

# Guidance

## *Transparency in price and service*

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### *Status*

This guidance is to help you understand your obligations and how to comply with them. We may have regard to it when exercising our regulatory functions.

### *Who is this guidance for?*

This guidance is for firms we regulate, who are required to publish information on prices and services they offer under Rule 1 of the SRA Transparency Rules [[solicitors/standards-regulations/transparency-rules](#)] It may also be helpful to all firms who want to be transparent about their price and service information.

### *Purpose of this guidance*

This guidance is to help you understand your obligations under our Transparency Rules. It helps you to understand ways in which you might comply with those obligations, as well as providing wider best practice advice and example templates [[solicitors/guidance/ethics-guidance/transparency-in-price-and-service/#templates](#)]. These are designed to help you consider how you might display the required information to make it as accessible as possible to your customers. You are not required to use the specific templates; they just for here for you to use and adapt if you wish so it works for you.

### *The SRA Transparency Rules*

Our rules aim to make sure consumers have the information they need to make an informed choice of legal services provider, including understanding what the costs may be.

The rules require all regulated law firms, and individual freelance solicitors who publish as part of their usual business that they offer certain services, to publish information on the prices they charge. These services are:

#### *For members of the public*

- residential conveyancing (Freehold sale or purchase, leasehold sale or purchase, mortgages and remortgages)
- Probate (uncontested cases with all assets in the UK)
- Motoring offences (summary only offences)
- Employment tribunals (claims for unfair or wrongful dismissal)
- Immigration (excluding asylum applications).

#### *For businesses*

- Debt recovery (up to £100,000)
- Employment tribunals (defending claims for unfair or wrongful dismissal)
- Licensing applications for business premises (new applications or varying existing licenses).

As well as prices, the rules also require you to publish information on:

- what services are included within the displayed price
- any services not included in the price that might reasonably be expected to be included
- details of the experience and qualifications of teams/individuals who will carry out the work
- typical timescales and key stages of the matter.

This information must be published in a prominent location on your website, which is accessible, clearly signposted and easy for visitors to find.

For those without a website, this information must be readily available upon request in another format. People should not be required to provide detailed information before they can obtain it.

Our rules set out the minimum price and service information you must provide. We encourage you to provide additional information where that would help consumers understand the services you offer and the costs of your services.

Being clear about this will help to avoid misunderstandings and cost related complaints later in the transaction.

### *Publishing price information*

A quarter of all complaints dealt with by the Legal Ombudsman relate to costs. Being clear at the outset can help avoid confusion and complaints later down the line.

This guidance does not seek to specify what pricing models you use, or the prices you charge. Its purpose is to make sure that information on costs and services is as readily available to the public as possible, in a format that is accurate and easy for them to understand.

### *Mandatory requirements*

- You must provide price information prominently, in as clear and understandable format as possible.
- You must specify whether stated prices include VAT.
- You must specify exactly what is included within the price displayed. This is important even if you quote a fixed fee to avoid confusion about what someone might pay extra for.
- If you publish a range of costs, you need to set out the basis for your charges. This includes any hourly rates and the factors that will determine what the final price will be.
- If you offer your services in different ways and the delivery model impacts on the price, make this clear. For example, if you charge a higher fee for face-to-face services than for strictly online services.
- If using an online quote generator, this must produce a quote without requiring any additional contact, for example someone calling to discuss the quote.

When using an online price generator you should also make sure that you are compliant with data protection legislation when handling data from consumers or clients

The rules do not require you to publish a binding quote for every scenario you may deal with, for example, pre-empting unusual complexities or that a client may not follow your advice.

When an unforeseen complexity arises, or where a client's requests means additional work, you should inform them of this and provide revised costs information.

The rules allow firms to publish the average cost of the service. Firms will need to use their

judgement on what is the best approach for them. For example, a firm can publish the typical cost of the service, rather than the mathematical 'mean' average. Both approaches would be acceptable. However, it may be simpler to base your approach on a typical case rather than on the mathematical average of all cases your firm has worked on.

Remember that the rules require you to inform clients if anything that could reasonably be expected to be included in the price, is not. You will need to take a view, based on your experience of what your clients tend to expect, on whether there is anything about the service you are offering that would need this type of clarification.

You should bear in mind your obligations under paragraph 8.7 of the Code of Conduct for Solicitors, RELs and RFLs [\[solicitors/standards-regulations/code-conduct-solicitors\]](#), which requires you to provide clients with the best possible information about how their matter will be priced and about the likely overall cost of the matter. This requirement extends to firms we regulate under paragraph 7.1 of the Code of Conduct for Firms [\[solicitors/standards-regulations/code-conduct-firms\]](#).

It can be helpful to potential clients to provide a clear indication of where you draw the line on what services are included in the price quoted, and when you would start charging extra. For example, if your debt recovery prices do not include additional work such as applications for wind-down orders or enforcement. Similarly, if the services are included, make this clear as well.

### *Best practice tips*

In addition to the mandatory requirements, you may also want to consider the following in specific circumstances:

- list factors that could increase or decrease overall costs
- where the range of costs is quite wide, consider providing an average cost
- consider how consumers like to interact with price information, for example research shows that when using an online price generator people do not like being forced to provide personal information such as email addresses or phone numbers. (See our conveyancing template for an example of information you could request when using a price generator.)
- you do not need to specify any preferential rates which you may offer. You may, however, wish to advise that these are available upon request to specific groups, for example, returning clients or via employee benefits schemes.

### *Conditional Fee arrangements*

If you are using a conditional fee agreement (CFA) / damages-based agreement (DBA) and want to assess the viability of a case before agreeing to accept it, to meet the likely timescales requirement, you should state how long you will spend doing that assessment. You should also set out what (if any) cost this will lead to for the consumer.

We do not expect you to set out all the legal detail of the CFA on your website. However, if you use this type of agreement you are required to set out the circumstances in which clients have to make any payments themselves, including from any damages.

### *Publishing service information*

As well as prices, our transparency rules also require you to provide information on the service which will be provided.

### *Mandatory requirements*

You must provide details of:

- what services are included within the displayed price
- any services not included in the price that might reasonably be expected to be included
- typical timescales and key stages for the given legal service (you are not required to provide cost information for each individual stage, just a total cost)
- the experience and qualifications of all individuals who carry out work within the areas specified under the rules. This may include:
  - number of years post-qualification experience
  - estimated numbers or examples of cases they have dealt with in given areas
  - percentage of their time spent on given areas
  - complexity or type of issues they typically deal with
- the experience and qualifications of those who supervise the individuals who will be carrying out the work, although you do not need to necessarily specify who supervises who.

### *Best practice tips*

In addition to the mandatory requirements, we would also recommend you:

- explain any technical terms (such as disbursements) in plain English
- avoid using over complicated terms or legal jargon
- when providing information about the key stages of a matter, you may wish to link to information on other websites as long as you have taken reasonable steps to ensure its accuracy. We recommend using trusted sources such as gov.uk [<https://www.gov.uk>] or Legal Choices [<https://www.legalchoices.org.uk/>]
- provide examples of the typical clients or types of transactions your firm has experience of dealing with (be careful not to disclose anything confidential or that would identify the client)
- provide information about any particular expertise or specialism you have within a given area
- consider having information available in easier to read formats, or languages other than English.

Information on individuals or teams does not need to be on the same page as the price information. For instance, you may already have this within wider biographies or 'who's who' or 'about us' sections within your site.

### *Example of how to display individual details*

Our team has over X years of collective experience in delivering high quality work in all matters relating to wills and estate administration. They have particular expertise in high value estates and inheritance tax matters.

We have four members of the team who may work on your matter. Regardless of who works on your matter, they will be supervised by Tamara Singh, Partner and Head of probate and estate administration.

#### *Tamara Singh – Partner*

Tamara is the head of our team and has more than 20 years' experience in private client work, specialising in wills and probate.

Tamara has been working in this area since she qualified and has helped thousands of

families and individuals.

Tamara qualified as a solicitor in 1996 after gaining a First in Law from the University of Exeter. She completed her training contract at Legal & Co and worked at different firms before moving on to join our firm in 1998. She became a partner in 2006.

Tamara has also completed several professional development courses in probate and estate administration.

*Linda O'Connor – Senior Associate*

Linda qualified as a solicitor in 2007. She attended the University of Birmingham and completed the Graduate Diploma in Law and Legal Practice Course with distinction.

She has been working in our probate team since she qualified and is particularly skilled at dealing with complex estate matters, having dealt with over one thousand complex estates since starting at our firm. Linda speaks fluent Russian and German.

*John Rotherham – Associate*

John qualified as a solicitor in 2017 and has been working in our probate team ever since. John has a degree in History from the University of Sheffield and completed the Graduate Diploma in Law and the Legal Practice Course at the University of Nottingham. John did seats in probate, immigration and commercial property, and has a strong interest in developing his skillset in probate. He has quickly gained experience in this area, successfully advising on more than 100 probate and estate matters since qualifying.

*Ismail Lakhani – Trainee Solicitor*

Ismail has a degree in Economics from Newcastle University and has completed the Graduate Diploma in Law and the Legal Practice Course at the BBP law school in Manchester. Ismail began his training contract with us in September 2017 and will work in our probate, tax and litigation and dispute teams.

*Example of how to display team details*

*Employment Law (this area is being used for illustrative purposes only)*

Our team of specialist employment law solicitors has years of experience in dealing

with employment disputes. Our senior employment law partner heads up a team of 6 solicitors and has been working in this area for more than 20 years, leading some of our most high-profile cases to a successful conclusion.

Our solicitors have experience in all aspects of employment law and we dedicate ourselves to ensuring our knowledge stays up to date, in order to give you the best service possible. They have between 1 and 10 years of experience in the area. We always make sure that junior solicitors and members of staff are supported and supervised appropriately so that the quality of advice is not affected, regardless of who is working on your case.

We also employ a team of around 20 paralegals who do much of the day to day work on cases. Although they are not legally qualified, they have between 2 and 15 years' experience, have received extensive training within our firm and work under the direct supervision of a solicitor with at least 5 years post qualification experience.

We have a proven track record in achieving successful outcomes for our clients. You can find out more about our price information on our website.

### *Promoting your firm*

When complying with our rules, you should consider your potential market, and what peoples' information needs are within this market.

You are also reminded of your duty to comply with statutory obligations to not provide misleading information to consumers, false advertising, bait advertising etc. Doing so is also likely to be a breach of paragraph 8.8 of the Code of Conduct for Solicitors, RELs and RFLs, which requires your publicity to be accurate and not misleading. This requirement extends to firms we regulate under paragraph 7.1 of the Code of Conduct for Firms.

Using an online review service can showcase the quality of your work. In recent years, new and independent services have emerged that collect and publish client feedback in an objective but sensibly moderated way.

This can showcase the standard of the service you provide and that you are proactive in dealing with negative feedback or comments. Also by using a review service, you can often challenge vexatious reviews and have them independently moderated.

Read the our guidance on engaging with online reviews [[/solicitors/guidance/ethics-guidance/engaging-with-online-reviews/](#)].

### *Area specific tips and pricing templates*

To help you consider how you may publish the required information, we have provided a series of templates and practical tips.

Across the templates we also provide examples of how prices may be displayed using different pricing models.

We recommend that you look at the templates relating to both the services and pricing models you offer. The combinations of service/pricing models are illustrative only and are not designed to suggest which model you should use for any given service. If the template for a given service you provide is not in the pricing model you use, we suggest you also consider the other template/principles outlined below to see if they may help you.

You will need to tailor the information you publish to offer a true reflection of the services you offer.

*Templates: service/pricing model(s)*

Open all [#]

### *Conveyancing: Fixed fee/online quote generator*

You are required to provide price information regarding the conveyance of residential property that is:

- Freehold sale or purchase
- Leasehold sale or purchase
- Mortgages or re-mortgages

We do not consider transfers of equity (e.g. in divorce proceedings where the property is transferred from joint names into one of the parties' name as part of the financial settlement) to fall under the above. Of course, if you wish to include the price you would charge for this service you are able to do so.

The way in which you present the required price information is up to you, we have fixed fee/hourly rate templates and example online quote generator information. However, you may want to display this information in an alternative format, such as an indicative fee table based on the property value plus menu pricing for additional elements.

#### *Best practice tips*

- Be clear about any taxes that may be payable, and explain these costs will be additional to the price displayed
- Avoid providing an estimate of the actual tax payable, as we understand this is subject to change. Instead, you could provide a link to an online tax calculator that you trust, such as the one provided by the HMRC.
- Provide useful links to wider resources, for example sources such as Legal Choices that explain the house buying/selling process
- Outline factors that would typically increase the cost of the service. For example:
  - if legal title is defective or part of the property is unregistered
  - if you discover building regulations or planning permission has not been obtained
  - if crucial documents you have previously requested from the client have not been provided

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#### *Example template: Purchase of a freehold residential property*

Our fees cover all of the work\* [#1note] required to complete the purchase of your new home, including dealing with registration at the Land Registry and dealing with the payment of Stamp Duty Land Tax (Stamp Duty) if the property is in England, or Land Transaction Tax (Land Tax) if the property you wish to buy is in Wales.

#### *Conveyancer's fees and disbursements*

- Legal fee £X
- Search fees £X
- HM Land Registry fee £X
- Electronic money transfer fee £X
- VAT payable £X
- Subtotal (or just this figure) £X

#### *Referral fee (if any)*

- Amount of referral fee paid £X
- Recipient of referral fee

Estimated total: £X

Disbursements are costs related to your matter that are payable to third parties, such as Land Registry fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

#### *Stamp Duty or Land Tax (on purchase)*

This depends on the purchase price of your property. You can calculate the amount you will need to pay by using HMRC's website [<https://www.tax.service.gov.uk/calculate-stamp-duty-land-tax#/intro>] or if the property is located in Wales by using the Welsh Revenue Authority's website [<https://beta.gov.wales/land-transaction-tax-calculator>].

**Estimated total £X** (This will give clients a clear understanding of the total cost of the transaction and so the full funds the client will need to complete it.)

#### *How long will my house purchase take?*

How long it will take from your offer being accepted until you can move in to your house will depend on a number of factors. The average process takes between X-X weeks.

It can be quicker or slower, depending on the parties in the chain. For example, if you are a first time buyer, purchasing a new build property with a mortgage in principle, it could take X weeks. However, if you are buying a leasehold property that requires an extension of the lease, this can take significantly longer, between X and X months. In such, a situation additional charges would apply.

#### *Stages of the process*

The precise stages involved in the purchase of a residential property vary according to the circumstances. However, below we have suggested some key stages that you may wish to include:

- Take your instructions and give you initial advice
- Check finances are in place to fund purchase and contact lender's solicitors if needed
- Receive and advise on contract documents
- Carry out searches
- Obtain further planning documentation if required
- Make any necessary enquiries of seller's solicitor



- Give you advice on all documents and information received
- Go through conditions of mortgage offer with you
- Send final contract to you for signature
- Agree completion date (date from which you own the property)
- Exchange contracts and notify you that this has happened
- Arrange for all monies needed to be received from lender and you
- Complete purchase
- Deal with payment of Stamp Duty/Land Tax
- Deal with application for registration at Land Registry

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*Example template: Purchase of a leasehold residential property*

Our fees cover all the work\* required to complete the purchase of your new home, including dealing with registration at the Land Registry and dealing with the payment of Stamp Duty Land Tax (Stamp Duty) if the property is in England, or Land Transaction Tax (Land Tax) if the property is in Wales.

*Conveyancer's fees and disbursements*

- Legal fee £X
- Fee for acting on behalf of the mortgage lender £X
- Search fees £X
- HM Land Registry fee £X
- Electronic money transfer fee £X
- VAT payable £X
- Subtotal (or just this figure) £X

Referral fee (if any)

- Amount of referral fee paid £X
- Recipient of referral fee

Estimated total: £X

*Disbursements*

Disbursements are costs related to your matter that are payable to third parties, such as search fees. We handle the payment of the disbursements on your behalf to ensure a smoother process. There are certain disbursements which will be set out in the individual lease relating to the Property. The disbursements which we anticipate will apply are set out separately below. This list is not exhaustive and other disbursements may apply depending on the term of the lease. We will update you on the specific fees upon receipt and review of the lease from the seller's solicitors.

- HM Land Registry fee: £X
- Search fees: £X
- VAT on search fees
- Electronic money transfer fee: £X

- VAT £X
- Subtotal: £X

*Anticipated Disbursements\* <sup>[[star3]]</sup>*

- Notice of Transfer fee – This fee if chargeable is set out in the lease. Often the fee is between XX- XXX.
- Notice of Charge fee (if the property is to be mortgaged) – This fee is set out in the lease. Often the fee is between X and X.
- Deed of Covenant fee – This fee is provided by the management company for the property and can be difficult to estimate. Often it is between X and X.
- Certificate of Compliance fee - To be confirmed upon receipt of the lease, as can range between X – X.

\*These fees vary from property to property and can on occasion be significantly more than the ranges given above. We can give you an accurate figure once we have sight of your specific documents.

You should also be aware that ground rent and service charge are likely to apply throughout your ownership of the property. We will confirm the ground rent and the anticipated service charge as soon as this we receive this information.

*Stamp Duty Land Tax*

This depends on the purchase price of your property. You can calculate the amount you will need to pay by using HMRC's website [<https://www.tax.service.gov.uk/calculate-stamp-duty-land-tax/intro>] or if the property is located in Wales by using the Welsh Revenue Authority's website [<https://ttcalculator.wra.gov.wales/>].

**Grand total £X** (This will give clients a clear understanding of the total cost of the transaction and so the full funds the client will need to complete it.)

The precise stages involved in the purchase of a residential leasehold property vary according to the circumstances. However, below we have suggested some key stages that you may wish to include:

- Take your instructions and give you initial advice
- Check finances are in place to fund purchase and contact lender's solicitors if needed
- Receive and advise on contract documents
- Carry out searches
- Obtain further planning documentation if required
- Make any necessary enquiries of seller's solicitor
- Give you advice on all documents and information received
- Go through conditions of mortgage offer
- Send final contract to you for signature
- Draft Transfer
- Advise you on joint ownership
- Obtain pre-completion searches
- Agree completion date (date from which you own the property)

- Exchange contracts and notify you that this has happened
- Arrange for all monies needed to be received from lender and you
- Complete purchase
- Deal with payment of Stamp Duty/Land Tax
- Deal with application for registration at Land Registry

*How long will my house purchase take?*

How long it will take from your offer being accepted until you can move in to your house will depend on a number of factors. The average process takes between X-X weeks. It can be quicker or slower, depending on the parties in the chain. For example, if you are a first time buyer, purchasing a new build property with a mortgage in principle, it could take X weeks. However, if you are buying a leasehold property that requires an extension of the lease, this can take significantly longer, between X and X months. In such, a situation additional charges would apply.

\* Our fee assumes that:

- a. this is a standard transaction and that no unforeseen matters arise including for example (but not limited to) a defect in title which requires remedying prior to completion or the preparation of additional documents ancillary to the main transaction
- b. this is the assignment of an existing lease and is not the grant of a new lease
- c. the transaction is concluded in a timely manner and no unforeseen complication arise
- d. all parties to the transaction are co-operative and there is no unreasonable delay from third parties providing documentation
- e. no indemnity policies are required. Additional disbursements may apply if indemnity policies are required.

If you wish to use an online quote calculator for residential conveyancing

Below is list of things you may wish to consider if you use an online quote calculator for conveyancing matters. You could, if you wish, build questions to find out the following information:

- value of the property
- first-time buyer
- re-mortgage
- freehold or leasehold
- new build
- first registration of title
- whether a mortgage or not, or Islamic mortgage
- in purchase cases, whether primary residence, buy to let or second/holiday home
- multiple owners
- shared ownership scheme

- using a help to buy scheme, and whether it is an equity loan or ISA
- purchase under right to buy
- purchase at auction
- property has been repossessed

NB: This list is not intended to be exhaustive. The important point is that the information you request should generate the total cost. Please note that any disbursements (save for SDLT/LTT) should be included in the total cost quoted to consumers.

### *Probate: Range of costs (with fixed fee for additional work) and fixed fee*

You are required to publish prices for probate work in relation to uncontested cases where all the assets are in the UK. This includes both testate and intestate and taxable and non-taxable estates however, we recognise that your charging models for these may well differ. You will need to explain anything that could affect the price quoted (e.g. indicating there is a separate cost for preparing tax returns if it is not included) clearly on your website.

You may wish to consider whether you charge different prices based on the value of the estate involved.

#### *Best practice tips*

- Be clear about any taxes that may be payable, and explain these costs will be additional to the price displayed
- Avoid providing an estimate figure of the tax payable. Instead, you could provide a link to an online inheritance tax calculator that you trust e.g. HMRC
- Provide useful links to wider resources, for example sources such as Legal Choices that explain the probate process

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#### *Example template (range of costs with fixed fee for additional work)*

##### *Applying for the grant, collecting and distributing the assets*

We anticipate this will take between X and X hours work at £X per hour. Total costs estimated at -£X-X (+VAT).

The exact cost will depend on the individual circumstances of the matter. For example, if there is one beneficiary and no property, costs will be at the lower end of the range. If there are multiple beneficiaries, a property and multiple bank accounts, costs will be at the higher end.

We will handle the full process for you. This quote is for estates where:

- There is a valid will
- There is no more than one property
- There are no more than X bank or building society accounts
- There are no other intangible assets
- There are X-X beneficiaries
- There are no disputes between beneficiaries on division of assets. If disputes arise this is likely to lead to an increase in costs
- There is no inheritance tax payable and the executors do not need to submit a full account to HMRC

- There are no claims made against the estate

Disbursements included in this fee:

- Probate application fee of £X
- £X Swearing of the oath (per executor)
- Bankruptcy-only Land Charges Department searches (£X per beneficiary)
- £X Post in The London Gazette – Protects against unexpected claims from unknown creditors.
- £X Post in a Local Newspaper – This also helps to protect against unexpected claims.

Disbursements are costs related to your matter that are payable to third parties, such as court fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

*Potential additional costs*

- If there is no will or the estate consists of any share holdings (stocks and bonds) there is likely to be additional costs that could range significantly depending on the estate and how it is to be dealt with. We can give you a more accurate quote once we have more information.
- If any additional copies of the grant are required, they will cost £X (1 per asset usually).
- Dealing with the sale or transfer of any property in the estate is not included.

*How long will this take?*

On average, estates that fall within this range are dealt with within X-X months. Typically, obtaining the grant of probate takes X-X weeks. Collecting assets then follows, which can take between X-X weeks. Once this has been done, we can distribute the assets, which normally takes X-X weeks.

*Example template (fixed fee)*

*Probate*

We can help you through this difficult process by obtaining the Grant of Probate on your behalf. We will also undertake the collecting and distributing of assets.

*How much does this service cost?*

TOTAL: fixed fee of £X (incl. VAT).

This includes: obtaining the grant, collecting assets and distributing them.

Breakdown of costs:

Legal fees £X

VAT on legal fees £X

Disbursements (£X in total):

- Probate court fee of £X.
- £X Swearing of the oath (per executor).
- Bankruptcy-only Land Charges Department searches (£X per beneficiary).
- £X Post in The London Gazette – Protects against unexpected claims from unknown creditors.

- £X Post in a Local Newspaper – This also helps to protect against unexpected claims.

Disbursements are costs related to your matter that are payable to third parties, such as court fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

As part of our fixed fee we will:

- Provide you with a dedicated and experienced probate solicitor to work on your matter
- Identify the legally appointed executors or administrators and beneficiaries
- Accurately identify the type of Probate application you will require
- Obtain the relevant documents required to make the application
- Complete the Probate Application and the relevant HMRC forms
- Draft a legal oath for you to swear
- Make the application to the Probate Court on your behalf
- Obtain the Probate and securely send two copies to you
- Collect and distribute all assets in the estate

On average, estates that fall within this range are dealt with within X-X months. Typically, obtaining the grant of probate takes X-X weeks. Collecting assets then follows, which can take between X-X weeks. Once this has been done, we can distribute the assets, which normally takes X-X weeks.

### *Motoring offences: Fixed fee*

You are required to provide price information for assistance in relation to summary only motoring offences under Part I of the Road Traffic Act 1988 and s89 of the Road Traffic Regulation Act 1984.

#### *Mandatory requirements*

- If you undertake this work on an hourly rate basis, provide the rate and an estimate of the number of hours
- Unless stated as a specific exclusion, the price displayed should include:
  - Considering evidence
  - Providing advice in relation to plea and likely sentence
  - Where you cannot anticipate the likely sentence, advice on the options available to the court in relation to sentencing
  - Where appropriate, advice on whether an exceptional hardship, or special reasons argument should be made
  - Representation at a single hearing

#### *Best practice tips*

- Be clear whether the price displayed includes taking statements from, and examination of witnesses.
- Provide price information on any common additional services, for example advising on an appeal or sourcing expert witnesses.

#### *Example template (fixed fee)*

*Drink driving offence, guilty plea – fixed fee £XX*

Fee includes:

- 2 hours attendance/preparation:
  - considering evidence
  - taking your instructions
  - providing advice on likely sentence
- Attendance and representation at a single hearing at the Magistrates Court

The fee does not include:

- instruction of any expert witnesses
- taking statements from any witnesses
- advice and assistance in relation to a special reasons hearing
- advice or assistance in relation to any appeal

The key stages of your matter are based on the presumption that you have entered a guilty plea and have a date for your hearing.

- Meet with your solicitor to provide instructions on what happened.
- We will consider initial disclosure, and any other evidence and provide advice.
- Arranging to take any witness statements if necessary (this will have an additional cost, of X).
- We will explain the court procedure to you so you know what to expect on the day of your hearing, and the sentencing options available to the court.
- We will conduct any further preparatory work, obtain further instructions from you if necessary and answer any follow up queries you have.
- We cannot provide a timescale of when your hearing will take place, as this depends on the court listing for that day.
- We will attend court on the day and meet with you before going before the court. We anticipate being at court for [e.g. half a day].
- We will discuss the outcome with you. If advice is required on appeal, this will carry an additional cost.

### *Immigration: Hourly rate*

You are required to provide price information if you assist clients with the preparation and submission of immigration applications, excluding asylum applications.

The following types of applications are covered by the rules:

- Applications for naturalisation or registration under the British Nationality Act 1981
- Applications on behalf of European Economic Area (EEA) nationals and their family members under the applicable EEA Regulations or Immigration Rules, including applications for permanent residence, residence cards, and registration certificates
- Applications under the Immigration Rules, including:
  - student and work experience visas

- visit visas (for tourism, or visiting friends / family)
- spouse and partners applications, including fiancé(e)s or proposed civil partners
- applications for work, business or study under the Points-Based System;
- dependent relative and family reunion applications
- ancestry visas
- other categories, such as applications on the basis of long residence

You are not required to publish prices for the following types of applications:

- Asylum applications
- Statelessness applications
- Human rights / private life applications
- Applications for Secretary of State immigration bail
- Reconsideration and legacy requests
- Judicial review, such as claims for unlawful detention
- Immigration services to businesses (e.g. applications for certificates of sponsorship or confirmation of acceptance for studies).

#### *Mandatory requirements*

The quoted fee should include:

- considering documents
- attending on the client
- taking their instructions and providing advice
- preparing and submitting the application
- advising the client on timelines and the outcome of their application

It should also be clear what is not included in the quoted fee, and specify what disbursements (such as interpreters fees) are included.

#### *Best practice tips*

- Ensure the information is in clear understandable language
- Translate pricing information into languages commonly spoken in the communities you serve.
- Explain the immigration process and refer to key forms using easy to understand descriptions rather than technical/numeric references.
- Avoid jargon only immigration practitioners understand – eg 'Surinder Singh applications' or 'legacy applications'.
- Consider other factors that may affect the cost of an immigration matter, such as whether it is a first-time applicant or extension, there are multiple dependents (eg several children), the language of the client, the number of supporting documents or witnesses, possible attendance at a Home Office interview, and whether it is a fast tracked / premium application.

A lot of immigration applications can use difficult language or jargon, eg:

- "VAF4A"



- "ILR"
- "Registration Certificate"
- "Naturalisation or registration under the British Nationality Act 1981".

It is better to use easier to understand, catchier headings, such as:

- "Applying for a visa to join family in the UK"
- "Settling in the UK"
- "Proof of residence for EU citizens"
- "Applying to become British"

#### *Interpreters*

Be clear about interpreters' fees. These are difficult to estimate, can rack up and are a significant proportion of the overall cost to consumers. This means even "fixed fees" may not always be particularly fixed.

We suggest that you provide a clear range of interpreters' costs. Sometimes a client may only need a couple of hours with an interpreter, other applications may need 10 or 15 hours.

We also suggest that you make it clear that the number of hours needed will vary on the complexities of the case, and list typical indicators that a case will take a higher number of hours.

Often clients will bring a friend or another community figure to come and help interpret. Firms should make it clear that clients do not always have to use an interpreter of the firm's choosing.

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#### *Example template (hourly rate): Application for leave to remain*

Hourly rate: £ X

On average, this type of work takes between X-X hours to complete. This means that on average costs are between £x and £x. All figures include VAT unless specifically stated.

The exact number of hours it will take depends on the circumstances in your case. Such as:

- The amount of supporting evidence that we need to consider
- Which language(s) you speak
- Whether you are applying with other dependants

If you are able to provide sufficient evidence at our first meeting and clearly meet the applicable Immigration Rules, the cost is likely to be at the lower end of this range.

#### *What services are included*

The work will involve:

- discussing your circumstances in detail and confirming whether this is the most appropriate application for you to make and what other options may be available to you;
- giving you advice about the requirements of the Immigration Rules and whether you meet the criteria.
- if you do not fulfil certain criteria, whether this can be overcome and how, which on average

takes X hours;

- considering the supporting evidence you have provided, which we anticipate will take X to XX hours\* <sup>[#note3]</sup>;
- where necessary, helping you obtain further evidence (such as medical records and bank statements), including taking statements of any witnesses;
- preparing your application and submitting it on your behalf, which we anticipate will take X hours;
- Attendance at a Home Office interview: if the Home Office ask you to attend an interview, we will give you clear advice (and discuss the possibility of us attending with you) at the appropriate time. This could be between X and X hours of work.
- giving you advice about the outcome of the application and any further steps you need to take.

\*the amount of hours depends on the number of documents, whether they need to be translated, whether anything is missing and how long it will take to obtain the missing documents Disbursements (not included in costs set out above):

Disbursements are costs related to your matter that are payable to third parties, such as visa fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

- Interpreters fees at £X per hour. This kind of application will normally require between X-X hours with an interpreter, depending on the complexity of your case.
- Independent expert reports e.g. medical experts. These are not required in many cases: we will let you know as soon as possible if we consider an expert report is necessary.
- If there is an interview and we do attend with you, there will be additional disbursements in respect of our mileage/travel expenses.

The costs quoted here do not include:

- Any Home Office fees [<https://www.gov.uk/government/publications/visa-regulations-revised-table>] for making the application. You will pay this to the Home Office directly as part of the application process.
- Where the Home Office refuse your application, advice and assistance in relation to any appeal

*How long will my application take?*

We cannot guarantee how long the Home Office will take to process your application. Read the current processing times [<https://www.gov.uk/visa-processing-times>].

We will normally be able to submit this type of application within X weeks of you instructing us, but we will let you know at the earliest opportunity if it is likely to take longer than this.

Please note the anticipated number of hours and fees are an estimate based on the facts above. All applications are likely to vary and of course, we can give you a more accurate estimate once we have more information about your specific case.

### ***Employment tribunal: Range of costs***

If you cannot provide the total cost of a service, you can provide the average cost or a range of costs instead. We have not prescribed what these ranges are, but they should be the best information you can provide based on your knowledge and experience.

One method of providing this information is to set out the normal range of costs for cases

depending upon their complexity.

If you follow this model you will need to set out some factors to help consumers determine whether their case is likely to be of simple, medium or high complexity.

The template contains the types of stages that you could include. It is for you to decide which of these (or any stages not listed here) would apply to your services and which would provide consumers with the best possible information.

*Best practice tips*

- Explain the position if there are other claims being brought within the unfair/wrongful dismissal claim, such as discrimination. Does this impact on the costs estimate?
- Advise the client that they may have other funding options available, such as cover under an insurance policy and that you will check that with them at their first appointment
- Avoid using jargon and complicated language. For example

Avoid	Instead say
Form ET1	The claim form outlining your case and the nature of the dispute
Form ET3	The response form when a claim has been made against you
Particulars of claim	Document that sets out the factual detail of your claim, and the legal basis for it.
Making an Unless order	If you do not comply with an order made by the Employment Tribunal you risk losing part (or all) of your claim/response.
Interlocutory applications	A provisional decision given during the course of a legal action

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*Example template (Range of costs)*

Our pricing for bringing and defending claims for unfair or wrongful dismissal

Simple case: £X-£X (excluding VAT)

Medium complexity case: £X-£X (excluding VAT)

High complexity case: £X-£X (excluding VAT)

Factors that could make a case more complex:

- If it is necessary to make or defend applications to amend claims or to provide further information about an existing claim
- Defending claims that are brought by litigants in person
- Making or defending a costs application
- Complex preliminary issues such as whether the claimant is disabled (if this is not agreed by the parties)

- The number of witnesses and documents
- If it is an automatic unfair dismissal claim e.g. if you are dismissed after blowing the whistle on your employer
- Allegations of discrimination which are linked to the dismissal

There will be an additional charge for attending a Tribunal Hearing of £X per day (excluding VAT). Generally, we would allow X-X days depending on the complexity of your case.

#### *Disbursements*

Disbursements are costs related to your matter that are payable to third parties, such as court fees. We handle the payment of the disbursements on your behalf to ensure a smoother process.

Counsel's fees estimated between £X to X per day (depending on experience of the advocate) for attending a Tribunal Hearing (including preparation)

#### *Key stages*

The fees set out above cover all of the work in relation to the following key stages of a claim:

- Taking your initial instructions, reviewing the papers and advising you on merits and likely compensation (this is likely to be revisited throughout the matter and subject to change)
- Entering into pre-claim conciliation where this is mandatory to explore whether a settlement can be reached;
- Preparing claim or response
- Reviewing and advising on claim or response from other party
- Exploring settlement and negotiating settlement throughout the process
- preparing or considering a schedule of loss
- Preparing for (and attending) a Preliminary Hearing
- Exchanging documents with the other party and agreeing a bundle of documents
- Taking witness statements, drafting statements and agreeing their content with witnesses
- preparing bundle of documents
- Reviewing and advising on the other party's witness statements
- agreeing a list of issues, a chronology and/or cast list
- Preparation and attendance at Final Hearing, including instructions to Counsel

The stages set out above are an indication and if some of stages above are not required, the fee will be reduced. You may wish to handle the claim yourself and only have our advice in relation to some of the stages. This can also be arranged on your individual needs.

#### *How long will my matter take?*

The time that it takes from taking your initial instructions to the final resolution of your matter depends largely on the stage at which your case is resolved. If a settlement is reached during pre-claim conciliation, your case is likely to take x-x weeks. If your claim proceeds to a Final Hearing, your case is likely to take x-x weeks. This is just an estimate and we will of course be able to give you a more accurate timescale once we have more information and as the matter progresses.

## Debt recovery: Range of fixed fees

When providing costs for debt recovery, it is common for firms to provide a fixed fee based on the value of the debt to recover.

We have set out an example of what such an approach could look like, but note you are not required to follow this model. We understand some firms structure their fees in relation to matter stages e.g. Stage 1, Pre-Action X% of any recovery made, Stage 2, Court claim £X, Insolvency; statutory demand X, Bankruptcy or winding up petition £X with a description of each stage and separate list of possible disbursements.

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*Example template (Range of fixed fees) for a business to business debt that is undisputed*

### *Court Claims*

These costs apply where your claim is in relation to an unpaid invoice which is not disputed and enforcement action is not needed. If the other party disputes your claim at any point, we will discuss any further work required and provide you with revised advice about costs if necessary, which could be on a fixed fee (e.g. if a one off letter is required), or an hourly rate if more extensive work is needed.

Debt value	Court fee	Our fee (incl. VAT)	Total
Up to £5,000	£X	£X (XVAT)	£X
£5,001 - £10,000	£X	£X (XVAT)	£X
£10,001 - £50,000	X% value of the claim	£X (or X% value of the claim)	£X

Anyone wishing to proceed with a claim should note that:

- The VAT element of our fee cannot be reclaimed from your debtor.
- Interest and compensation may take the debt into a higher banding, with a higher cost.
- The costs quoted above are not for matters where enforcement action, such as the bailiff, is needed to collect your debt.

Our fee includes:

- Taking your instructions and reviewing documentation
- Undertaking appropriate searches
- Sending a letter before action
- Receiving payment and sending onto you, or if the debt is not paid, drafting and issuing claim
- Where no Acknowledgment of Service or Defence is received, applying to the court to enter Judgement in default
- When Judgement in default is received, write to the other side to request payment
- If payment is not received within X days, providing you with advice on next steps and likely costs

Matters usually take x-x weeks from receipt of instructions from you to receipt of payment from the other side, depending on whether or not it is necessary to issue a claim. This is on the basis that the other side pays promptly on receipt of Judgement in default. If enforcement action is needed, the matter will take longer to resolve.

## *Licensing applications in relation to businesses: Range of costs and fixed fee*

You are required to provide price information to businesses in relation to applying for a new premises licence or to vary a premises licence to allow those premises to be used for one or more licensable activities. This means that the rules are limited to two types of applications – applications for a premises licence under Section 17 of the Licensing Act 2003 and applications to vary a premises licence under Section 34 of the Licensing Act 2003.

If you cannot provide the total cost of the service in the form of a fixed fee, you can provide the average cost or a range of costs instead. We have not prescribed what these ranges are, but they should be the best information you can provide based on your knowledge and experience.

One way of providing this information is to set out the normal range of costs for cases in the following way:

- Simple application: £x - £x (based on x-x hours at an hourly rate of £x)
- Medium complexity: £x - £x (based on x-x hours at an hourly rate of £x)
- High complexity: £x - £x (based on x-x hours at an hourly rate of £x).

You would need to set out some factors to help businesses determine whether their application for a premises licence is likely to be a simple application or one of medium or high complexity. Factors affecting complexity may include whether there is a cumulative impact policy in place, the type and size of the premises, or whether it is in a residential area. It is for you to decide how you define simple, medium and high complexity, but for example, high complexity could include large scale public events.

### *Mandatory requirement*

- Unless stated as a specific exclusion, the price displayed should include:
  - taking your client's instructions
  - advising them as to how they can promote the licensing objectives within their premises licence application
  - advising on the type of plans required to accompany their application
  - completing and submitting the application
  - disclosing the application to the responsible authorities
  - making arrangements for the necessary advertising of the application.
- You should set out that additional costs are payable for submitting and advertising the application and explain how these are calculated

### *Best practice tips*

- Specify any additional fees payable, and whether these are included in the fee or not (eg the costs of advertising)
- Explain how any related fees are calculated (the licensing application fee is based on the rateable value)

### *Example template (fixed fee)*

*Fixed fee example for an application for a new premises licence (simple application)*

Fixed fee of £X (including VAT but excluding disbursements)

This fee is made up of:

- Legal fees £X
- VAT on legal fees £X

#### *Disbursements*

Disbursements are costs related to your matter that are payable to third parties, such as the application fee. We will pay the disbursements on your behalf to ensure a smoother process.

- Application fee (payable to licensing authority) £X\* [#star5]
- Advertising fee £X-X\* [#star5]
- Enquiry agent fees to display public notices £X – X\* [#star5]
- Special delivery fee to serve the application £X
- Printing additional copies of plans if necessary £X

\*These fees vary depending on the individual premises and where it is located. The fees can on occasion be higher than the ranges given above. We will give you an accurate figure for each item as soon as we are able to do so.

Fee includes:

- Taking your instructions and advising you as to how you can promote the licensing objectives within your application
- Advising you as the type of plans you are required to submit with your application.
- Completing the application form for a new premises licence (including the operating schedule) in accordance with your instructions and submitting this to the local licensing authority alongside suitable plans. You must provide suitable plans.
- Providing guidance on the fee levels payable to the licensing authority.
- Preparing copies of the premises licence application for disclosure to the responsible authorities and serving copies of the application on the responsible authorities.
- Drafting the notices advertising the premises licence application and submitting the notice to the local newspaper.
- Arranging with you for you to display the notice(s) advertising the premises licence application and advising as to where and how this should be done by you in order to comply with the requirements of the Licensing Act 2003.
- Providing a Designated Premises Supervisor (DPS) consent form for signature by a personal licence holder proposed by yourself.
- Checking the licence once granted and correcting any errors with the licensing authority.

The fee does not include:

- obtaining suitable plans
- attending pre-consultation meetings with the Licensing Authority or Responsible Authorities, nor their fee for this meeting.
- dealing with or advising you in relation to queries or representations received from either the responsible authorities or other interested parties
- advising on varying the licence

- attendance and representation at a licensing sub-committee hearing of the responsible authority. If representations are received and attendance and representation at a licensing sub-committee is required then we will provide a separate fee estimate for this work which will be charged at an hourly rate.

*How long will my application take?*

Matters usually take x-x weeks from receipt of full instructions from you. This is on the basis of the application being relatively straightforward and you being able to provide all the necessary documents promptly. If your matter is more complex, for example, if there is substantial opposition from interested parties, or if there is a delay in receiving the documents we need, it may take longer.

### *Further help*

If you require further assistance, please contact the Professional Ethics helpline [contactus].