

## Step 3: Responding to a formal grievance

Your workplace should have its own formal grievance procedure. This should follow the [Acas Code of Practice for disciplinary and grievance procedures](#), as a minimum.

If your workplace does not have a formal procedure, you should follow the Acas Code.

Where possible, the person who handles the grievance procedure should have had training. Acas offers [training in handling grievance procedures](#).

### The Acas Code and the law

You must follow a full and fair procedure in line with the Acas Code for any discipline or grievance case. The procedure you've followed will be taken into account if the case reaches an employment tribunal.

### If anything similar has happened before

To keep things fair an employer should do all of the following:

- aim to follow the same fair procedure
- gather evidence from all sides
- consider all the information

### Keeping written records

The employer should keep written records of what takes place during the grievance procedure. This includes:

- what the grievance is about
- any decisions and actions taken, and why
- whether the employee [appeals](#) the grievance outcome

### Protecting personal information

The employer should keep all personal information confidential.

## If the grievance is about someone else at work

Before getting more information and evidence, the employer should:

- avoid assuming anything about the grievance or the people involved
- be sensitive to the circumstances and needs of the person the grievance is about, as well as the person who raised the grievance

### Deciding on disciplinary action

An employer should not discipline anyone involved in a grievance before getting all the information and evidence they can.

You can find out [more about the disciplinary procedure](#).

If there are concerns about employees in a grievance case working together while the grievance is looked into, the employer should consider what else they can do in the short term.

For example, where an employee has said that someone at work is bullying them, the employer could see whether work schedules can be rearranged temporarily so that the two people do not work together.

If the employer takes this type of action, they should make clear to the employees that it's not a punishment but a temporary change while they look into the grievance.

### Investigating

The employer should investigate the grievance so that they can make a fair decision about the grievance.

You can find out [more about investigations](#).

### If a crime could have occurred

If the grievance could be a criminal matter (for example, it's related to an assault), the police might need to be involved.

Employers and employees should use their own judgement about when to involve the police.

### Keep talking

It's important for the employer to keep talking confidentially with:

- the employee who raised the grievance
- anyone else involved in the grievance

Clear, regular and confidential communication can help avoid:

- misunderstandings
- a drop in work morale
- stress or other mental health issues
- further action, such as more grievances
- legal action later on

## **Looking after employees' wellbeing and mental health**

Going through a grievance procedure can be very stressful, so it's important that employers consider the wellbeing and mental health of any employees involved.

Looking out for employees' wellbeing and offering support can help prevent:

- absence
- mental health issues arising
- existing mental health issues getting worse

For example, as well as regular communication, the employer could arrange any meetings in a more private and comfortable location if this would help an employee.

See more advice on [supporting an employee with a mental health condition](#).

## **Grievances about a customer, client or anyone else who does not work for the business**

The employer should follow the formal grievance procedure in the same way.

### **If a grievance is raised while a disciplinary is taking place**

The employer can pause the disciplinary procedure and deal with the grievance first. If the disciplinary and grievance cases are related, the employer can deal with both at the same time.

### **If a grievance is raised by more than one employee**

If more than one person in a workplace has the same grievance, it might be best to raise it collectively.

The employer and employees should follow your workplace 'collective grievance' policy. If your workplace does not have this, the employees could:

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get more information from their trade union or workplace representative

- raise the grievance themselves, for example by agreeing on one person to raise it and communicate for all of them

## Using mediation

You can use [mediation](#) at any stage.

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