

accas

# Grievance procedures and Employment Tribunals



**Where we've come from**

**Where we are**

**Where we may be going to**

# Grievance procedures and Employment Tribunals



## **2002 Act**

**Led to (from October 2004):**

- **Statutory dismissal, disciplinary and grievance procedures**
- **Fixed conciliation periods**
- **Revised Acas Code of Practice**

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## **2008 Act**

### **From April 2009:**

- **Repealed the statutory procedures**
- **Repealed fixed periods for conciliation**
- **Reverted to Polkey**
- **Provided for 25% uplift/decrease in ET award for unreasonable failure to follow (revised) Code of Practice**
- **Introduced Pre-Claim Conciliation**

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## Pre-claim conciliation

- **Approaching 20000 referrals in the last year (mainly from Acas Helpline)**
- **75% conciliation conversion rate**
- **Close on 80% ET1 avoidance rate**
- **Significant savings to parties and the taxpayer through earlier resolution**
- **88% would use again**

## **2011 Consultative Document**

### **Proposes:**

- **Greater use of mediation**
- **More earlier conciliation**
- **Greater powers of strike-out and increases in deposits and costs**
- **Introduction of a 'paying in' process for settlement offers**
- **More sitting alone (in UD cases)**

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## **2011 Consultative Document (cont'd)**

- **Introduction of fees**
- **Increase in UD qualifying period**
- **Employer fines**

## **Possible Timetable**

- **Responses by 20<sup>th</sup> April**
- **Gov't response summer / autumn?**
- **Bill to Parliament late '11 / early '12?**
- **Implementation Apr/Oct '13?**