

Getting it right

acas

# Dealing with grievances

disciplinary  
problems

trade unions

bullying

sexual  
harassment

resolving  
disputes

discrimination

inform

advise

train

work  
with you

## What if I get it wrong?

If grievances are not dealt with, or are handled badly, they are likely to grow and harm relationships in the workplace and this may lead to:

- resignations and the loss of good workers
- disciplinary problems
- a wider dispute with workers
- complaints to employment tribunals if employees feel their employment rights have not been respected and if they resign and claim a fundamental breach of contract amounting to 'constructive dismissal'
- unsatisfactory performance.

## What are the legal requirements?

An employee's Written Statement of Employment Particulars should include who an employee raises a grievance with and how this should be done.

The worker has the right to be accompanied by a person of their choice – a colleague or trade union official – at a grievance hearing.

The Acas Code of Practice sets out principles for handling discipline and grievances in the workplace. Employment tribunals are legally required to take the Acas Code of Practice into account when considering relevant cases. Tribunals may adjust any compensatory awards by up to 25 per cent for unreasonable failure to comply with any provision of the Code.

## Why should I have a grievance procedure?

Anybody working in an organisation may, at some time, have problems or concerns about their work, working conditions or relationships with colleagues that they wish to talk about with management. Issues that may

- cause grievances include:
- terms and conditions of employment
- health and safety
- work relations
- bullying and harassment
- new working practices
- working environment
- organisational change
- discrimination.

A procedure can help grievances to be handled in an open and fair way.

You may wish to have a separate procedure to deal with grievances of a sensitive nature, eg discrimination and bullying and harassment.

## How do I get it right?

- ✓ Make sure everyone in your organisation knows how a grievance should be raised and how your procedure operates.
- ✓ Follow the *Acas Code of Practice on disciplinary and grievance procedures*. The Code says you should try to resolve grievances informally but where that is not possible use a formal grievance procedure under which:
  - the employee sets out the nature of the grievance in writing
  - the employer arranges a meeting to consider the grievance
  - the employee is informed in writing what action is to be taken and how to appeal if not satisfied
  - the employee is allowed to be accompanied at any grievance meeting.
- ✓ Train supervisors and managers how to deal with grievances.

## Where can I get more information?

*Acas Code of Practice 1 on disciplinary and grievance procedures*

*Discipline and grievances at work: the Acas guide*

to order, call Acas Publications on 08702 42 90 90 or order online at [www.acas.org.uk](http://www.acas.org.uk).

Acas national helpline – 08457 47 47 47 – gives free advice on employment matters.

For details of Acas training on discipline see the Acas website at [www.acas.org.uk/training](http://www.acas.org.uk/training)

This information is intended to be a brief introduction to the subject. Legal information is provided for guidance only and should not be regarded as an authoritative statement of the law.