

Employment law for employers

Drafting employment contracts



Below, you will find clear information about what's included in our fixed fee packages for drafting employment contracts.

Why is it so important to have a Contract of Employment for your business?

A positive employment relationship relies on trust and confidence, and one of the best ways to maintain this is for both parties to know where they stand.

It is possible, and indeed very common, for individuals to be employed without a written contract of employment, however this becomes extremely problematic when either party needs to rely on that contract because it is not clear what terms were agreed at the outset. Inevitably, both parties will have a different recollection of what was agreed. Having written terms and conditions not only helps to provide clarity but can also prevent the relationship between the parties breaking down over a dispute relating to what was agreed at the outset.

As an employer, it is absolutely crucial that you have a written contract of employment for all of your employees. It will help you in the long run to have what was agreed clearly documented. Furthermore, you are required to provide all employees with a statement of terms of employment within two months of that employee starting their employment. If you provide them with a contract of employment that contains everything you would find in a statement of terms of employment, that's fine.

Failure to provide this information to employees within those two months could result in a Tribunal issuing a statement on your behalf and that statement may not contain the terms you thought were agreed. Furthermore, if an employee is already bringing a claim against your company, they could be awarded between two to four weeks' additional compensation by the Tribunal for you failing to provide them with that information within two months of commencing employment.

Our pricing options

With regards to costs, at Barcan+Kirby we are able to offer two different pricing options to suit you and your business.

1. Fixed fee

Our fixed fee package provides you with the legal advice you need and within your budget, as most of the cost risks sit with us. It is worth noting, that under a fixed fee arrangement, you may end up paying more than you might have under an hourly billing rate or any other arrangement, however the fixed fee option remains set in price.

Service	Silver £500 + VAT (£600)	Gold £1,000 + VAT (£1,200)	Platinum £1,500 + VAT (£1,800)
Consultation (face-to-face or by telephone)	✓ Up to 30 minutes	✓ Up to 1 hour	✓ Up to 1 hour
Review of your current contract of employment with comments	✓	✓	✓
Advice upon the type of contract required	✓	✓	✓
Advice upon the restrictive covenants		✓ General advice only	✓
Contract template	✓	✓	
Bespoke contract tailored to your specific needs			✓
Letter of advice specific to the contract provided		✓	✓
Additional time after provision of the contract		✓ Up to 30 minutes	✓ Up to 1 hour

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Payment terms

You will need to put down a deposit of 50% of your chosen package at the time of the initial consultation. The full balance will need to be paid within one month of our first meeting.

Material departure

Please note that if there is a material departure from the agreed scope, assumptions and exclusions for any reason, it is highly likely that our price will need to be adjusted upwards. However, we will discuss this with you as soon as we become aware of the possibility and before incurring any unanticipated cost.

2. Hourly rate

If you would prefer to go with a traditional hourly rate option, you will be charged for the time spent by your solicitor, any other solicitors and support staff in dealing with your case. This includes advising, dealing with papers, telephone calls and travelling.

Depending on your specific instructions and the work agreed, we would imagine costs to be in the region of £350 and £2,500 plus VAT (£420 and £3,000 inclusive of VAT). We would require £400 on account of costs before proceeding with any work required.

If the work proceeds smoothly and without any departure from the agreed scope, exclusions and assumptions, it may cost slightly less than other pricing methodologies. With the hourly rate, you *do* have the ability to monitor cost issues on an ongoing basis and refine your instructions in response to those developments; your costs will be limited to the time actually spent. However, what you need to consider is whether you want to assume and manage the price risk yourself (and reap any potential savings), or whether you prefer us to assume that price risk entirely, or share the price risk with us.

With this approach, there is cost uncertainty on your part and it may be that the work required means the cost is more than other pricing methodologies. There may also be little relativity between the total fee and the result you achieve. Under this option, we will not discount our fee for a result that falls short of your expectation if that result is something we did not have any control over. Please note, the range provided is our best estimate. We cannot rule out the possibility of the fee being higher than the top end of the range.

Further information

To speak to our employment solicitors about our employment contract packages, or any other employment-related issue, call us on **0117 325 2929** or visit **barcankirby.co.uk**.

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