

CMS Cameron McKenna Nabarro Olswang LLP

Scottish Law Society of Scotland Price Transparency Guidance

Employment matters

Our employment team predominantly act for employers but occasionally we are instructed by senior employees.

Range of pricing estimates for unfair and wrongful dismissal claims

Below we have set out our pricing structure for instructing our team in Scotland in connection with a wrongful or unfair dismissal claim in Scotland in the employment tribunal based on the cost for a typical case. (A wrongful dismissal claim in the civil courts is not covered by this price estimate.) A tribunal or wrongful dismissal claim in England would be subject to different fee arrangements.

The price estimate in these types of litigation will vary depending on a range of factors set out in more detail below. We will provide clients with our estimated price following an initial meeting to discuss the particular matter.

Factors which will have an impact on price:

- If we have an existing relationship with a client then we may decide to offer a negotiated rate to reflect the wider value of the relationship.
- If an employer instructs us to conduct a volume of litigation then we may also offer negotiated rates in relation to each case.
- We also offer clients enhanced technology options with access to online tracking of claims and if this is offered this will affect rates.

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

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

- Whether the hearing and any preliminary hearings are held virtually or in-person
- Number of witnesses and their availability
- Allegations of discrimination or whistleblowing
- Any delay in the case proceeding to a final hearing
- Failure to agree issues
- The involvement of experts
- Defending claims brought by litigants in person
- Complex preliminary issues
- The approach of the parties

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

Simple case	£15,000 - £30,000 (plus VAT 20%)
Moderately complex case	£30,000 - £75,000 (plus VAT 20%)
Highly complex case	£75,000 - £250,000 (plus VAT 20%)

The above illustrative price will include the following key stages, although these are provided for illustrative purposes only. Not all stages may be required. This will depend on

the circumstances of your case. Some cases may require more stages, and this will increase price.

- 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
- 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
- Taking and drafting witness statements and agreeing contents
- Reviewing and preparing bundle of documents
- Agreeing list of issues
- General case management
- Preparation and attendance at final hearing

The price will exclude outlays. These are 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
- Medical reports
- Costs for preparation of hearing paperwork (bundles)
- Travel and accommodation, depending on location of hearing