

## **CLIENT GUIDE - what we need from you**

The amount and level of information we need from you will depend on the work you have asked us to do. What we do may change while we are advising you. If it does we will let you know how that changes in terms of the information we need. If you are taking a case to trial we will need every single piece of evidence in your possession (not necessarily immediately) but for a settlement agreement we really only need a copy of your employment contract.

The aim of this guide is to manage the amount of information you send us. We work on hourly rates so the more you can concisely summarise and package the information you send us the more efficient we can be with your legal costs.

**If you are in any doubt about what to send, please ask your lawyer at the outset.**

### **How to send information**

Please note that the *way* you send the information to us is important. If the information you send is too large to send via a single email, please ask us for a link. It causes unnecessary work and wasted legal costs if you send information in a long series of emails.

Please also note that we will not download links to Google Docs, Dropbox or any other platform due to the cyber and data risks associated with these platforms. We will provide you with a secure Egynte link which will automatically expire after 7 days.

### **Advice on settlement agreements – Type A**

If we are solely advising you on the terms and effect of a settlement agreement that your employer is offering we need only three items from you:

1. A copy of the agreement you have been asked to sign.
2. A copy of your contract of employment.
3. A recent payslip showing your gross and net pay and benefits.

If you cannot provide us with any of these please inform your lawyer who can request these from your employer.

### **Advice on settlement agreements – Type B**

If you have been offered a settlement but have asked us to negotiate the financials and the terms for you we may need additional documents.

We still need the 3 documents listed above but it would be useful if you can provide a short chronology of what has happened. A date (rough dates are fine if that is all you can provide), what happened and how this impacted you. This is all we need at this stage. What is most of interest is what you say your employer has done wrong and what has happened at work to lead you to want to leave.

Please note that we do not need to review the underlying evidence of the information you include in your chronology. This will inflate your legal costs unnecessarily. It is better to indicate in your chronology if you have a document to support what you are saying and let your lawyer decide if they need to see it. If they do, they will *ask* you to send it.

Please try to avoid sending a huge volume of documents that we do not need to see. This will inflate our fees.

In some cases there may be little hard evidence. Do not be concerned about this in the context of a negotiated settlement.

If you are unsure, ask your lawyer for guidance before sending anything.

### **Negotiating an exit for you**

The information we need for negotiating an exit for you from scratch, i.e. where your employer has not made an initial indication to settle you out of the business, is the same as for Type B settlement agreements above.

If you are unsure, ask your lawyer for guidance before sending anything.

### **Formal litigation in the Employment Tribunals and other courts**

If you know from the outset that your claim is going to proceed to formal litigation your lawyer will give you full list of what they need you to provide.

If we are taking over a case from another lawyer that you have already commenced or if you have started litigation as a litigant in person we will ask you to provide the following key information up front:

1. A copy of the ET1/Grounds of Complaint.
2. A copy of the ET3/Grounds of Defence.
3. A copy of the Acas Early Conciliation certificate.
4. Copies of all documents the Employment Tribunal or court has issued, for example Orders, Notices of Hearing.
5. A copy of any advice you have received from Employment Counsel (a barrister).
6. A copy of your contract of employment.
7. A recent payslip.
8. A Schedule of Loss if one has been prepared.

The amount of information we will need you to provide in support of your case and to allow us to assess your case can be voluminous. It is best to check with your lawyer how much they want and when. In the course of litigation you will be required to comply with your obligation of disclosure which means sharing all evidence and documentation including those which are not beneficial to your case. Your lawyer will explain this in more detail but please note that your lawyer has a duty to examine all documents in your possession and this task cannot be done by you.

If you have any questions about what your lawyer needs from you please raise this with them as soon as possible.

**This is a guide. There may be other situations where the information we need varies. If so we will ask you specifically for what we need. Our aim is to use time, and your money, efficiently.**