

Human Resources Services

Level 6 – Employment Law – Tribunal Case Handling

What Is It?

The EBS 'Level 6' service provides an organisation with the relevant employment law expertise to handle an employment tribunal case.

The most effective solution is, of course, to avoid such situations in the first place, and EBS HR offer a number of services that can help an organisation avoid such an outcome (please see the fact sheets for Level 1 – Platform and Level 2 – HR Management Support). The requirement for organisations and employees to follow statutory grievance or disciplinary processes gives both sides an opportunity to resolve any dispute ahead of a tribunal.

It is only under very limited circumstances that an employer can remove the right of an employee to take a case to a tribunal, so even when an employer has done everything 'by the book' they may still end up facing a claim.

Thankfully for most employers a tribunal case is still a rare occurrence. This does mean however that they are unlikely to have the expertise in-house in dealing with one. Such employers can utilise EBS's expertise to plan and prepare for either a negotiated settlement, or for a defence of the tribunal claim.

What are the advantages to my organisation?

- **Up to Date Expertise:** All EBS HR professionals are required to keep up to date with both employment legislation and with legal case law. It is often the latter that will have a direct impact on your particular case.
- **Access to Specialist Legal Teams:** EBS HR works with a number of specialised employment law practitioners where they can get accurate advice on complex legal issues, as well as be called upon to represent an employer if they wish to have a formal legal team represent them on the day.
- **Route Cause Analysis:** Quite often a tribunal case is a symptom of something wrong within an organisation, such as poor management training, or inappropriate or out of date policies or procedures. EBS HR can provide recommendations following the case to provide solutions to tackle any such root causes and avoid a recurrence.

What Is Included?

The EBS Tribunal Case Handling programme typically consists of a number of activities:

- A briefing meeting to discuss the problem case and review all documentation pertaining to the case (including the tribunal application if things have progressed to that stage).
- Preparation of the employer's response to the tribunal (if that has not yet been submitted).
- Evaluation of whether a settlement may be reached between the employer and the individual (via ACAS) and the signing of a 'COT3' agreement that will bring the process to a conclusion.
- Provision of a 'Risk Statement' that details the likely outcome of a full tribunal hearing.

What Solutions Are Available?

The following solutions have been utilised with other clients, and provide an indication of the type of support EBS HR are able to offer:

- Review of applicable case law to identify winning strategies
- Training of individuals who will need to attend the tribunal, on the workings of the tribunal and how to conduct themselves
- Bundle preparation – collating all of the documentation that the employer will wish to rely on at the tribunal (and agreeing the bundle with the claimant)
- Route cause analysis to identify whether the issue could have been avoided
- Design of new processes and procedures as appropriate.

What Does It Cost?

The fees for providing the EBS HR Tribunal Case Handling Programme will vary according to the exact nature of the service being provided, the likely length of the engagement and whether specialist employment lawyers will need to be involved.

To provide an indication of costs, it is usual that Level 6 services are charged on a **daily rate of £750 plus VAT** plus expenses.

Employment Lawyer costs are typically from £175 per hour plus VAT.

About EBS Human Resources Services

EBS Human Resources is a specialist area of service from EBS Management Resources, a multi-disciplinary provider of business support services to companies with 15 - 100 employees. Service portfolios are provided for the key functions of Human Resources, Marketing, Sales and General Management. EBS clients cover a wide range of industries and include Dayla, Bucks Net Services, Nottingham Forest Football Club and Red Door Communications.

The complete set of Human Resources services includes:

- Level 1 – Platform
- Level 2 – HR On Call
- Level 3 – Training
- Level 4 – Enhancing Performance
- Level 5 – Strategic Human Resource Management
- Level 6 – Employment Law - Tribunal Case Handling

For more information on this service, please contact us on 01844 211084, or visit our website: www.ebs-hr.co.uk