



Factsheet: Funding Your Employment Case

There are various ways that people fund their employment cases.

At Pattinson & Brewer, our philosophy is that if you have good case, we will find a way of taking it forward for you.

Legal Expenses Insurance

Legal Expenses Insurance (where an insurer pays your legal fees) is often included in household contents or car insurance policies.

You will need to check the wording of your insurance policy, but commonly, this type of cover includes employment claims.

The insurer can usually withhold or withdraw cover if your case has poor prospects of success (meaning you must have a 51% or more chance of winning) or the amount you stand to win does not justify the cost of bringing the case.

Insurers sometimes want to choose your solicitor for you. The law says that once your case has been sent to the tribunal, you have the right to choose your own solicitor. If you want to choose your own solicitor before this time, you may still have the right if there are compelling reasons why.

Trade Union Membership

Trade unions are groups of employees and workers who join together to improve their working conditions.

Membership of a trade union has many benefits including free legal support, advice and representation in employment disputes.

Your union will have rules about when and how you can access these services and you should contact them direct to find out about the legal help available in your particular case.

Crowdfunding

Crowdfunding is raising money by asking the public to make donations. It is becoming increasingly common for people to use crowdfunding to help raise funds, gather support and increase public awareness for legal cases, including employment claims.

It is most likely to be successful where your case has implications for other workers or the employer involved has behaved in a particularly outrageous way.

You will need to promote your employment case to have the best chance of securing crowdfunding.

Talk to our employment lawyers, if you think your case is suitable for crowdfunding and if we think so too - we can help you promote it.

Free Legal Advice

Some charities such as Law Centres and Citizens Advice Bureaus, as well as student law clinics attached to law colleges, provide free advice (and in some cases) legal representation for employment claims.

Legal Aid

Legal aid (where legal costs are paid from public funds) is not available for most types of employment claims. It *is* available for discrimination at work claims but you will need to meet the financial conditions and in some cases, you may have to pay towards the cost.

Access to legal aid for discrimination cases is through the Civil Legal Advice helpline. Their number is 0345345 4345.

Assistance from the Equality & Human Rights Commission (EHRC)

The EHRC will sometimes assist people in bringing employment claims if they involve discrimination issues that have a wide impact.

Their funds are limited but if we think this applies to your case we can discuss with you the best way to go about requesting their help.

Paying Privately

If none of the funding options above are available to you or are suitable, and your finances allow, you can fund your case yourself.

Our employment lawyers will provide you with a clear and detailed estimate costs from the start of your case.

In many instances, we can agree a financial limit for each stage of your case and a set monthly payment plan so you can budget.

We have strict duty to act in your best interests and if we believe that you have no prospect of winning your claim, we will tell you this and politely suggest you don't waste your money on legal fees!

In appropriate cases (usually where you have a very strong case and are likely to recover sufficient compensation) we will agree to act for you on a 'no win, no fee basis'. This means that if you lose your case, you will not have to pay our fees.

Rather than pay to have us to do all the work on a case, some of our clients choose to spend their money on having us carry out discrete tasks, such as helping them with hearings or preparing key legal documents. This can work well in appropriate cases and is a way to keep your costs to a minimum.

Getting your Employer to Pay

In employment tribunal cases where your employer has a very weak defence or is acting/has acted in an abusive or otherwise unreasonable the tribunal can order that they reimburse you the money (or some of the money) you spent on legal fees.

In employment cases that settle, you have the option of making payment of your legal fees a condition of settlement.