitchell Glasgow
- Heidi Watson London
- James Major London
- Nick Elwell-Sutton London
- Robert Hill London
- Robert King Glasgow
- Stephen Miller Glasgow

Senior Associate:

Senior Associates are experienced lawyers who demonstrate strong technical skills and who supervise more junior team members. Senior Associates will lead instructions on their own with the support of partners where necessary.

- Aideen Ruddy London
- Anna Patashnik London
- Simon Tovey London
- Tom Saville Manchester

Associate:

Associates have a good understanding of their respective area of law and will typically have practiced in their respective field for more than three years.

- Annette Legat London
- Caroline Loving London
- Hannah Crisp London
- Jennifer Bevan Manchester
- Kirsty Graydon Glasgow
- Lauren Davies London
- Suzanne Staunton London
- Victoria Jervis London

Pricing for immigration services in England and Wales

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Our charges for UK immigration services

For routine instructions we price for our services on a fixed fee basis as shown below (the fees quoted are exclusive of VAT and disbursements).

| | | |
|--|--------|--------|
| • Applications for naturalisation or registration under the BNA 1981 | £2,000 | |
| • Applications under the European Regulations | £2,200 | |
| • Student and Work Experience visas | £2,200 | |
| • Visit Visas | £ 850 | |
| • Dependent relative and family reunion applications | | £2,800 |
| • Ancestry Visas | £2,300 | |
| • Applications for Indefinite Leave to Remain and equivalent status | £5,000 | |
| • Spouses and partners' applications including fiancé(e)s or proposed Civil Partners | £3,000 | |
| • Initial and extension applications under Tier 1 Points Based System | £7,500 | |

A list of the factors which would cause an immigration application to fall outside of this fixed price proposal are noted below. Any instruction which would not be covered by these fixed price proposals would be identified on instruction and we would agree with you a fee estimate for your instruction.

For clients wishing to engage with us across a portfolio of immigration or employment work more generally we would recommend contacting us directly to discuss your requirements as we are likely to be able to adjust the scope and pricing of our offer to reflect your specific needs and budget.

What is not covered by our fixed fee proposals?

There are a number of factors which would cause an instruction to become more complex and therefore fall outside of these fixed fee proposals. Those factors would be:

- applications following the outcome of the initial application including administrative review, appeal or judicial review
- applications for accompanying, eligible dependants not made at the same time as the primary application
- ad hoc, strategic advice for prospective Immigration applications
- applications where a previous application has been refused

Disbursements

Disbursements are costs related to your matter, being either costs we incur or those which are payable to third parties, such as barrister's fees. We handle the payment of the disbursements to third parties on your behalf to ensure a smooth application process (although we require you to remit us funds in advance).

In respect of routine immigration applications the largest third party disbursements would be the application fee itself. These fees are set by UK government and are published on the government website (a link to the citizenship and visa fees pages are below). Alternatively when instructing us please ask for our guidance and we can advise you of the appropriate application fees.

Citizenship Application Fees

<https://www.gov.uk/government/publications/fees-for-citizenship-applications/fees-for-citizenship-applications-and-the-right-of-abode-from-6-april-2018>

Visa Fees

<https://www.gov.uk/visa-fees>

In addition in some cases it may be necessary to incur additional costs in respect of notary, translation or courier fees. If we believe these services are necessary we will notify you of the additional charges this will incur.

Other disbursements, such as travel and accommodation expenses together with copying and printing are included within our fixed fee.

Key stages

The fees set out above cover all of the work in relation to the following key stages of making an application:

- Taking your initial instructions, advising in respect of eligibility criteria
- Liaising with you to complete the application forms appropriately
- Reviewing and considering information provided
- Drafting application documents
- Reviewing and advising relating to supporting documents
- Drafting template documents to be executed in support of the application
- Coordinating submission of the application and supporting documents
- Liaising with contacts at the relevant authority in order to monitor the status of the process
- Advice relating to any additional materials requested by the authority and co-ordination with you in the provision of those materials
- Raising any questions or clarifying any issues with respect to your application
- Obtaining confirmation of the outcome
- Advising on next steps

It may be that not all of these stages are required in respect of each instruction however, the fee is fixed, and will neither increase nor decrease, irrespective of which of these stages are required.

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 how long it takes the relevant authority to process your application and the extent to which there are any additional requests for information made of you.

In some cases it is possible to expedite the process by choosing one of the UK government priority application processes however that approach will incur a higher application fee from the UK government.

The UK government publish their service standards which give an indication of the time it is likely to take to process an application once it has been submitted. This can be found by following this link:

<https://www.gov.uk/government/organisations/uk-visas-and-immigration/about-our-services>

Who will be responsible for my matter?

Jonathan Chaimovic:

Jonathan Chaimovic heads the immigration team at Clyde & Co. Jonathan has extensive experience of the full spectrum of UK inward Corporate Immigration matters, as well as the management of foreign processes, in conjunction with overseas offices and local correspondents. His corporate clients cover sectors including financial services, energy, online gaming, multimedia, construction and hospitality and also he represents Individuals.

Tim Richards:

Tim has experience of the full range of corporate immigration processes. He regularly provides advice on Tier 2 applications including Tier 2 Sponsor Licence applications for start-ups to global organisations. He carries out on-site audits of clients' associated HR processes and advises on right to work issues and prevention of illegal working with a view to obtaining and retaining A-rated Sponsor Licence status. Tim has also developed a specialism for Tier 1 (Investor) and Tier 1 (Entrepreneur) applications and frequently works alongside the firm's corporate department establishing UK companies and structuring compliant investments. A further key aspect of his practice is advising on all types of personal immigration including applications for family members in a UK and European free movement context (often involving a human rights element) as well as applications to naturalise and register as a British citizen.

Neena Samuel:

UK Immigration Manager – Neena has over a decade of relevant experience. Neena's expertise includes all applications under the Points Based System and complex family reunification cases.

Nisha Mahi:

Senior Immigration Advisor – Nisha has extensive experience of applications under Tier 2 of the Points Based system and applications under the European Regulations.

Charlotte Sutton:

Immigration Advisor - Charlotte is an Immigration Advisor with substantial experience of applications under Tiers 1 and 2 of the Points Based System.