

Where can I get more information?

Acas Advisory Handbook *Discipline and grievances at work*; or Acas Rights at work information leaflet *Discipline, grievances and dismissal*; and Acas Advisory leaflets on *Bullying and harassment* – to order, call Acas Publications on 08702 42 90 90 or order online at www.acas.org.uk.

Acas Code of Practice on Disciplinary and grievance procedures – available from the Stationery Office.

DTI *Factsheets for small firms* – visit www.dti.gov.uk/publications.

Acas runs charged training for small firms and has a national helpline – 08457 47 47 47 – which gives free advice on employment matters.

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.

Dealing with grievances

disciplinary
problems
trade unions
bullying
sexual
harassment
resolving
disputes
discrimination

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?

In the Written Terms and Conditions of Employment, you must specify the person to whom a worker should go with a grievance.

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

If an employee wishes to use a grievance as the basis of a complaint to an employment tribunal they must first complete step 1 of the statutory grievance procedure:

- step one: inform the employer of the grievance in writing
- step two: meet to discuss the grievance and
- step three: hold an appeal, if requested.

Employment tribunals may adjust any award of compensation by between 10 and 50 per cent for failure by either party to follow relevant steps of the statutory procedure.

Why should I have a grievance procedure?

Grievances may arise even in the best run organisations on a wide variety of issues, including:

- terms or conditions
- supervision or management
- discrimination on the grounds of race, sex, disability, sexual orientation, religion or belief
- sexual harassment
- bullying
- health and safety
- overloading.

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?

- ✓ Ensure that, as a minimum, you comply with the statutory grievance procedures.
- ✓ Specify in the Written Statement of the main terms and conditions of employment to whom the employee can refer a grievance.
- ✓ Inform new workers of your grievance procedure.
- ✓ Make the procedure readily accessible to workers for instance, by setting it out:
 - in the company handbook
 - in a separate document
 - as part of a personnel procedures handbook.
- ✓ Train supervisors and managers to deal with grievances.