

Employment Tribunal Claims

Advice to enable employers to
maintain control and maximise
chances of success



“ Our business recently experienced a number of different and sometimes complex employment issues. Catherine and her team have been excellent at guiding us through the minefield as well as being very effective in resolving claims. They are always a pleasure to deal with. Simply put, they provide a great service. ”

Schedule
Costs
Planning finished
Project Execution
 Subtask 1
 Initiating
 Executing
 Deliverable
 Subtask 2
 Initiating
 Executing
 Deliverable
Project closing
 General deliverable



Introduction

Protecting business operations and professional reputations are fundamental to employers; but dealing with an employment tribunal can have a significant impact on both, with an increased strain on time, costs and resource.

Facing a claim shouldn't mean your company or reputation has to suffer. Our project management approach to handling employment tribunals alleviates the pressure for employers, allowing you to hand over the management of the process so you can focus on your most important asset; your business.

Stay focused on your business.

Receive a project plan of key stages and milestones, enabling you to utilise your management time effectively.

Achieve clarity on costs. Choose from a range of cost-effective pricing options so you remain in control of your legal spend.

Maximise your chance of success.

Receive honest advice so you can make informed choices and commercially strategic decisions.

Be prepared. Benefit from dedicated support including preparation for individuals involved in a final hearing.

Stay focused on your business

Using a project management approach

Coupled with our transparent and cost effective pricing options we appreciate that a tribunal claim is, in essence, a key project between our client and us.

Managing this project properly and effectively with a clear project plan from the beginning to its resolution, ensures that the claim is handled in a way that maximises the chances of success.

It also minimises wasted costs and time, both in terms of legal fees and internal resources.

Proper project management reduces the inherent additional stress, pressure and distraction for your key personnel involved in the process. It also enables you to make informed, risk-assessed decisions on the strategy for your case.



Maximise your chance of success

Benefit from expertise and experience

In addition to our competitive, transparent and commercial approaches to pricing we offer wealth of tribunal experience and expertise.

We have acted for public and private sector employers across of range of standard and highly complex tribunal claims.

Examples range in scope from basic unlawful deduction from wages claims, through to 1 and 2 day unfair dismissal claims up to multi day highly complex discrimination and whistleblowing claims.

We have also acted for employers defending collective claims in areas such as TUPE and collective redundancies as well as on claims with multiple respondents.

The depth and broad range of experience within our team enables us to target the right level of resource and experience for each case, and each part of each case.

This enables us to deliver an appropriate cost effective solution to our clients.

Successful client stories

- Multiple Claimant TUPE & Unfair Dismissal Claim worth circa £1 million in the automotive sector – successfully defended.
- Sex discrimination/maternity and unlawful deduction of wages claim against an NHS Trust – successfully defended on all counts.
- Constructive unfair dismissal and breach of contract claim in the further education sector – successfully defended.

Clarity on costs

Pricing packages

Slice and price

Slice and price is simple; we divide the tribunal process into its main parts and provide you with a fixed cost for each part.

This gives you certainty, transparency and control. You know what the cost will be for a particular part and you know when it will be incurred.

It enables you to make informed decisions about the progress of the claim, whether to consider settlement, and if so when and supports an effective cost/benefit analysis.



Unbundling

Linked to our slice and price approach we offer “unbundled” tribunal support options. This means you choose whether you want us to represent you or if you wish to represent yourself.

In either case we break the tribunal claim down into its main constituent tasks, for example the response, disclosure, bundle preparation, preliminary hearings, witness statements, hearing advocacy etc.

We then agree which of those parts you will carry out for yourself and which you would like us to assist with or undertake. This can considerably reduce your legal costs as well as giving you transparency and control.

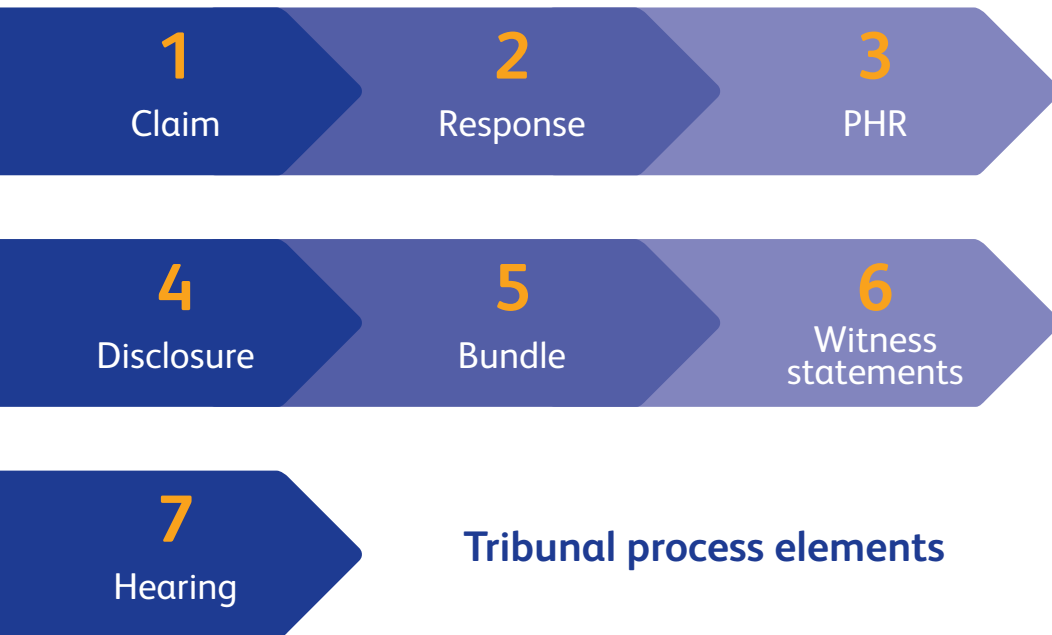
This approach enables you to take a commercial risk/benefit approach to each case deciding how much legal expertise (and cost) you wish to expend on any given case, taking into account the principles in issue, the financial liabilities, the wider implications and its complexity.

Fixed costs and bulk costs

We also offer fixed costs for the entire tribunal claim process from receipt of the claim to the completion of the Employment Tribunal hearing.

This gives you cost certainty and the reassurance of professional expertise handling the claim throughout. We agree with you when each element of the overall fixed costs are incurred giving you transparency and control over the process.

Additionally, we can provide bulk claim discounts; a fixed price per claim, with costs reducing based on the number of claims that we deal with over a defined period.



Tribunal process elements

Jargon buster

Barrister	In the employment tribunal claim context a lawyer who specialises in representing and presenting a case in court including a tribunal.
Bundle	Or the Trial Bundle or Hearing Bundle. Normally produced by the Respondent from the disclosed documents as the bundle to be used at the hearing.
Chair	The Employment Tribunal Judge. Often referred to as the Chair when hearing a case as part of a three member panel with two lay members alongside them.
Chronology	Commonly produced ahead of a full hearing, this is simply a timeline of the key events in the case. Often agreed between the parties.
Claim	The claim being made by the employee submitted using form ET1.
Claimant	The person bringing a claim, normally the current or former employee.
Counsel	A barrister.
Directions	These are orders made by the Employment Tribunal for the running and management of the case. They commonly include disclosure requirements, bundle requirements and exchange of witness statements.

Disclosure	The process in which the Claimant and the Respondent provide to each other a list of documents in their possession or under their control that are relied upon or relevant to the issues in the case. Often with copy documents provided as well.
EAT	The Employment Appeal Tribunal. The court to which appeals from the Employment Tribunal are made.
ET	The Employment Tribunal.
ET1	The form on which a claim is submitted.
ET3	The form on which an employer's response to a claim is submitted.
Lay Member	Whilst many cases are now heard by an employment judge on their own more complex cases are still heard by a panel of three, the judge and two "lay members". These are one from an employer background and one from an employee/union background with relevant industrial experience.
List of Issues	Often produced at a preliminary hearing stage. Often the Claimant and Respondent produce them/ seek to agree a list of the issues that have to be decided to determine the case. This often helps to focus more complex cases on the actual issues that are relevant and in dispute.

Notice of Claim	A document from the Employment Tribunal sent to the Respondent, normally in a letter style format, notifying the Respondent of a Claim against them and normally including the date by which a Response has to be submitted.
Orders	See 'Directions.'
PHR	A "Pre-hearing review". This is a type of preliminary hearing commonly used in discrimination claims or other complex claims to clarify the issues and set directions for the case.
Preliminary Hearing	Hearings held by the ET to consider preliminary issues such as jurisdictional points, claims being out of time, claims having no reasonable prospects of success etc.
Respondent	The person(s) against whom the claim is being brought. Normally the employer.
Response	The response to the claim submitted by the employer on form "ET3".
Trial/ Full Hearing	The tribunal hearing at which the case is heard.
Witness Statement	The evidence of a witness recorded into a written statement.

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