



Understanding the key stages of employment tribunal proceedings for wrongful dismissal and unfair dismissal claims, and the role of your solicitor

This table explains the role of your solicitor at each of stage of a standard employment tribunal claim, whether you are the individual employee who is bringing the claim, or the employer who is responding to the claim.

We hope this helps you to understand the process, and how our employment lawyers can support you at every step of the way.

Individual employee - the claimant	Employer - the respondent
<p>We take your initial instructions, review any papers and advise you on the time limits, merits and likely compensation.</p> <p>We will review these as the matter progresses and as we learn more about your case and your employer's response.</p>	
	<p>We take your initial instructions, review any papers and advise you on your position and next steps.</p>
<p>When required, we will contact ACAS, to explore whether you could settle the case before bringing your claim to the tribunal.</p>	<p>We will respond to contact from ACAS to explore whether the employee will settle the case before bringing a claim to the tribunal.</p>
<p>We prepare the claim and file the claim form with the employment tribunal.</p>	<p>We receive, review and advise you on the employee's claim.</p>
<p>We review and advise on the response that your employer files with the employment tribunal in its defence against your claim.</p>	<p>We prepare the response and file the response form with the employment tribunal.</p> <p>We advise you on the merits of the employee's claim and any likely compensation.</p> <p>We will review these as the matter progresses.</p>





<p>We help you to prepare for and attend any preliminary hearing.</p> <p>We deal with any case management orders made by the employment tribunal.</p>	<p>We help you to prepare for and attend any preliminary hearing.</p> <p>We deal with any case management orders made by the employment tribunal.</p>
<p>We consider and advise you on the possible settlement of your case and negotiate any settlement. We will do this throughout the process.</p>	<p>We consider and advise you on the possible settlement of the employee's case and negotiate any settlement. We will do this throughout the process.</p>
<p>We prepare a schedule of loss, setting out the compensation that you are claiming. This may need to be updated shortly before the hearing.</p>	<p>We receive and advise on the employee's schedule of loss.</p> <p>We prepare and provide the employee with a counter-schedule of loss.</p>
<p>We collect any relevant documents from you, prepare a list of these for the employer and provide the employer with documents they request from the list.</p>	<p>We collect any relevant documents from you, prepare a list of these for the employee and provide them with documents they request from the list.</p>
<p>We receive the employer's list of documents and request and consider documents on the list.</p>	<p>We receive the employee's list of documents, request and consider documents on the list.</p>
<p>We agree a bundle of documents with the employer that the employment tribunal needs to consider at the hearing.</p>	<p>We agree a bundle of documents with the employee that the employment tribunal needs to consider at the hearing.</p>
<p>We agree with the employer a list of issues, a chronology and a cast list for the employment tribunal to use at the hearing.</p>	<p>We agree with the employee a list of issues, a chronology and a cast list for the employment tribunal to use at the hearing.</p>
<p>We take a witness statement from you and your witnesses, draft the statements and agree the statements with you and your witnesses.</p>	<p>We take witness statements from you and your staff, draft the statements and agree the statements with your witnesses.</p>
<p>We receive and check the agreed bundle of documents, which is usually prepared by the employer.</p>	<p>We prepare copies of the agreed bundle of documents and provide these to the employee and the employment tribunal.</p>





We exchange witness statements with the employer.	We exchange witness statements with the employee.
We receive and advise on the witness statements provided by the employer.	We receive and advise on the witness statements provided by the employee.
We prepare instructions to the barrister who will represent you at the hearing.	We prepare instructions to the barrister who will represent you at the hearing.
We attend the employment tribunal hearing with you and the barrister.	We attend the employment tribunal hearing with you and the barrister.
We receive the employment tribunal's judgment and advise you on the implications.	We receive the employment tribunal's judgment and advise you on the implications.

The stages set out above are by way of indication, and some of the stages may not be required.

There may be additional stages in some cases, for example:

- in a case involving disability discrimination which may require expert medical evidence; or
- where a party applies for an order from the employment tribunal to require the other party to pay a deposit before being allowed to continue with part of their case.

If the claim is successful, the employment tribunal will decide how much compensation the employer has to pay the individual and if the employer should re-employ the individual. This may be at a separate hearing.

