

# Capped Fee Employment Tribunal Representation 2026

Defending employment tribunal claims can be stressful, time-consuming and expensive. One of the key challenges for employers is the uncertainty around legal costs.

To address this, the employment team at Paris Smith offers a capped fee service for employment tribunal cases meeting the criteria set out below. This provides certainty as to the maximum fees payable and helps employers manage risk effectively. This includes supporting employers with recent changes under the Employment Rights Act 2025 and upcoming reforms in 2026. Our advice is practical, commercially focused and tailored to your organisation.

## Capped fees

Our capped fee service applies to employment tribunal hearings listed for one or two days, irrespective of the nature of the claim. We are able to provide capped fees for longer cases but these will be given on a case by case basis.

Our capped fee service is designed to be simple and transparent.

For a case listed by the Tribunal as a one-day Employment Tribunal case, our maximum charge will be:

- £10,000 plus VAT (Solicitor / Associate)
- £18,000 plus VAT (Partner)

For a case listed by the Tribunal as a two-day Employment Tribunal case, our maximum charge will be:

- £14,000 plus VAT (Solicitor / Associate)
- £22,000 plus VAT (Partner)

## What if a case runs over the allocated time?

Tribunals do not always get the listings right and sometimes a case listed for one or two days cannot be completed. If a case is listed for one or two days, we will assume it will be completed in this time but, if it then goes into an extra day, we will charge you in accordance with time spent preparing for and attending on the extra day, subject to a maximum of £2,000 plus VAT.

We will treat a case as being completed if all procedural steps are concluded including, for example, closing submissions. Where submissions have not been completed and have to be submitted in writing, the case will be treated as continuing into the next day.

## Is travel time included?

We will not charge for travel if the hearing is in Southampton or Reading. Otherwise, travel will be charged at 50% of our normal rates.

## Where will witness meetings take place?

The capped fee provides for one meeting with witnesses at our office to enable us to prepare witness statements.

We are willing to travel to other locations to meet witnesses but, if we do so, travel time will be charged at 50% of our normal rates.

If you require additional meetings we will be happy to arrange/attend these but they will be charged in addition to the capped fee.

## What about other expenses?

Expenses such as mileage, train travel, parking and photocopying will be charged in the usual way.



## Conditions applying to this service

We aim to keep this service simple and to avoid "hidden charges" but no two Employment Tribunal claims are the same and we must therefore allow for these variations. On the following pages, we set out the conditions which will apply to the capped fee Employment Tribunal service.

**What are the likely expenses?**

The usual expenses are photocopying and travel expenses.

Respondents will often be asked or required to prepare the bundles for the final hearing and documents also need to be copied during the disclosure process.

**What if there is a preliminary hearing?**

The employment tribunal might list the case for a preliminary hearing. These can be as short as 30 minutes or can last all day, depending on the issue to be decided. Sometimes preliminary hearings are conducted by telephone and sometimes we are required to attend at the tribunal in person.

If a preliminary hearing is listed, we will provide you with a capped fee for this hearing based on the time required and the location.

**Find out more**

Please contact us to discuss your requirements or to find out more about how we can support your organisation.

**Who will be in charge of the case?**

The capped fee applies where cases are dealt with on a day to day basis by a solicitor or associate in the employment team. One or two day cases will normally be suitable for a solicitor or associate. However, it is your choice and, if you require a partner to run the case, the capped fee for the case will be £2,000 plus VAT extra.

The capped fee does in any event cover supervision of the case by a partner.

**What if we use Counsel?**

We reserve the right to instruct counsel to attend any hearing although we will, of course, discuss this with you first. Where we use counsel, the cost will be included in the capped fee.

**What if the case is settled early?**

If the case is settled early then we will charge you the time we have spent dealing with the case together with a 20% "success fee" (always subject to the overall cap on fees).



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