acas working
for everyone

**Individual Dispute
Resolution (IDR)
Discovery 2021**

Final Report

Contents

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Executive summary
& recommendations

Executive Summary

Purpose of the project was to look at how we could blend technology and people skills into the delivery of the IDR service to deliver the strategic ambition to resolve more cases quickly

- ✓ Customer focus
    - ✓ We gathered insight from desk & user research, focusing on both external and internal users
    - ✓ Sought to understand where the biggest impacts could be gained
    - ✓ Listened to technology experts and learnt how we could do things differently
    - ✓ Looked at comparable services to see what they were doing
    - ✓ Identified opportunities to do things differently
    - ✓ Ensured we considered diversity and inclusion at each stage
    - ✓ Worked with our people to build trust and inclusion in the project

- ✓ Developed the service for the future around 8 new concepts which together build a new customer focused journey ensuring education, guidance and self-help features throughout
    - ✓ Identified risks which fed into recommendations
    - ✓ Build a roadmap for delivery

Developing a world class IDR service driven by expertise and supported by technology

Recommendations

A. Context

1. Acas should develop its Individual Dispute Resolution Service towards the 'to-be' service design, which incorporates **key Online Dispute Resolution (ODR) principles** and aims to resolve the key internal and external pain-points with the IDR Service.

2. The **most significant pain-points should be addressed first**, which also occur at the start of the journey:
    i. External users' lack of understanding of conciliation / Acas' role
    ii. Incomplete or inaccurate data that causes avoidable admin and delays downstream
    iii. Resource-intensive allocation process

3. The Discovery Team found **no ideal ODR off-the-shelf solution**. The off-the-shelf solutions we saw were currently focused on automating more transactional disputes. But, we found aspects of ODR that can enhance the Acas offer.

B. Approach

4. Acas should **continue to develop its Dynamics case management system (CMS)**, with a focus on improving usability to ensure staff buy-in following perceived issues with implementation. The CMS should be developed to GDS standards as if it were a public-facing product, driven by cycles of research into user needs, prototyping, development and testing.

5. Aspects of ODR can be developed by exploiting the **strong technical foundations** that Acas has in place (e.g. Drupal, Dynamics, Power Suite) which will also mean less change and disruption for staff. However, when tendering to develop features, we would recommend inviting off-the-shelf ODR vendors to respond to a tight brief.

6. Valuable data is missing or unavailable within Dynamics. To facilitate aspects of ODR such as **auto-allocation,** conciliator data (e.g. experience, availability, location) needs to be consolidated in CMS (or easily accessible by CMS), replacing the CAT (allocation) tool. Over time, we would expect the CAT (allocation) team to be smaller and focused on dealing with exceptions.

7. Rollout of aspects of ODR such as **assisted notification** and **auto-allocation** should mean less demand for ECSOs (triage role) over time. These could potentially be retrained, increasing Acas' pool of conciliators.

C. Transformation Programme

8. The IDR Service is complex. To introduce aspects of ODR, especially at pace, will require a multi-year **Transformation Programme** with Executive Sponsorship, to successfully bring together changes to people, process and technology.

9. A strong **Programme Structure** will be needed to maintain coherence across the people, process & technology e.g. :

    i.   Programme-wide objectives
    ii. Governance, scrutiny and alignment of each project
    iii. Maintain and monitor programme roadmap
    iv. Management of risks, issues and dependencies between projects
    v.   Sufficient budget / people in place to deliver when required
    vi. Communications plan for internal and external stakeholders
    vii. Change management
    viii. Reporting - e.g. GDS, Data Standards Authority standards compliance
    ix. Robust evaluation - e.g. value released

10. Acas will need to consider whether to work with a supplier to **build out, establish and manage the programme.**

D. Piloting

10. ODR is still developing. Off -the-shelf suppliers and Subject Matter Experts (SMEs) are unanimous in recommending **piloting with the simplest cases**. Acas should first focus on improving the beginning of the IDR journey first, piloting service options A (video – content strategy), B (assisted notification), D (case allocation engine) and L (Large Group Claims) with:

Type of claim	Claims (p.a.)	Reason
Wage claims	5,000	Least complex, lowest risk
Employer-led group cases	3,700	High administrative burden, momentum exists here.
High likelihood of settlement	29,000	Allow conciliators focus time where they can most help a positive outcome

10. Desk research into team-based conciliation suggests benefits for less complex cases (*"the pilot appeared to work well in shorter, more straightforward cases")*. There is an opportunity to **group people around areas of expertise to whom these case types can be auto-allocated,** trial 'optimal' ways of working and monitor performance.

11. As Acas learns more, it can identify other cases in which the same approach might be applied, and **iteratively** build a model and system that allows cases to be allocated to groups of people or individuals who are best placed to achieve a successful outcome based on their expertise (jurisdiction expertise, employer knowledge or location) or availability (working patterns, annual leave)

E. Capability

13. Acas has the **technical foundations** required but does not have sufficient delivery scalability or capability to implement the 'to-be' Service Design, and needs to consider its delivery strategy (what it should do in-house vs what to outsource)

14. We would recommend a programme made up of at least **four scalable workstreams** with overarching integration and leadership:

Workstream	Focus	Resourcing model TBC but could look like:
Digital development	'Heavy lifting' around iterative development of an ODR platform	• External developer • In-house product management
Content strategy	Develop online and offline content to ensure understanding across the whole journey, and consistent messages across channels and outreach (website, social media, etc.)	• In-house team • Option of external supplier to challenge and upskill
Data & insight	Drive IDR data strategy to improve quality and completeness so IDR is an evidence-led service. Develops foundations, identify key data and skills gaps, develop standards, monitors performance.	• In-house team • External supplier to support & upskill
Live services	Run CMS and online services from beta, iterate from user feedback, and provide services to Acas staff (e.g. automations, reports)	• In-house team • Supported and upskilled by external supplier – eg automation, ML

Support would also need to be committed from Acas' infrastructure resources (Ddat) guided by external infrastructure expertise.

F. Alpha

15. A Programme Structure does not need to be in place immediately. To **maintain momentum, and show visible results quickly**, work could begin at relatively low risk to improve the IDR Service in three areas:

16. **Alpha phase.** Out of the Service Options listed in this report, the Discovery team assessed that the most appropriate candidate to take into an Alpha phase and work up into a prototype was **Service Option B: Assisted Notification**, because:

    i. it would deliver the most value to both external and internal users
    ii. more accurate & complete data will positively impact and enable other services such as auto-allocation
    iii. there are significant uncertainties, constraints and risks that can be tested in an alpha phase

17. In addition, Acas' existing digital team could start developing and testing **Service Option A: Guidance Videos** to address in a lack of external user knowledge as highlighted by our user research. This should form part of an overall **Content Strategy** that may consider other formats.

18. Some work has already been done to handle grouped claims more effectively (the creation of a groups team and commissioning of a facility to allow reps to upload spreadsheets of claims). Work could continue on **Service Option L: Large Claims Service** without affecting other aspects of the programme at this stage.

Programme vision and outcomes

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Programme vision

People involved in a workplace dispute have clearer understanding of how they can reach a quicker, more cost-effective resolution at the earliest point possible

Programme outcomes

- Parties spend less time in ET system
- Fewer cases requiring judicial time (including final determination)
- Conciliators focused on resolution and not administration
- Parties engage in discussion with conciliators which is focused on resolution

Workstream 1: Content strategy	Workstream 2: Assisted notification	Workstream 3: Case allocation	Workstream 4: Large group claims
Workstream vision	**Workstream vision**	**Workstream vision**	**Workstream vision**
Users grasp basic principles of employment law related to their dispute, the most appropriate way to resolve it, and have clear expectations of where Acas can help.	Users guided to supply information conciliators need for a first conversation that will provide the best possible service at the earliest point.	Cases are directed to the most appropriate and available conciliator, to quickly and efficiently resolve their dispute.	Users who belong to the same workplace dispute are quickly brought to the attention of a team with the expertise, tools and resourcing to resolve efficiently.
Workstream outcomes	**Workstream outcomes**	**Workstream outcomes**	**Workstream outcomes**
• *Reduced flow of work into Early Conciliation* • *People in Early Conciliation have exhausted informal resolution routes before submitting a claim* • *Parties better informed about EC and ET (including benefits of resolution over ET and what they need to do to present case at ET)* • *Parties clear on the law that applies to their case* • *Users understand if they have a potentially valid claim.*	• *Reduced flow of work into Early Conciliation* • *People in Early Conciliation have exhausted informal resolution routes before submitting a claim* • *Parties engage in discussion with conciliators which is focused on resolution* • *Most cases go direct from notification to conciliator* • *Good quality data collected and used to inform the service.*	• *Most cases go direct from notification to conciliator* • *Acas has a clearer view of current and potential conciliator resource availability* • *Case administration expertise focused on maximising efficiency and resolving issues not manual distribution.*	• *Parties spend less time in ET system.* • *Fewer cases requiring judicial time (including final determination)* • *Earlier warning of potential upcoming group claims* • *Group cases identified and routed with much less administration to Groups Team.*

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Aims of this discovery

Why are we here?

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The business problem

Acas has high residual caseloads and a high allocation of work, and wanted to :

- look at whether it is optimising resolution rates

- Consider how efficient its allocation model is and look at alternatives

- examine conciliator availability, how can we make best use of time, focussing minds on resolution?

- explore the possibility of digital intervention/assistance, that our customers would use and our stakeholders would feel content with, whilst protecting the important conciliation conversations

Project aims

- Identify areas of inefficiency in the current model and hear recommendations about different approaches

- Identify pain points for customers and conciliators and hear recommendations for different options to alleviate those pain points

- Look for how digital solutions could blend into our conciliation service and hear recommendations and options for how they may relieve some of the pain points and some cost models

- Have clear service options to test

- Work as a team and with our Trade Union to ensure as much engagement as possible

Current conciliation service

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The role of Acas

- Where a dispute arises in a workplace between one or more employees and the employer, there may be a right to present a case to an employment tribunal (ET).

- Acas has a legal duty to attempt to help the parties resolve the dispute, and an employee who wishes to submit a claim to a tribunal is required to contact us initially before doing so.

- The role of Acas and our approach to working with parties to a dispute is governed by law. There are very specific rules about how and when an employee can request Acas assistance.

Early conciliation (EC)

- EC aims to resolve disputes that could be made to an employment tribunal (EC) or have been made to a tribunal (ET). Whilst a prospective claimant must notify Acas before a claim is made, conciliation pre and post claim is voluntary

- Workplace dispute gives rise to a request to Acas for assistance. This can trigger Early Conciliation as a service.

- Acas works to take the heat out of the dispute and help parties reach settlement. Communication process with emphasis on testing and challenging assumptions to move to possible settlement.

- Acas's work is governed by law – requires specific approach to making change – working with legal and policy officials when making changes.

Structure

- 2 different grades of conciliator
- Mixture of individual case holders and teams

Delivered by

- Blended teams
- Duty Cover teams
- Group team
- Orphans plus case holders
- managed through a regional structure with central strategy and policy

Supported by

- ECSO (triage function)
- Data Control
- Insolvency team
- Some cases handled administratively if volumes spike

Resource

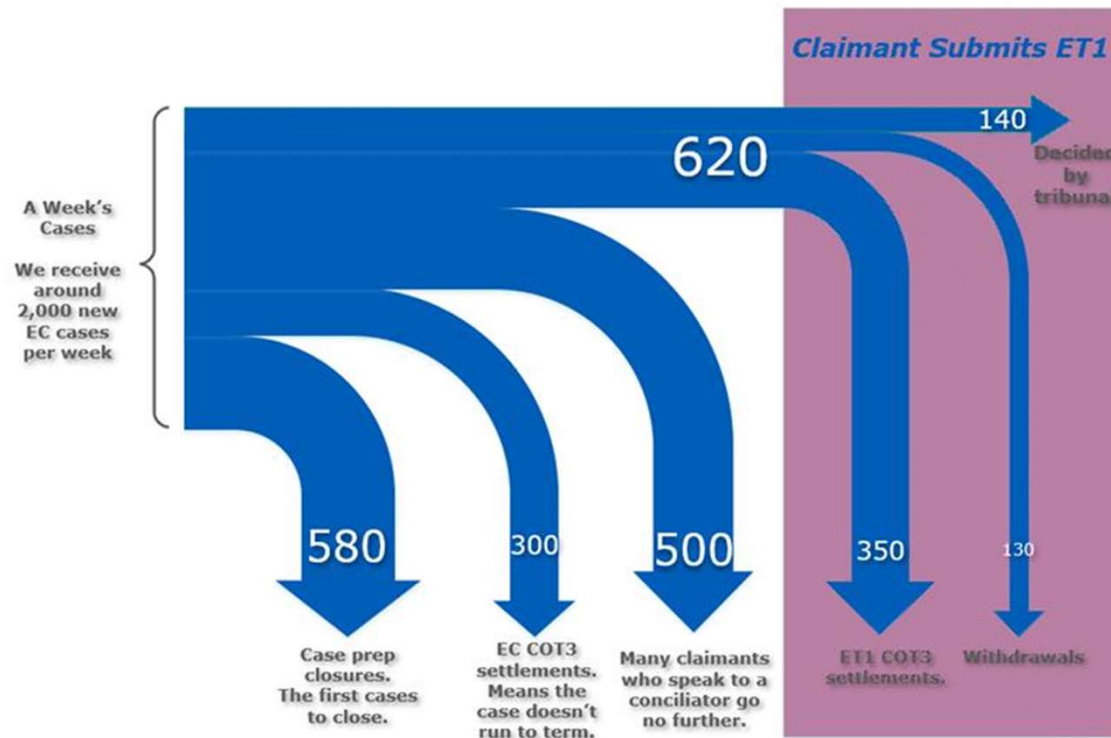- Not unlimited restricted by budget/ grant

Service results

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Typical end points for a week's worth of cases

Few disputes notified to Acas for conciliation actually result in a hearing. This diagram shows where cases notified to Acas during a week typically end up.

Case prep closures happen with weeks – other outcomes take longer. Cases that aren't resolved may not reach court for over a year.

A Week's Cases

We receive around 2,000 new EC cases per week

Claimant Submits ET1

620

140 Decided by tribunal

580 — Case prep closures. The first cases to close.

300 — EC COT3 settlements. Means the case doesn't run to term.

500 — Many claimants who speak to a conciliator go no further.

350 — ET1 COT3 settlements.

130 — Withdrawals

Dispute types

- Wide range of claims handled
- Around 51 jurisdictions

Volumes

- Variable but around 120k notifications per annum

Parties

- All types of customer and a range of representatives
- Largely claimant led, but also requests from employers

View **detailed statistics on service performance**

* COT3 is a legal contract ending the dispute and drawn up by a conciliator

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Workstreams

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Service option A:

Content Strategy/Guidance videos

Service option A: Guidance videos

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Instead of having to browse the massive walls of text users currently see on ACAS website, imagine a series of short, informal videos that provide users with accessible information about:
- how to effectively resolve disputes internally
- the role of Acas and what users should expect from them
- the benefits of conciliation (comparing with ETs)
- information regarding the case (e.g highlighting any jurisdictional issues)
- he dispute resolution process.
- and more!

Ideas of key functionalities:

Functionalities to be included in MVP:
A1 - Series of short informal videos for users to watch before making a notification. They are accessible via the most effective channels, and include transcripts for accessibility and inclusiveness

Functionalities to develop later:
A2 – Overtime, other videos informed by research will be developed that are relevant to later steps of the user journey, e.g. how to prepare the first conversation with conciliators. The videos can be linked to the "track my case" service
A3 – Overtime, engage with users on social media or other suitable channels. The purposes include engaging those who are not aware of ACAS, involving users to improve current service, promoting other services, involving users to work on larger themes of employment issues, etc.

Service option A: Guidance videos
User needs addressed

Claimant understanding the process

Example user need

As a **Claimant** I need accessible and findable information about how to resolve my dispute **so that** I can quickly understand the options available to me and next steps to help me towards a resolution

Manage parties' expectations

Example user need

As a **claimant** I need to understand how conciliation & tribunals work **so that** my expectations are managed and I can be prepared for meaningful conciliation

Capture right information up-front

Example user need

As a **conciliator** I need parties to provide correct legal and representation details (e.g. legal identity of employer, own details, representation details), **so that** I can avoid jeopardising their case, progress their case swiftly and reduce risk of running out of time

Service option B: Assisted notification

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Imagine an improved, interactive notification form that captures more complete, relevant and structured information about the claim and:
- Mitigate against claims being raised unnecessarily
- Flag if the claim has potential problem that may prevent a claim being accepted or conciliation being a realistic possibility (e.g. incorrect basic info, incorrect jurisdiction)
- Flag if more information is required.

This will ensure that the case is as well prepared as possible before it gets to conciliators, allowing us to allocate the claim to the right conciliator, arrange the first meeting more rapidly, and better help parties with the claim.

[Currently this would apply to Form 2, but consider whether Form 2 should appear before Form 1 to reduce inappropriate claims]

Ideas of key functionalities:

Functionalities to be included in MVP:
B1 – Analyse submitted forms to flag gaps, and ask customers to correct errors or supplement missing information.
B2 – Prevent invalid cases to come in or direct to alternative routes where Acas unlikely to be able to help (e.g. link to Redundancy Payments Service)
B3 - Triage questions & logic to capture more complete and relevant information to aid faster allocation, a more efficient first conversation, and wasted time downstream (e.g. outcome sought)

Functionalities to develop later:
B4 – Make the forms interactive, which provide real-time instructions / error messages to assist you fill in the forms, and potentially link to extra guidance (e.g. videos)
B5 - If needed, some questions & logic could differ for different case types or representation
B6 - CMS automatically prepares cases, ensuring relevant refined case notes are available for the conciliator to start the case

Service option B: Assisted notification
User needs addressed

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Capture right information up-front

Example user need

As a **conciliator** I need parties to provide correct legal and representation details (e.g. legal identity of employer, own details, representation details), **so that** I can avoid jeopardising their case, progress their case swiftly and reduce risk of running out of time

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Manage parties' expectations

Example user need

As a **claimant** I need to understand what Acas can and can't do for me, so that my expectations are managed

Service option D:

Case allocation engine

Service option D: Case allocation engine

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Imagine an automated system that analyses data from notification form and conciliator availability, experience, location, expertise, preference and reasonable adjustment, and forwards claims to the right individuals or teams. It also takes care of admins like finding, merging, and deleting duplicated claims, filtering cases with respondents that have ceased trading. It reduces admin work for CAT members, and the need for reallocation. Therefore, CAT members can focus on more complex and exceptional cases.

Ideas of key functionalities:

Functionalities to be included in MVP:
D1 – Automate the current process, and reframe CAT team's role as focusing on exceptional circumstance and data quality governance
D2 – Pilot with Wage and Group claims and team based approach, and continue with wider roll out depending on pilot results

Functionalities to develop later:
D3 – Work against a fair rule that balances optimising case outcome and conciliator performance
D4 - CMS to identify duplicate cases and merge them into one
D5 - Cases that are likely to settle have prioritised allocation
D6 - Able to filter out cases that have ceased trading or are legally insolvent

Service option D: Case allocation engine
User needs addressed

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Better allocation process

Example user needs

As a **CAT member** I need a more efficient, high quality process for allocating cases **so that** we can speed up contact with parties and I can focus my / conciliator time where it is most needed

As a **conciliator** I need to receive cases in line with my hours, leave holidays, reasonable adjustments and ability so that I can deliver a high quality service and get a better work/life balance

As an **employer** or **representative** I need to have a conciliator that is familiar with my sector **so that** they can better understand the concerns I face about my case and I can relate to them better

Service option L:
Optimised large claims service

Service option L: Optimised large claims service

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Imagine an optimised service for representatives that enables easy notification via uploading a spreadsheet, processed by a dedicated and knowledgeable bulk claim team, and can link all individually submitted but linked claims automatically.

Ideas of key functionalities:
Functionalities to be included in MVP:
L1 - Providing an online interface to submit large claims by uploading spreadsheets
L2 - A dedicated team with a direct contact number who deal with large scale multiples, specialising in sector and regional knowledge

L3 - Cases allocated to the same conciliator(s) for consistency and rapport

Functionalities to develop later:
L4 - ACAS' systems detect all linked individual claims, enabling conciliators to identify and address them faster

Service option L: Optimised large claims service
User needs addressed

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Manage large claims more effectively

Example user needs

As a **claimant rep** I need a more efficient way to notify Acas of multiple claimants, **so that** I can avoid laboriously inputting every individual's details

As a **claimant/respondent rep**, I need Acas representatives (ECSO) to be fully trained in all Acas' processes, **so that** I can progress claims and resolve matters quickly

Specialism

Example user need

As a **conciliator/ECSO** I need to be able to maximise and leverage local / regional / sector knowledge, **so that** it is easier to build trust and rapport with the parties and reach resolution.

4

How we ran this project

Agile discovery

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- Before committing to improving the Internal Dispute Resolution service, it is vital to thoroughly understand the problem that needs to be solved.

- Acas chose to run an **eight-week discovery project** to learn more about:

  - users of its individual conciliation service and what they are trying to achieve

  - constraints to changing the service (e.g. technology, legislation)

  - opportunities to make improvements.

- A **blended team** comprised of in-house staff (including policy, technology, and trade union representation) supported by Deloitte (Product Manger, Service Designer and User Researcher) to deliver the Discovery.

- The project followed:

  - **Agile principles** – a collaborative project management methodology that allows rapid response to change in uncertain environments

  - **Double Diamond** – a design approach developed by Design Council to identify innovative ideas to solve complex problems

  - **Government Service Standard** – a standard developed by GDS to help teams create and operate great public services.

What is agile?

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Agile is a time- boxed, iterative approach to delivering a project, which:

- Promotes disciplined project management using a process that encourages frequent inspection and adaptation.

- Encourages teamwork, self-organisation and accountability

- Creates best practices to allow:

    - rapid delivery of high-quality outcomes

    - a business approach that aligns development with user needs and company goals.

- This is a user centered approach using a clear evidence base and testing ideas and concepts

Tools used

- **Trello** – to plan, shape and prioritise tasks
- **Miro** –to iterate designs and consolidate research
- **Microsoft Teams** – communication
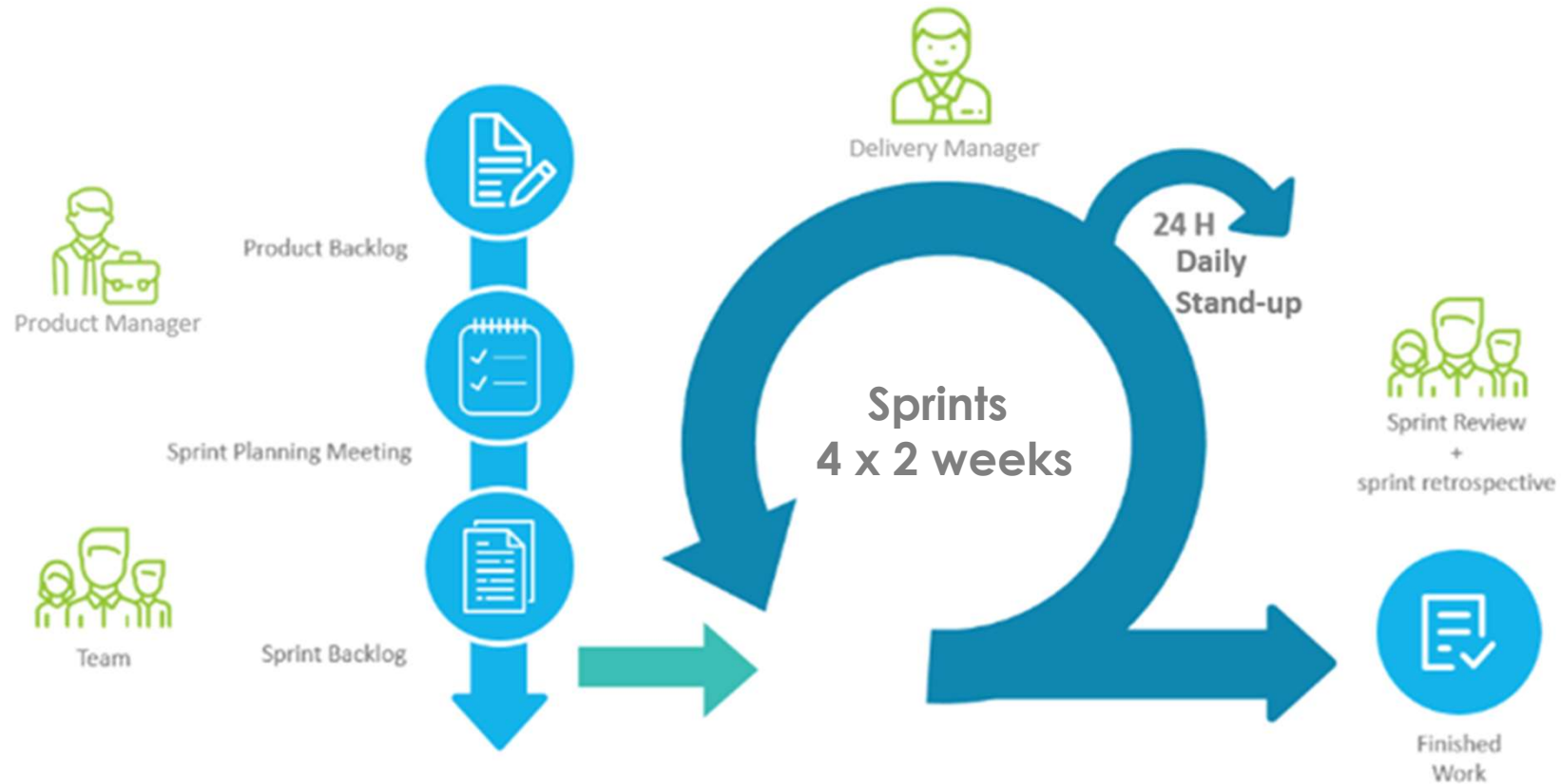- **SharePoint** – store relevant data

Ceremonies used

- **Daily stand-ups** (15 mins)
- **Sprint planning** (2hrs, every 2wks. Team event (observers welcomed)
- **Sprint review** (1.5hrs, every 2wks. Team + key stakeholders)
- **Retrospectives** (1hr, team event)
- **Show & Tells** (30 mins, every 2wks, whole org welcomed)
- **Final playback** (9 June, whole org)

A **Team charter** was also developed which is in Appendix F.

Agile process

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Product Manager

Product Backlog

Sprint Planning Meeting

Team

Sprint Backlog

Delivery Manager

24 H Daily Stand-up

Sprints 4 x 2 weeks

Sprint Review + sprint retrospective

Finished Work

The IDR Discovery project ran for eight weeks consisting of four sprints. Each sprint was two weeks long.
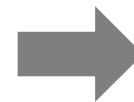
Start Date: 24th March 2021
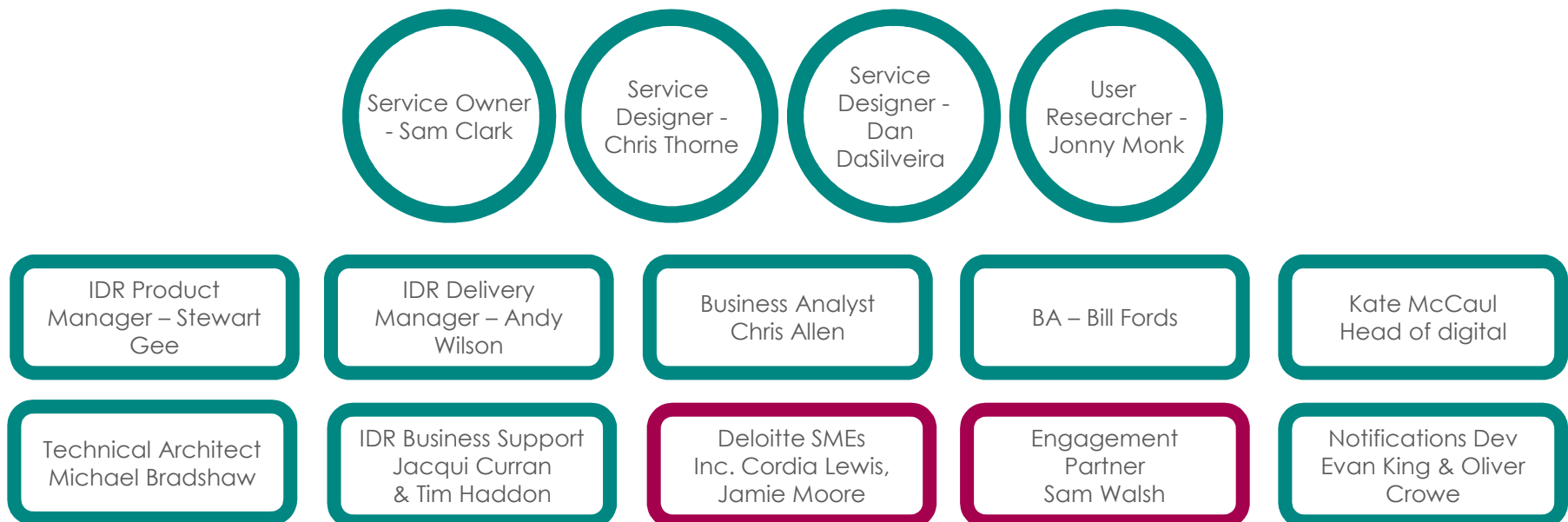End Date: 18th May 2021
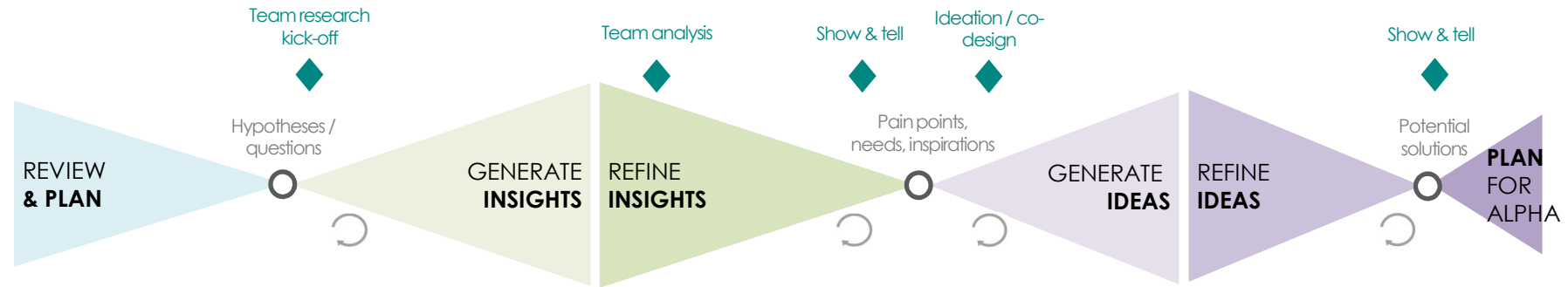
Agile team

Deloitte. + **acas**

The Discovery was run by a blended, multi-disciplinary team combined of **Acas Staff** and contactors from **Deloitte.** Some members of the team received upskilling (details in appendix)

Delivery Manager Curtis Goode	Associate Delivery Manager Mohamed Siddiqui	Senior Policy Adviser (SME) Tony Lowe	Product Manager Paul Drinkwater	Associate Product Manager Tayo Oyenubi
User Researcher Chloe Chia	Service Designer Yi Wu	Ind. Conciliator, (PCS, SME) David Parry	Ind. Conciliator (SME) Thomas Parrott	Conciliator Manager (SME) Francesca Dean

Supported by:

Service Owner - Sam Clark

Service Designer - Chris Thorne

Service Designer - Dan DaSilveira

User Researcher - Jonny Monk

IDR Product Manager – Stewart Gee	IDR Delivery Manager – Andy Wilson	Business Analyst Chris Allen	BA – Bill Fords	Kate McCaul Head of digital
Technical Architect Michael Bradshaw	IDR Business Support Jacqui Curran & Tim Haddon	Deloitte SMEs Inc. Cordia Lewis, Jamie Moore	Engagement Partner Sam Walsh	Notifications Dev Evan King & Oliver Crowe

'Double diamond' design process

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Team research kick-off		Team analysis	Show & tell	Ideation / co-design		Show & tell

REVIEW & PLAN — Hypotheses / questions — GENERATE INSIGHTS — REFINE INSIGHTS — Pain points, needs, inspirations — GENERATE IDEAS — REFINE IDEAS — Potential solutions — PLAN FOR ALPHA

Sprint 0 (2 weeks) | Sprint 1 (2 weeks) | Sprint 2 (2 weeks) | Sprint 3 (2 weeks) | Sprint 4 (2 weeks)

FRAME	**EXPLORE**	**DESIGN**

OBJECIVES

FRAME	EXPLORE	DESIGN
• Align ambition, approach and ways of working • Understand and prioritise problems to solve • Confirm user profiles and plan for recruitment	• Conduct primary research with internal and external users • Identify a relevant set of insights including user pain points and needs • Bring together and examine insights and generate their related implications • Conduct required secondary research, e.g., technology market scanning	• Develop longlist of service improvement options and assess these to create priority list • Assess the case for Alpha and create a high-level roadmap (including a clear definition of what to test)

DELIVERABLES

(1) Agreed approach and governance, (2) User research and service design high level plan, (3) User segmentation and recruitment plan	(1) End-to-end service map of the dispute resolution journey(s) including user pain points, (2) Baseline service metrics, (3) User personas including specific user needs, (4) Technology market scanning analysis	(1) A re-imagined service blueprint including risk assessment, (2) Prioritised service options and a list of backlog options, (3) A high-level roadmap for alpha (if there is a case)

Government Service Standard
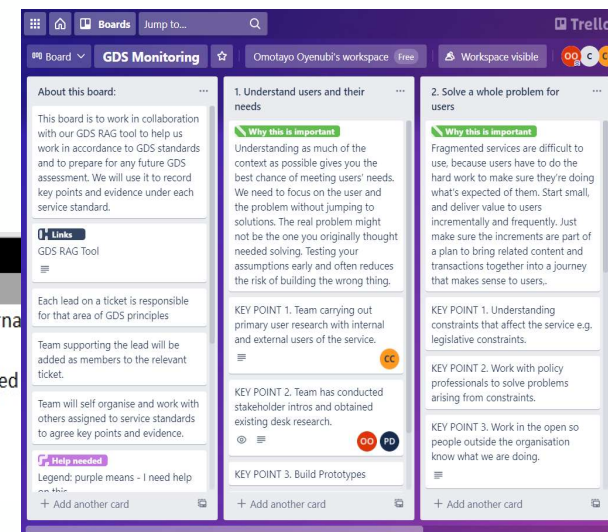
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The Government Service Standard <u>contains 14 points</u> to help teams create and operate services that meet user needs and are fully accessible to all users.

- No assessment of a Discovery stage is required, but if Acas moves to an Alpha phase, it will need to get changes to its IDR service assessed against GDS Standards, as it is a transactional service (allows users to exchange information)

- The assessment will look at what we have built or how far we understand our user's journey (typically starting at Alpha stage), in our discovery we are gathering information.

- We chose to start monitoring compliance early, to ensure we stay on track and ahead in preparation for when/ if moving to Alpha.

Tracking GDS compliance

- **RAG tool** – the team created and updated its compliance to GDS standards throughout the Discovery on by using a Red, Amber & Green (RAG) tool. **Trello** – upon moving to Alpha, compliance will be likely be tracked in Trello alongside other deliverables.

Problem statement

As as per GDS Discovery guidelines, the team first defined the problem from the perspective of the end user, as follows.

How can we — Offer our users the simplest and most accessible journey to help them resolve their dispute at the earliest point possible

…and ensure that they — Experience a high-quality, value-added service that leads to an appropriate outcome for their case

…so that our

- Users avoid a long, costly and emotionally draining legal process

- Increase our impact by promoting resolution, reducing the burden on court capacity

- Conciliators feel they have a better balance of work that targets their expertise where it is most needed

- UK taxpayers get value for money

Governance and communications

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- Comms plan

- Show and tells

- Weekly communications to delivery SLT, CMs, TUs and all delivering the IDR service

- Trade union consultation

- Regular informal check in discussions

- TU BC rep working as part of the delivery project team

- Checkpoint report

- Communication process we have been through

- What we have planned

- How we will communicate any subsequent trials and roadmap

- How we will engage TU and individuals operating the service and get them involved in options, opportunities and decisions (Sam)

Transparency and Engagement

Stakeholder Interviews

Held one-on-one conversation with stakeholders:

- obtaining insight on user needs, business goals and limitations.
- maintaining focus and preventing repetition we engaged CMS/notification team exploring their service road map.

Sense Check

We sense check research data by:

- Facilitation session with conciliation managers.
- CM ran 13 separate session collection useful data from Individual conciliators
- Open Miro board for anyone to leave comment on findings

Kick-off meeting

We held a kick off meeting, ensuring:

- Welcoming Deloitte to Acas
- Getting everyone together to head towards a uniform transparency.
- Positive engagement
- Ensure we get buy-in and commitment
- Everyone on this call can determine the success of this part of the project.
- Working expectations

Show and Tell

We held a show and tell at the end of each sprint:

- showcasing sprint achievements to stakeholders
- Invitation was sent to the wider organisation
- Explored sprint goals and how we achieved these
- Set out deliverables for upcoming sprint
- Address questions

5

Understanding pain-points and user needs with the Current IDR service

Our research approach

Research approach

In order to understand the options available to us, we first needed to understand the current state of the end-to-end conciliation journey from the perspective of both our internal and external users – namely our conciliators, support staff, and customers. With this in mind, we aimed for breadth over depth; rather than overcommit to one area, we kept the research open-ended to discover the hotspots for further testing and validation down the line.
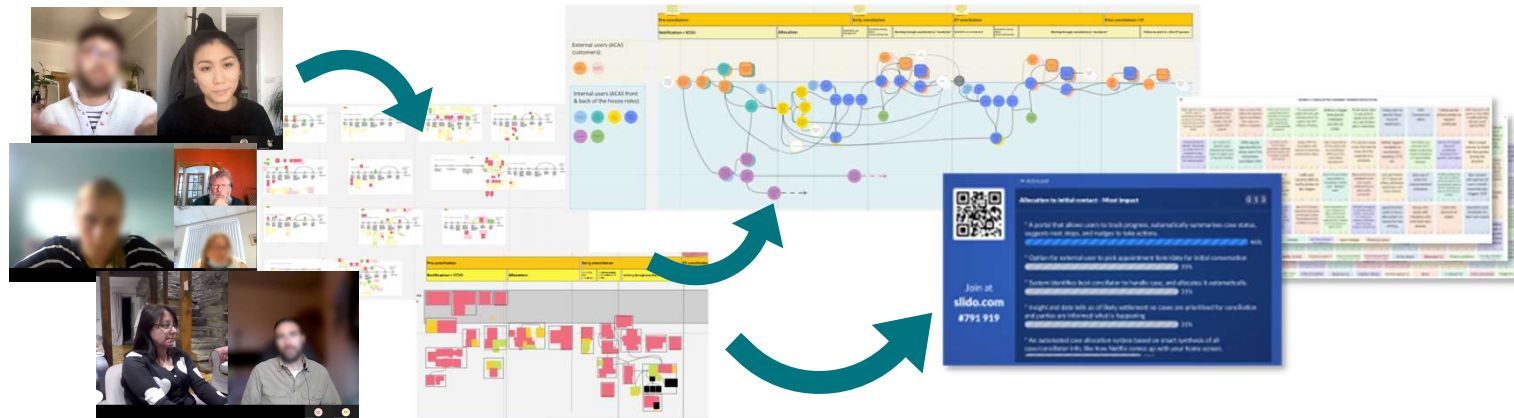
In Sprints 1 & 2:

We conducted exploratory research with **internal and external users** to understand the current state and identify pain points across the journey

Areas of inquiry:
- Understanding their role and the current experience
- Pain points along the end to end conciliation journey
- Attitudes around digitising or automating certain parts of the process
- Their ideas on how to make it better

In Sprint 3:

1. Built **user needs and stories** based on the pain points

2. Developed various concepts to address the user needs

3. Validation of what we heard with **additional interviews and surveys** with various SMEs and the wider ACAS team

Research approach
Methodology

acas

User Group	Sprint 1 Understanding the pain points	Sprint 2 Understanding the pain points (cont.)	Sprint 3 Developing concepts and additional validation
Internal Users (including conciliators, ECSO, CAT, DCT and other support staff from various grades)	In-depth video interviews with **15 internal** users: • 11 conciliators, mix of regions, team-based vs. Individual, and accessibility needs • Support teams: 2 DCT, 1 CAT, 1 ECSO	**Slido sessions with over 230** conciliators across regions and grades to validate findings in Sprint 1	In-depth video interviews with **6 CMs** + **Additional slido sessions** for those who missed the earlier ones
External Users (claimants, respondents, & representatives)		In-depth video interviews with **14 external** users: • 7 representatives from various unions and legal firms on either claimant or respondent side • 6 respondents (HR officers or in-house legal departments) • 2 claimants with accessibility needs	
Other	Desk-based research and additional interviews with SMEs throughout the process. (Appendix G)		

Guiding concept creation and testing in Sprints 3-4

Research approach
Methodology

Across the different methods, here are the questions we probed our users on:

Internal Interviews
(15 interviewees + 6 CMs using a modified version of this flow):

1. **Introduction and role in ACAS**
   1. Role & responsibilities
   2. Typical week
   3. What "good" looks like

2. **Understanding their experience of the current conciliation process**
   1. Lifecycle of a case / notification + pain points
   2. For CAT: Challenges around allocation
   3. Biggest time wasters vs. where conciliator time is valuable

3. **Ideas to improve in the future**

4. **Magic Wand question**

External interviews
(14 interviewees):

1. **Introduction and role in their company**
   1. Role & responsibilities
   2. Approach to internal conflict resolution
2. **Expectations of ACAS**
   1. How much did they know and where did they go for information
   2. The role of a conciliator
   3. Views on EC vs ET
3. **Experience of conciliation**
   1. What did you want + outcome
   2. What worked well vs. didn't work well?
   3. What could've been improved
4. **Prioritising aspects of the service**
   1. Personalisation, speed, and quality – what matters most?
   2. How would they feel about parts of the service being digitised?

5. **Magic Wand question**

Slido Sessions with wider internal users (230 responses):

1. **What are the INTERNAL pain points within the IC role?** Pick your top 3, in order with 1 being the most painful

2. **Where do the EXTERNAL delays and obstacles occur within the conciliation journey?** Pick 3, put in order with 1 being the highest

3. **If you had a magic wand** that could fix anything about the conciliation process, what would you use it for? (max 70 characters)
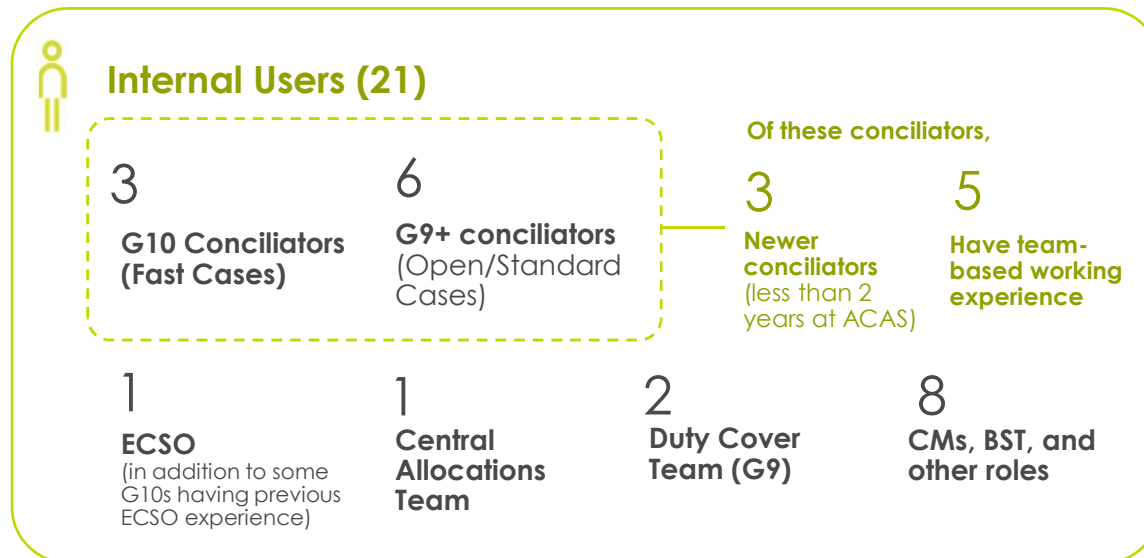
For a full list of pain points tested for validation see Appendix C

Research approach
Users + who we spoke to in Sprints 1-3

acas

- **User profiles** are a method we used to summarise the key needs and desires of the various users we spoke to. From primary user research with internal and external users, supplemented by desk research, the team mapped the following key user profiles based off of who we were able to speak to in Sprints 1-3:

For research we also made an effort to recruit users of varying levels of comfort with **digital** and those with **accessibility** needs:

Internal Users (21)

3	6	Of these conciliators,	
G10 Conciliators (Fast Cases)	**G9+ conciliators** (Open/Standard Cases)	3 **Newer conciliators** (less than 2 years at ACAS)	5 **Have team-based working experience**

1	1	2	8
ECSO (in addition to some G10s having previous ECSO experience)	**Central Allocations Team**	**Duty Cover Team (G9)**	**CMs, BST, and other roles**

External Users (14)

5	2	5	2
Representatives Mix of private and TU	**Unrepresented Claimants**	**Reactive + Well-resourced Respondents**	**Proactive Respondents** i.e. initiated S18bs

Accessibility needs discussed in research*

- Visual impairment (2)
- Hearing impairment (1)
- Autism (3)
- Dyslexia (2)
- Dyspraxia (2)
- Anxiety & PTSD (3)
- Assisted digital needs (2)

*based those we were able to speak to in research, not an exhaustive list of all needs

A full list of user profiles are available in appendices A and B.

User needs & opportunities

# User needs and opportunities
Understanding the current state

1 From **35** primary user research sessions with internal and external users, as well as desk research, the team mapped **pain-points** identified to various steps and stages of the current IDR service

2 These were then converted into **60+ user needs,** or actionable problem statements about the needs a service must satisfy to get the right outcome for its users. (See Appendix E for a full list)

3 In parallel to conducting research, we also noted potential **opportunities** identified by users, within desk research, SME interviews and Online Dispute Resolution market scan (Chapter 5)

See Appendix E of the full list of user needs captured in the discovery

A high level journey map of the current IDR Service
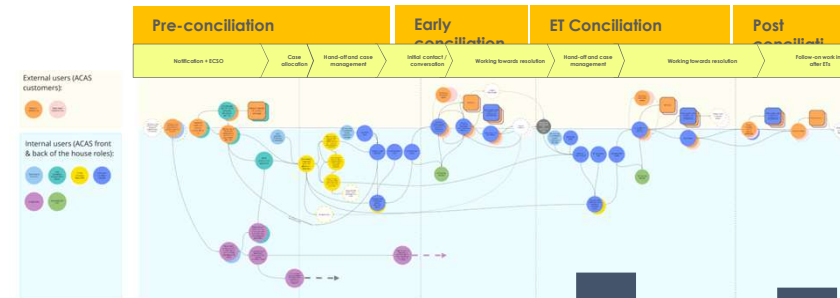
List of user needs

Topic Area	As a….	I would like…..	So that….	Overall need theme
Self Help	Claimant	Accessible and findable information about how to resolve my dispute	I can quickly understand the options available to me and next steps to help me towards a resolution.	Claimants understand process
Self Help	Claimant	to understand what Acas can and can't do for me	My expectations are managed	Manage parties' expectations
Self Help	Claimant	to understand how conciliation & tribunals work	My expectations are managed and I can be prepared for meaningful conciliation	Expectation Management
Notification	Claimant	to contact an Acas	I don't have to explain it every	Mana multip

Summary of needs and opportunities used to facilitate brainstorming and concept building

User needs and opportunities
General themes

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The user needs and pain points we found could be categorised under three general themes across the journey:

1
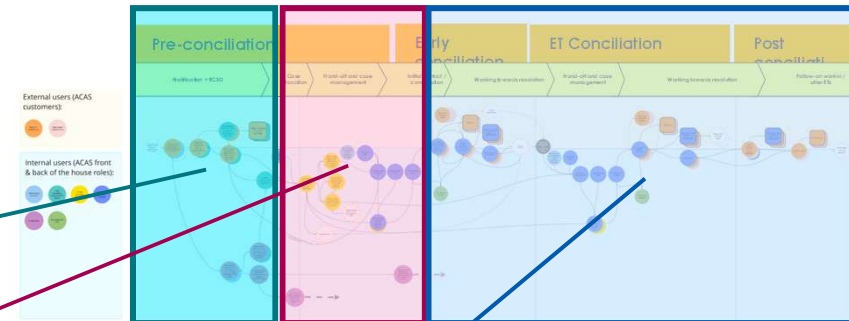
Before notification, notification and ECSO

Parties **lack understanding** of EC, employment law, while their **expectations** of ACAS's role and the EC process is **not well managed**. As a consequence, some EC opportunities may be missed; conciliators loses time of value-added conversation to explaining the basics.

2

Allocation to initial contact

Case allocation remains manual due to **system disconnections and inconsistency in data capturing** (partially caused by the notification process). Sometimes, cases need to be reallocated, which can cause delays.

3

Working through to resolution

A bulk of the pain points (e.g. conciliators lose time to explain the basics, correct notification information) in this part of the journey have the **causes rooted in the up front phases**.

Other acute pain points include:

- Difficulty for parties and conciliators to get hold of each other, which causes anxiety and delays

- Parties lack clarity of case progress and next steps

1 Before notification, notification and ECSO
A Lack of understanding about conciliation

In this stage of the journey, it was clear that there was a general lack of understanding about conciliation, the overall dispute process, where to go, and what to do for their case. This means that parties often entered the process with misaligned expectations and misconceptions about the role of conciliation and ACAS.

User needs

As a **Claimant** I need accessible and findable information about how to resolve my dispute **so that** I can quickly understand the options available to me and next steps to help me towards a resolution

As a **Respondent** I need to know if I can put forward a premeditated offer before a claimant potentially raising a claim **so that** I don't have to spend time on processes and fees to resolve a raised claim

"I did research across the Acas website – useful stuff but a lot to consider. I am a visual learner and could have benefited from more visual language, charts... I relied a lot more on CAB and Which Legal to prepare for conciliation more than ACAS. Could you do what they do?"
—
Claimant (A), S2.8

"I didn't know you could put in a claim as an employer until I started working in this organisation when [my colleague] showed me how! … We like it because its overall a cleaner and easier process for both sides" —
Respondent, S2.12

PAIN METER:

Opportunities

- More tailored, relevant online or offline content to help parties (especially claimants) be more informed of employment law and form right expectations of ACAS's role, the IDR process

- More engaging comms channels, e.g. Chatbot, social media

- With existing content, be less neutral and nudge people into EC by, e.g. showing length of ET route

- Work with ET to improve its comms

- Online or offline content / tools that help parties set right expectations of ACAS's role and the IDR process.

1 Before notification, notification and ECSO

B ## Misaligned expectations of Acas' service

Due to a lack of understand of how conciliation works, unrepped parties have misaligned expectations of ACAS. They could have wild expectations for the outcomes of a claim, or presume that a conciliator is there to represent them. This causes a lot of pain for conciliators in having to diffuse and manage expectations of external users.

User needs

As a **claimant** I need to understand how conciliation & tribunals work so that my expectations are managed and I can be prepared for meaningful conciliation

As a **claimant** I need to understand what Acas can and can't do for me **so that** my expectations are managed

"I don't want to go to court . I just want to be paid the money that's owed . I suffer from anxiety do I wouldn't enjoy that. The fact that Acas came a long was ideal." — Claimant, S2.7

"I am a visual learner, I could have benefited from more visual language and chart".— Claimant, S2.8

Highest rated external pain point from IC Slldo sessions: Premature EC claims

PAIN METER:

Opportunities

- More tailored, relevant online or offline content to help parties (especially claimants) be more informed of employment law and form right expectations of ACAS's role, the IDR process

- More engaging comms channels, e.g. Chatbot, social media

- With existing content, be less neutral and nudge people into EC by, e.g. showing length of ET route

- Work with ET to improve comms

- Online or offline content / tools that help parties set right expectations of ACAS's role and the IDR process.

1 Before notification, notification and ECSO
C Need for more accurate and complete data about a case

Another major pain point was the lack of accurate and complete data surrounding a claim, whether it was getting a respondent's correct details or understanding the nature of a claim. Without the right data, a negative domino effect on other processes occurs, from making it hard for CAT to allocate the right cases to the right conciliators, through to conciliators having to spend extra time getting the details of a case before progressing on one.

User needs

- As an **ECSO** I need a clear account of the basis of the claim (eg how the dispute is related to a breach of legislation, contract, custom & practice) **so that** I can flag to the conciliator if there is a potential claim.

- As an **ECSO** I need relevant & concise information on form 2 **so that** I can get through forms quicker saving more time.

"You're the first person the Claimant talks to but we only need the basics. We don't need chapter and verse but do need enough information for the conciliator to start the case" — ECSO S1.14

3rd most popular pain point from both the Slido and CM sessions: *"ECSO, cases not ready for conciliation"*

Opportunities

- Smart Q&A to filter cases, and trigger certain automated events (e.g. collecting information from respondents)

- Triage some other cases to skip ECSO and retrain some ECSOs to be conciliator

- Better designed notification form/process (e.g. redesigned forms, automated prompts for claimants to provide additional information), so that high quality information collected, and drop-out is reduced

- Allow submitting a CSV / spreadsheet for group claim notification (already in the pipeline)

PAIN METER:

1 Before notification, notification and ECSO

D Administration of EC for group cases and non-settlements

With certain types of cases, making the notification and conducting the administration around it presented a barrier. Group claims did not have as slick a process as IC, forcing a manual process of making the group notification. For representatives who have confirmed a respondent is unwilling to settle and/or wanted to go to court, ACAS became an annoying step in the process. Without a special funnel for such cases, internally they would clog up the system and take conciliator's time away from other cases that truly required conciliators' time.

User needs

- As a **claimant rep** I need a more efficient way to notifying Acas of multiple claimants **so that** I can avoid laboriously inputting every individual's details

- As a **claimant rep** I need to link multiple cases immediately myself **so that** I can progress the case more quickly and sync certificate dates

- As a **claimant rep** I need an efficient method to obtain the Acas certificate, whenever I need it, **so that** I can submit my clients' claims without any unnecessary delay.

- As a **claimant rep** I need to access certificates straightaway **so that** cases I know won't settle are not delayed

Opportunities

- Speedier certificate processes and opportunity for those who opted out to opt back in, e.g. cool down period, a follow-up touchpoint

- Smart Q&A to filter cases, and trigger certain automated events (e.g. collecting information from respondents)

- Better designed notification form/process (e.g. redesigned forms, automated prompts for claimants to provide additional information), so that high quality information collected, and drop-out is reduced

- Allow submitting a CSV / spreadsheet for group claim notification (already in the pipeline)

PAIN METER:

2 Allocation to initial contact

A Need for a better allocation process in general

A major pain point for conciliators stemmed from allocations, from bad timing through to misallocated case types. For the CAT team, the poor data quality from notifications and internal availability meant that their small team had to conduct manual house keeping of allocations. While some attempts have been made to auto-allocate cases, there's still lots of work to be done here. For external users, this pain point would manifest as being "passed around" which led to delays, or conciliators assigned to them being unsuitable for their case type.

User needs

- As a **CAT member** I need a more efficient, high quality process for allocating cases **so that** we can speed up contact with parties and I can focus my / conciliator time where it is most needed

- As a **conciliator** I need to receive cases in line with my hours, leave holidays, reasonable adjustments and ability so that I can deliver a high quality service and get a better work/life balance

- As a **respondent** or **rep** I need a dedicated conciliator so that I can build better rapport, ensure familiarity with my case and prevent repetition

- As an **employer** or **representative** I need to have a conciliator that is familiar with my sector **so that** they can better understand the concerns I face about my case and I can relate to them better

"It's not as simple as get a case an allocate it – and we can only be as good as the data we receive" — CAT S1.9

"Allocations that aren't equitable or well timed… It's an eternal complaint" — ICM S1.7

"there are linked cases with the same employer being allocated to several different conciliators all over Acas - it is completely unprofessional" — ICM S3.5

"I used to know my local Acas rep – I miss that process" — In house legal - S2.10

PAIN METER:

Opportunities

- Use smart analytics to link potential multiples

- Individual Claims: Constantly improving (semi-)automated case allocation based on advanced analytics of case and conciliator information, that can learn from past mistakes

- Have specialised teams or conciliators based on case characteristics (e.g. location, jurisdiction, types of conversations needed, group claims, etc.)

- Smart case prioritisation suggestions based on analytics of case urgency or likelihood of settlement, using natural language processing, predictive analytics, sentiment analysis, etc.

Allocation to initial contact

Having complete and accurate information about the case for a more fruitful initial contact

Without the complete and accurate information about what the claimant wants and what the conflict is about, conciliators are unable to progress a case especially at the point of initial contact with the respondent. From the respondent's POV, they have done all they can internally to try and resolve, and want ACAS to help unpack what the Claimant is seeking. Without this, the progress of a case is slowed down entirely, delaying resolution.

User needs

- As a **HR individual** or **respondent rep** I need the conciliator to have spoken to the claimant and have full details about claim, including what the claimant wants, before contacting me **so that** I can decide whether to engage with conciliation or not

- As a **conciliator** I need parties to provide correct legal and representation details (e.g. legal identity of employer, own details, representation details) **so that** I can avoid jeopardising their case, progress their case swiftly and reduce risk of running out of time

On the first contact call: " I am increasingly contacted without the required information" — HR Specialist S2.3

On information needed: "we know all the facts already, what is it they think hasn't been resolved? ...and what is it they actually want" — Respondent, HR S2.9

Opportunities

- Smart case prioritisation suggestions based on analytics of case urgency or likelihood of settlement, using natural language processing, predictive analytics, sentiment analysis, etc.

- Sharing meta-level case statistics/data around cases, respondents, outcomes, etc. that may help inform conciliation

- Automations around notetaking and case updates

- Better designed notification form/process (e.g. redesigned forms, automated prompts for claimants to provide additional information), so that high quality information collected, and drop-out is reduced

- More tailored, relevant online or offline content to help parties (especially claimants) be more informed of employment law and form right expectations of ACAS's role, the IDR process

- PORTAL: ACAS Representative Accounts for repeat users of the service?

PAIN METER:

2 Allocation to initial contact
C Consistency around process and training

Internally, there's inconsistencies around the processes and practices on how conciliation is conducted. Experienced conciliators have their own workarounds and tricks, however knowledge sharing is subpar making it hard for newer conciliators to learn, especially when it comes to the critical step of making that substantiative initial contact. Additionally where handoffs are required, unless they work as part of a team, the varying methods of note taking make it difficult for multiple conciliators (e.g. ECSO, duty cover team, etc.) to progress a case.

User needs

- As a **conciliator** or **ECSO** I need to be aware of an agreed and standardised way of using summary and comments **so that** myself and colleagues can easily understand each case based on each other's notes

- As a **"new" conciliator** I need instruction and training on the 'art' of making initial contact with the parties **so that** I can be confident I'm making the right kind of impact.

On different approaches on using the 'comments box':
"If it is going to be used, use it in a logical way" — DCT S1.1

"Training could be more integrated – it was theory heavy… More quizzes , case studies and shadowing needed" — New Conciliator S1.12

"There's a strange corruption of knowledge that happens as habits (good and bad) get passed around"
— BST Manager S1.7

Opportunities

- Strong templates to enforce consistency in case notes– what could this look like?

- Automations around notetaking and case updates

- Sharing meta-level case statistics/data around cases, respondents, outcomes, etc. that may help inform conciliation

- Training and knowledge sharing / mgmt

PAIN METER:

2 Allocation to initial contact
D Parties need to understand the process as they move through it

Conciliators lamented the constant need to have to remind parties about the role of ACAS, the conciliator, and what to expect in the process. "Just want an update" calls are frustrating for both internal and external users in that conciliator time is wasted on routine comms while external users feel left in the dark if they are unable to get a hole of their conciliator. General confusions around timescales and deadlines also add to the difficulty of managing a case.

User needs

- As a **claimant** I need to understand the deadlines and time limits associated with my case **so that** I can manage my case without unnecessary pressure.

"I called ECSO and waited 45 minutes for an update - I would have liked a progress tracker"
— Claimant S2.8

"Having everything in one place, such as case status would help manage my time well"
— Claimant S4.2

Opportunities

- PORTAL: Sharing meta-level case statistics/data around cases, respondents, outcomes, etc. that may help inform conciliation

- PORTAL: Tracking progress on a case

- PORTAL: Exchanging messages and/or documents

- Automations around notetaking and case updates

- Automations where ACAS does not need to be involved (e.g. COT3 certificate generation)

- Bringing information to internal users at the point its needed (via CMS, e.g. as tool tips / prompts)

- Appointments + availability slots / greater transparency in availability

PAIN METER:

3 Working through to resolution

A Preventing negotiations from dragging on unnecessarily and navigating difficulties aligning parties' availability

Playing phone tag was a universal pain point, with parties and conciliators having little transparency around each others' availability. This made it difficult to progress a case, on top of creating anxiety around waiting for an update, leading to additional calls to ACAS for "just for an update".

User needs

- As a **conciliator** I need to be able to get to the parties quickly and engage them in the value of the service **so that** I can persuade the parties of the value of early resolution and avoid additional costs.

- As a **conciliator** I need to better align availability with the parties **so that** there are less backs and forwards of communication and parties get easier access to my service

- As a **claimant/ respondent** I need to be able to contact a conciliator when I am able to speak **so that** I can move my case on, understand next steps, and make the right decisions

On contacting a conciliator:
" I nearly always get their voicemail and rarely a call back the same day"

— Respondent S2.11

"With my new job as a full time Police Officer I could only call [to manage a case about my old job] on set break times."

— Claimant S4.3

2nd Highest rated internal pain point in Slido and CM sessions:

Contact with Parties (unanswered calls and emails)

PAIN METER:

Opportunities

- Appointments + availability slots / greater transparency in availability

- Automations where ACAS does not need to be involved (e.g. COT3 certificate generation)

- Negotiation aids:

- Conciliator-mediated discussion spaces / 'active as needed' conciliation (text based)

- Conciliator-mediated virtual meetings and roundtable discussions

- Portal to track conciliator comms >> audit trails

- INTERNAL: Case Conversation toolkits

- EXTERNAL: tracking timelines

- Automation of lower level cases

- Smarter settlement discussions

- Rep only discussions, with conciliators mediating as needed

3 Working through to resolution

B Reps and conciliators need a more efficient way of managing multiple cases

Multiples and linked cases are an ever present pain point for ACAS, as is the administration of them for both internal and external representatives (in some cases, also large respondents). Without a streamlined way of handling multiples, they will continue to clog up the system and opportunities to resolve them in bulk will be lost

User needs

- As a **conciliator** I need my multiple cases easily linked and displayed **so that** I don't use more admin time on those cases than a single case

- As a **DCT conciliator** I need to automatically be able have access to all the linked cases **so that** I don't miss any cases which should had been actioned

"there are group claims with 100's of files – it is a real struggle to access the notes" — ICM S3.5

"I have to track down linked cases like a detective" — DCT S1.1

Highest rated internal pain point from both the Slido and CM sessions: Multiple and Group claims'

PAIN METER:

Opportunities

- PORTAL: ACAS Representative Accounts for repeat users of the service

- A dedicated large or multiple claims service

- Smarter / Digital signing of COT3s (some existing work already underway)

- Template COT3s and non-binding drafts

- Expedited contract review / writing service for experienced users

- Integration with ET systems - smoother CMS between ACAS and ET

- Automation of admin between EC >> ET

3 **Working through to resolution**

C Parties know what to expect from Acas's service as they work towards resolution

In addition to managing expectations at the point of initial contact, we found this pain point extending into the middle of the conciliation process. It's easy for parties to forget what has happened in the process, and so conciliators will often be contacted about what happens next in the process.

User needs

- As a **conciliator** or **ECSO** I need to ensure claimants, respondents and their representatives understand what conciliation is, what to expect in the process, and options for resolution available to them as soon as possible **so that** it will be easier for me to facilitate negotiations down the line.

- As a **claimant** or **respondent** with little knowledge of employment law I need to access clear information to help me understand the rules and processes and what happens next **so that** I can make relevant choices about what to do and feel less stressed by the process.

On repeatedly explaining to Claimants Acas role: "They think it's our job to (represent them). They just want someone to hold their hands as we know the process"– DCT S1,1

"Be more transparent. 9 times out 10, understanding expedites the process" — Claimant S2.8

On making a claim to the tribunal: " The initial days were lost - I didn't have the correct information" — Claimant S4.3

PAIN METER:

Opportunities

- Automations around notetaking and case updates

- Automations where ACAS does not need to be involved (e.g. COT3 certificate generation)

- Bringing information to internal users at the point its needed (via CMS, e.g. as tool tips / prompts)

- Conciliator-mediated discussion spaces / 'active as needed' conciliation (text based)

- Conciliator-mediated virtual meetings and roundtable discussions

- Portal to track conciliator comms >> audit trails

- INTERNAL: Case Conversation toolkits

- EXTERNAL: tracking timelines

- Appointment / availability slots

3 Working through to resolution

D Support for conciliators during negotiation

The art of conciliation and facilitating an impartial negotiation is one that is learned over time. For newer conciliators this presents a huge learning curve especially where the rules or guidelines are less defined. Knowledge management and sharing is poor, leading to variances in how cases are handled and how fluent internal users are with the CMS. External users have also noticed this inconsistency of service and flagged it as a point of improvement of ACAS.

User needs

- As a **"less experienced"** or **"new" conciliator** I need to have the confidence to handle the emotional complexity and grey areas of discrimination cases **so that** I will not shy away from it and can work towards quicker settlement.

- As a **conciliator** I need to know how to move the conversation forward and convince parties to make compromises, **so that** I can get the parties to start thinking realistically to resolve their dispute within reasonable rounds of negotiation

- As a **conciliator** I need to have a process/ techniques to deal with parties not willing or unable to engage in conciliation **so that** I can progress a case and use my time most effectively

We put out lots of comms but how do you get people to read it?....

…It's often easier for people to just get in touch with us rather than find it themselves on the handbook."

- BST Manager S1.7

"Training has become driven by statutory duty, or optional – it's not systematic"

- DCT S1.6

Opportunities

- DATA: understanding learning gaps

- DATA: Understanding and documenting conciliator styles + best practices

- Continuous improvement and knowledge sharing between less + more experienced conciliators

- Dedicated time and resources for L&D

- Tips / Tricks within the tools or software being used

- Dedicated knowledge hubs

PAIN METER:

Other notable findings

Highlights from wider internal research
Slido sessions to validate findings

acas

PAIN METER:

Top 3 of 15 recurring <u>internal</u> pain points

Top 3 of 8 reoccurring <u>external</u> pain points

1st CMs – Multiple and group cases 17%

1st ICs – Multiple and group cases 18.5%

1st CMs – Receiving information from the ETS (delays / not at all) 33%

1st ICs – Premature EC notifications 26%

2nd CMs – Contact with parties (unanswered emails & calls) 16%

2nd ICs – Contact with parties (unanswered emails & calls) 13%

2nd CMs – Premature EC notifications 21%

2nd ICs – Receiving information from the ETS (delays / not at all) 23%

3rd CMs – ECSO, cases not ready for conciliation 12%

Joint 3rd ICs – ECSO, cases not ready for conciliation 11%

Joint 3rd – Speed of CMS 11%

3rd CMs – Parties working to their own timescales 18%

3rd ICs – Parties working to their own timescales 21%

For a full list of pain points tested for validation see Appendix C

Highlights from wider internal research
CM & IC magic wands

Question:

"If you had a magic wand that could fix anything about ACAS or the conciliation process, what would you use it on?"

Themes of answers (collated from 230 responses):

- **Customer interaction** - use SMs, educate the parties, give more information upfront, no more voicemail tennis, encourage face to face meetings.

- **Policy** – geographical allocations, ECSO power to reject notifications, stop premature notifications, change statistical measures, simplify COT3s, filter out types of cases, equitable allocations.

- **CMS** – improve speed & reliability, remove admin & repetition, make multiples easy.

- **External** – ET correspondence, better links to the ETS, more help & advice for customers.

- **Training** - more training, ongoing CPD, knowledge hub for IDR.

- **Team Structure** - More control when team working, constant service for customers.

- **Other** - "if it ain't broke why break it?" More time on each case, Acas customer portal, abolish EC.

Highlights from internal research
Team vs. Individual conciliation,
in the words of conciliators

acas

	Team-based conciliation	Individual conciliation
PROs	• Knowledge sharing is easier in teams • Provides more contact and support, especially for newer conciliators • More support and collaboration is helpful to overcoming an impairment • Always someone available on call to progress the case • Only works if all are aligned and agree upon a set of rules (e.g. agreed not—taking practices)	• Maintains a sense of independence and flexibility, giving more control over the day and accommodating individual working patterns • More opportunities for influencing parties and establishing rapport • More responsibility and accountability • Experienced conciliators who know what to do thrive with this working style
CONs	• Lack of accountability as cases get passed around. • Parties who've gone through individual conciliation before prefer 1-1 attention • Handover between teammates are not always smooth; potential for process to become very transactional • Less control of your day because you have to coordinate with the team • Cases may end up being reallocated because it's not at the right grade level (e.g. G10 blended team being allocated what turned out to be a Open case) • Having to adapt working practices, and it's a paradigm shift if you're used to IC	• G9s feeling isolated since the move to WFH, feeling like they are being left to their own devices. Lost the element of "knowledge osmosis" that happens in the office • Not knowing if their "good job" is "good enough" • Experience varies based on support from ICM, whether ICs need someone more hands on vs. hands off • Handoffs between IC and DCT often lacklustre

Highlights from internal research
What makes a "good" conciliator, in their own words

acas

Other useful traits:

Being efficient and decisive about what to take on

Knowing when to use email vs phone

Making contact ASAP or be prepared to justify why late

Working swiftly and efficiently (calls not too long, "get rid of it asap")

Maintaining impartiality, elegantly

Being able to justify why you've done something

"Sowing the seeds of doubts"

Be able to give parties confidence by demonstrating experience and knowledge while remaining impartial

Helping parties establish focus & direction

Draw out the pertinent information from a large pool of noise

Filter out the emotion

Give the parties "homework" / Conciliator facilitates

Great at multitasking

Organised & timely

IT literate

Managing case loads & Mastering CMS

Mastering the art of conversation and building rapport

Knows how to move the conversation forward

Not transactional

"echo" concerns and bring the tension down

Making the legal more human & user friendly

Tailor language to parties' knowledge

Helping parties come to a resolution

Focus on outcomes and a sense of closure for parties, regardless of COT3 or not

Know how much to explain ACAS's position at one point, not overwhelming parties or leave a negative impression

"Everyone wants to do a good job but it's not clear how that's achieved" — IC S1.10

One of the things that frustrates me is that there's no blueprint for good conciliation — IC, S1.11

Think about: Potential implications for performance management, training, allocations, etc.

Highlights from internal research
Pain points around the CMS & IT in general

acas

- **Training is lacking**
  - Insufficient upskilling around IT
  - Training received feels disconnected from the actual complexities and nuances of the job + software to use
  - Teams and ICs are not sufficiently prepared for Dynamics and don't know how to use it to its full potential
- **CMS getting in the way** of doing the work
  - Too many frequent changes
  - Challenges of linking up with allocations tools + Where cases are getting siphoned off automatically, many are incorrect and require a manual process to be reallocated to the right conciliators/teams
  - Too many clicks and layers
  - UX doesn't make sense / is not intuitive, doubling up the admin work
  - System is slow & unstable
- **Information overload** — too many duplicative comms and channels, some of which are impossible to access
  - CASSIE and the IDR handbook are not intuitive to browse
- **"Burned by CMS"** leads many conciliators to be wary of any changes to digital systems without sufficient testing to ensure that it actually works and does what its promised to do

User needs

- As a **CMS User**, I need a case management system to run reliably without delay **so that** I can manage my workload efficiently and meet customers needs
- As a **CMS user,** I need to have an efficient case management system without unnecessary duplication **so that** I can focus on my area of work rather than admin
- As a **conciliator with assisted needs** (eg autism, visual impairments, etc.), I need help adjusting to system and process changes affecting how I receive my cases **so that** I can offer the best service while managing my health and wellbeing in line with reasonable adjustments.

Design principles

**Some principles to guide the design of the future IDR service, based
off of feedback and themes that popped up in research…**

- Technologies should support conciliation, not replace it; Empower conciliators to make conversations with parties, provide support where needed while reducing admin burden.

    - Use automation of routine updates/reminders/comms to free up conciliator time

    - Use data to inform and train

- Design with accessibility and assisted digital needs in mind:

    - Giving people choice as to how they engage (e.g. channel, language, format, etc.) No mandatory ____'s, just another tool in the arsenal

    - Think about the non-digital pathways as much as the digital ones

- Pace out changes, give time for users to familiarise before the next change. Make sure there is sufficient training and proper comms so the full potential of a tool is not wasted on users not being up to speed with it

- Avoiding purely transactional interactions where they should be more nuanced

- Leverage staff's knowledge and experience through purposeful knowledge transfer

- Balancing personal styles of working and standardisations that enable meaningful collaboration and automation

6

ODR & technology findings

Technology findings

As part of this Discovery project, we also looked at the role of technology as a key enabler for improving the Acas IDR journey. Specifically we looked at two areas:

Online Dispute Resolution (ODR)

The scope of ODR is broad but can be summed up as *"using technology to facilitate dispute resolution between parties"*.

We conducted an initial market scan to learn more about:

- The scope of ODR

- Where it is being used in similar contexts to disputes managed by Acas

- Risks and benefits for internal and external users

- Potential costs

- The types of cases ODR is suitable for.

We met 4 specialist ODR vendors and 2 generalist vendors, spoke to Subject Matter Experts and reviewed whitepapers.

Data and case management

We worked alongside a separate project advising Acas how :

1. It can improve quality of and access to its existing IDR-related data
2. advanced analytics that could be performed with existing data

The second workstream took a steer from opportunities, pain-points and needs captured in this Discovery Project and:

- suggested a longlist of 48 use cases
- agreed a shortlist of 4 use cases to look at in more detail

Data-related issues

While we are recommending Acas considers introducing ODR via its existing Dynamics platform, we are aware of issues with the way that the system and the data held within it has been set up, which include:

- **Performance issues** – stakeholder interviews referred to performance problems. While we understand these have now mostly been overcome, nervousness remains about adding additional load to the system.

- **Data structure** – we understand this is far from ideal, with many large tables that makes querying data

- **Missing data** – key data (such as conciliator availability, working arrangements or availability) is missing and a full dataset across systems can be analysed – Phoenix data should be migrated into CRM to allow it to become a single source of truth for trend analysis.

- **Access issues** – the data project has documented barriers accessing case data from the system. Some of these many be due to issues with the underlying structure of the data. The CMS contains some large tables which make running of queries slow. While it is possible to easily access a part or sample of case data it is difficult to analyse the full depth (or history) and breadth at the same time.

- **Governance** – Acas' data lacks ownership, rules for data quality, and tools (e.g. data dictionaries, automated data cleansing) and processes for meeting these.

Acas has a strong CMS and in-house skills, but its approach to data remains ad-hoc. We would therefore recommend Acas initiates a dedicated workstream that is able to take a strategic look at its data, and build and work through a roadmap of improvements, to give it the confidence that any new IDR Service is built on solid foundations.

For more detail refer to the Data project's Data Limitations & Access Review as well as Acas' Data Strategy

Advanced analytics

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The Advanced Analytics workstream worked with Acas to understand opportunities to increase insight and drive efficiencies with the IDR Service using existing data. The following use cases were prioritised:

Use case	Involves	Benefit to improved IDR Service
Summarising case characteristics	Using Natural Language Processing (NLP) to gain insight into case characteristics from free text (eg incident information, case summaries, timeline)	• Identify case clusters • Help automatic allocation of cases • Analyse trends for resource planning
Improved allocation	Developing an allocation engine that finds the most appropriate match between between a case and a conciliator who has worked on a case with similar conditions, e.g. via rules or machine learning	• Automate allocation process • Improve conciliator case load • Direct cases to conciliators where they can best add value
Early settlement identification	Develop a model that predicts the likelihood of cases that will settle early based on case characteristics and historical outcomes, to reduce Acas' case backlog and allow it to prioritise resources on cases with higher probability of settlement.	• Improve conciliator case load eg focus on cases with higher probab • Direct cases to conciliators where they can best add value • Reduce time to reach settlement
What makes good conciliation?	Model historic cases to determine factors within Acas' control that are most influential in determining successful or unsuccessful outcomes.	• Inform best practice ways of working to be trialled within teams – eg no. of conciliators assigned to a case • Inform process redesign throughout IDR service

- These use cases have informed the 'to be' Service Design and in particular would help realise **Concept D - Case allocation engine**.

- We recommend that the above use cases are prototyped and piloted **ahead** of work on automating allocation on the roadmap (see slide x)

For more detail on the use cases see the Advanced Analytics Sprint 2 report
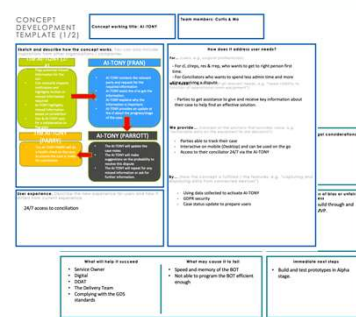
7

Proposed future IDR Service

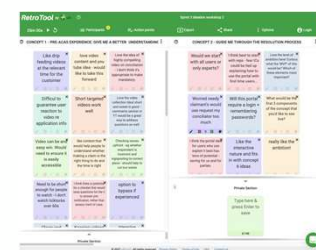# Approach to developing future IDR service

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Screenshots of ideas created in the workshop using remote collaboration tool (Retro), and one round of team voting (using Slido tool)
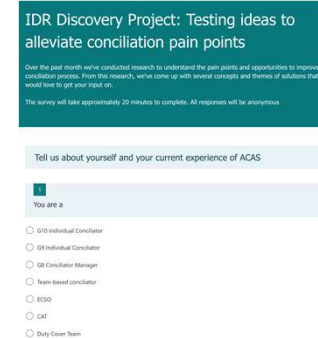
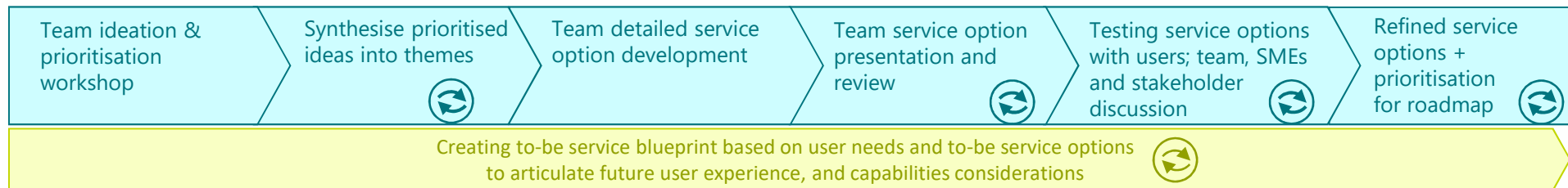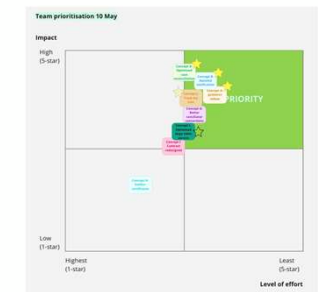Screenshot of one detailed service option developed by the team

Screenshot of team feedback following 2 service option presentations

Screenshot of the internal user feedback survey

Matrix showing interim result of team prioritisation among the 8 service option

| Team ideation & prioritisation workshop | Synthesise prioritised ideas into themes | Team detailed service option development | Team service option presentation and review | Testing service options with users; team, SMEs and stakeholder discussion | Refined service options + prioritisation for roadmap |

Creating to-be service blueprint based on user needs and to-be service options to articulate future user experience, and capabilities considerations

Team creation of service options, prioritisation, and synthesis:

- **Based on insights from internal and external user research**

- 1 interactive workshop including **rapid creation** of solutions to address user needs and **team voting** activities (based on impact and effort levels)

- Resulted in: **163 service ideas** that were prioritised and synthesised into **7 opportunity areas**

Detailed service option development:

- Team worked on detailed service development based on a template; included considerations of **user experience, tech, people, operations, finance, legal, policy and next steps**

- 11 detailed service options were developed, presented and discussed, which were synthesised into **8 service options** for further testing and iteration

- Based on user needs and the service options, a **future state service blueprint** was created

Service option testing, prioritisation and refinement:

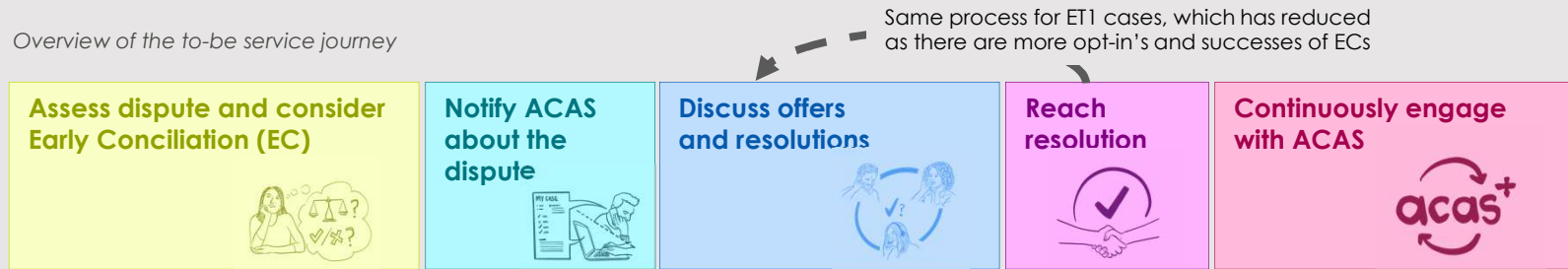- Internal and external users were invited to prioritise and feedback to the 8 service options via **online surveys** and **1-on-1 interviews**

- We also hosted **team**, **SME** and **stakeholder** working sessions to assess prioritise and refine the options, including detailed considerations of tech, resources and risks

- The results were fed into the creation of roadmap and high-level Alpha plan

The future IDR service design

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In the following pages, we will present a summary of the end-to-end future IDR service experience from both internal and external users' perspectives.

Overview of the to-be service journey

Same process for ET1 cases, which has reduced as there are more opt-in's and successes of ECs

Assess dispute and consider Early Conciliation (EC)	Notify ACAS about the dispute	Discuss offers and resolutions	Reach resolution	Continuously engage with ACAS

We will also present where each of the 8 service options play a role in the end-to-end journey, and introduce the options into greater details.

Overview of the service options:

A: Guidance videos	B: Assisted notification	D: Case allocation engine	G: Better conciliator connections
H: Swifter certificate	I: Contract redesigned	J: Track my case	L: Optimised large claim service

The future ACAS IDR service experience

Experience of an individual claimant Alex - *"After my boss kept withholding my full pay I decided to hand in my notice. My final pay slip came in and I was short my last weeks wages (about 30 hours). They became abusive when I asked for my money and it turns out after researching online that I am owed holiday pay for the full year too. "*

Same process for ET1 cases, which has reduced as there are more opt-in's and successes of ECs

Assess dispute and consider Early Conciliation (EC)	Notify ACAS *about the dispute*	Discuss offers and resolutions	Reach resolution	Continuously engage with ACAS

"

I find a video from Acas which encourages me to consider early conciliation, but explains the steps I can take myself first. It is clear about outlining the benefits, and the risks of not doing so, but this remains my choice."

"

I am guided online by Acas to provide it with the information it needs about my case so it can quickly be sent to the person who can best help me. They are quickly in touch with options to book a reassuring call with them at a time that suits me.

After I notify Acas, I have the option of tracking my case online via my mobile phone (like my parcels!) so I don't have to keep asking for updates, and can message my conciliator. I understand and can see onscreen the deadline for me, Acas and my employer to work towards."
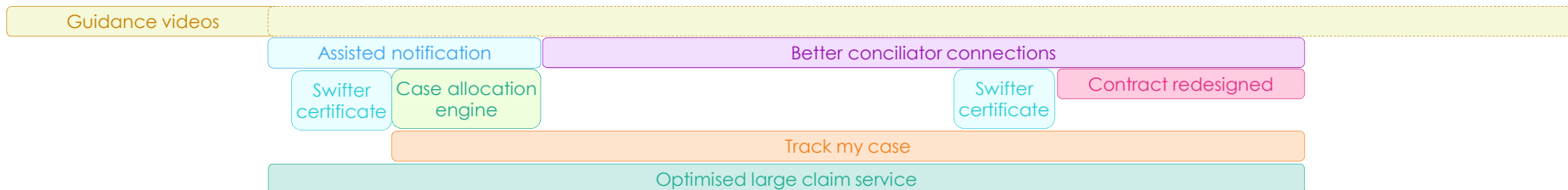
"

After Acas help me reach an agreement (close to which I was seeking!) with my employer, my conciliator prepares an agreement I can view on my phone. After some quick messages with my conciliator, I click a button to approve this, but thankfully no need to print or sign.

"

I continue to follow ACAS online, and participate in feedback activities for their service. I also participate in discussions of employment topics, and help others prevent a dispute."
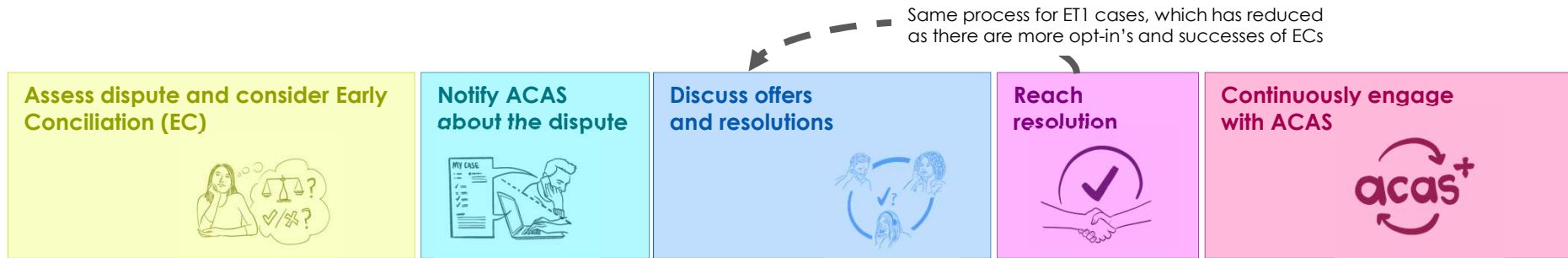
Service options

Guidance videos

Assisted notification	Better conciliator connections

| Swifter certificate | Case allocation engine | | Swifter certificate | Contract redesigned |

Track my case

Optimised large claim service

The future ACAS IDR service experience

From a conciliator's perspective - "My main purpose and drive for coming to work everyday is to make the working life of everyone in Britain much better. Employment can bring with it, its own pressures for our customers, and this can bring out strong emotions and complexity on our cases. I have to use empathy whilst maintaining impartiality throughout conciliation. "

Same process for ET1 cases, which has reduced as there are more opt-in's and successes of ECs

Assess dispute and consider Early Conciliation (EC)	Notify ACAS *about the dispute*	Discuss offers and resolutions	Reach resolution	Continuously engage with ACAS

"
Each case that is allocated to me is appropriate to my expertise and preferences (e.g. right case types, my familiar employers and locations, etc.)

When I received Alex's case, I was handling a manageable workload, and was ready to start working on it.

Making a start is straightforward – I put up my most productive and available hours on a shared calendar. Alex picked a very convenient time for our initial call. Information they provided about the case was clear and sufficient for me to prep for the initial call."

"
Our initial conversation was productive. Alex had few questions about my role. I was able to sow the seed of doubt. Alex found the chat valuable, and left with a better idea of the ask.

Getting in touch with the employer was similarly straightforward and productive.

Whilst parties are in discussion, the system sends me knowledge feeds at the right time to assist me. "
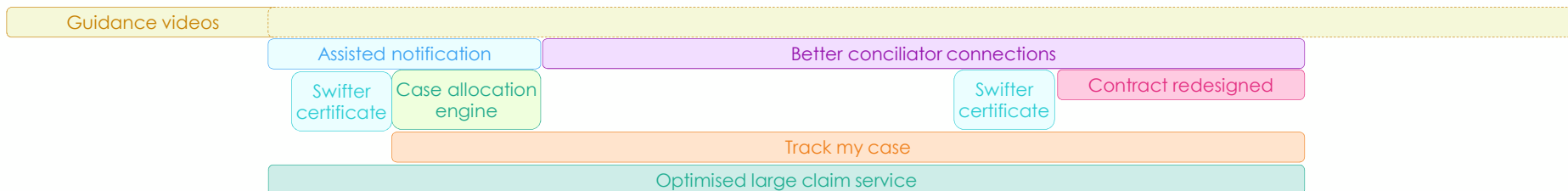
"
Alex and the employer were ready to reach resolution soon. I prepared a draft contract based on wordings in the library for them to review and edit on any devices. Not a lot of involvements were needed from me."

"
Overtime, I was able to grow my expertise and skills with various learning and development initiatives. I found the insights generated across cases and tips of a good conversation especially useful.

I also actively participate in helping improving our service, which benefits my colleagues and our customers."

Service options

Guidance videos

Assisted notification	Better conciliator connections

Swifter certificate	Case allocation engine		Swifter certificate	Contract redesigned

Track my case

Optimised large claim service

8

Proposed service options, alpha and roadmap

How we prioritised service options

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What we have so far is a redesigned IDR service enabled by 8 service options, well informed by user insights. To work out an order of priority to design, develop and realise the options, we carefully assessed the level of impact and effort of each option, involving a wider range of participants for a considerate and unbiased view. The results include **options to be developed as BAU**, an **immediate alpha candidate**, a prioritised option that **needs further discover**, a **future alpha candidate**, and **options to develop later**.

THE PRINCIPLES

Assessing impact and effort levels help us prioritise service options that can best **meet user and ACAS's needs** with **manageable level of risks, and demand for capabilities**.

Key questions asked to assess impact:

- How well does it fulfil **user needs**?
- How well can it help ACAS achieve its **strategic goals**?

Key questions asked to assess effort level:

- What **technology**, **people and skills**, **processes** and **resources** need to be in place?
- What are the potential tech, policy, legal, and Equality, Diversity and Inclusion (EDI) **risks** of introducing the service option, and **mitigation** methods?

THE METHODS

Testing with users

In Sprint 4, we conducted online surveys and 1-on-1 interviews with internal and external users.

Users' feedback helped us prioritise service options based on **impact**, and refine the proposed key functionalities.

We also captured recommendations that can inform future design and development of the service.

SMEs & stakeholder conversations

We also conducted a series of SME (data, automation) and stakeholder conversations to assess requirements and risks (see previous chapter) around technology, policy, legal, resources and EDI of each service option. This exercise helped us define the **effort level** of designing, developing and launching each service option.

Team discussions and voting

We gathered at a series of team working sessions to prioritise and refine service options through voting and structured discussions.

The activities focused on considerations of:

- **Impact level** - benefit to users and ACAS; EDI
- **Effort level** – opportunities and risks around technology, legal, resources

TO VIEW DETAILS OF CAPABILITIES CONSIDERATIONS, please refer to "Capabilities" section of the to-be service blueprint

Approach to testing service options with users
Survey & Interview format

1. **Basic demographic information**

2. **For each concept:** Participants would be shown an image and description of each concept's key functionalities and needs it attempts to resolve

   - **Rate out of 5:** How useful would this concept be to your experience of conciliation / managing the conciliation process?

   - **Free text:** What would you add/change to make this better?

   - Additional concept specific questions to probe on the needs behind a potential offering

3. **Rank the concepts**

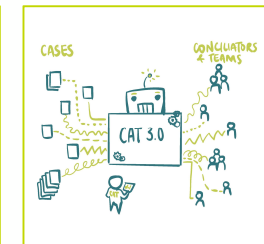4. **Open ended closing question:**
   - **For survey:** anything else you would like the team to know or be aware of?

   - **For interviews:** Magic Wand — if you could fix anything about conciliation / ACAS what would it be?
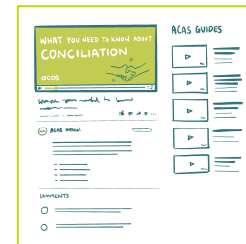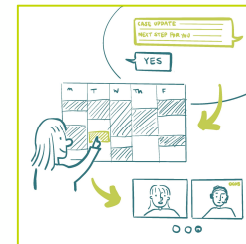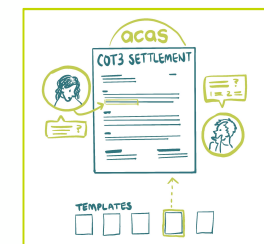
A: Guidance videos
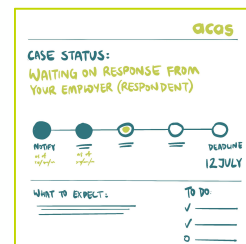
B: Assisted notification

D: Case allocation engine

G: Better conciliator connections

H: Swifter certificate

I: Contract redesigned

J: Track my case

L: Optimised large claim service

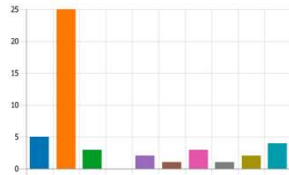# Approach to testing service options with users
Who we spoke to in Sprint 4

INTERNAL USERS

Internal concept testing survey*:
47 responses from a wide range of ACAS staff.

EXTERNAL USERS

External concept testing survey: **14 responses**

+

In-depth video interviews with **5 additional external users** to test the concepts and probe for more detailed feedback

Respondent: Employee relations case manager

Claimant: at EC, unrepresented and with PTSD

Claimant: at ET stage, unrepresented

Representative: Claimant side, private firm

Representative: Claimant side, Trade union

Prioritised service options – BAU

There was appetite to move quickly with **Service Options A: Guidance Videos and L: Optimised Large Claim Service**. However, the consensus was that they were not ideal candidates for an alpha phase – the work is relatively low risk, has few dependencies, and could potentially be delivered by building on activity and expertise in place.

A: Guidance videos

L: Optimised large claim service

External user feedback

Rating 4.21/5

Ranking No. 2

Internal user feedback

Rating 3.96/5

Ranking No. 1

Risk level L M H

External user feedback

Rating 4.28/5

Ranking No. 7

Internal user feedback

Rating. 4.41/5

Ranking No. 4

Risk level L M H

Additional user feedback

- *"ACAS already produced great guidance."*

- *"It is about getting the content, tone, channel, message and accessibility right"*

- At the moment: *"I had to go to CAB and Which? Legal to learn about ACAS"*

Additional user feedback

- A very useful concept that would alleviate many pain points

- Critical to not only get the right information up front but also ensure a smooth signing off journey (end to end)

- Getting the right conciliators who are willing and able on the job is critical here: *"On our side, only experienced lawyers deal with large claims. It makes sense to have dedicated specialist ICs on the other end to work with"*

Why BAU?

- Close link to existing content initiatives led by Digital team

- Low dependencies on other tech developments

- Skills in house or relatively easily acquired

- Does not change core IDR service or processes

- Low uncertainty of user acceptance

Why BAU?

- Work already underway on group claim initiatives (e.g. Groups Team, Rep Bulk Case Upload)

- Low dependencies on other tech developments

- Low uncertainty of user acceptance

Prioritised service options – alpha

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The option that gained the most support to be prototyped and tested in an alpha phase was **Service Option B: Assisted Notification**. This service should deliver the most value most quickly to **both** internal and external users. An alpha phase will also allow Acas to investigate significant uncertainties, constraints and risk around assumptions.

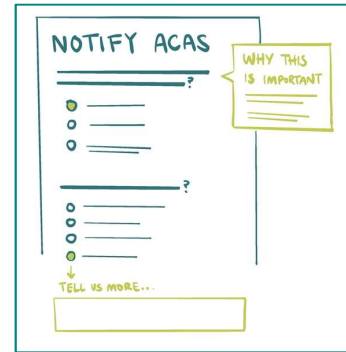| **B: Assisted notification** |

External user feedback

Rating 4.21/5

Ranking No. 4

Internal user feedback

Rating 4.02/5

Ranking No. 2

Risk level   L   M - H

NOTIFY ACAS
WHY THIS IS IMPORTANT
TELL US MORE...

Additional user feedback
- Guidance on how to best fill up the form is welcome, and could *"help to manage expectations and get the most out of the process where there is a claim, ensuring all the relevant info is captured at the outset."*
- Respondents would welcome greater clarity on the notification and what it is exactly the claimants want
- Re: figuring out the legal claim: *"Perhaps try to get people to self serve first then offer to speak to a specialist"*
- Ensuring it is not too *"computer says no"* but gives a nuanced response

Why alpha?
- Addresses significant user needs
- Can lead to transformational change
- Uncertainties around user experience, ability to filter case and capture better information need testing
- Improvements here should positively impact other parts of the service after this point (e.g. auto allocation)

Uncertainties to test within Alpha

- What significant improvement of quality and completeness of data is required to enable the optimisation of case allocation, insights extraction, case prep, etc.? Does this achieve it?
- Can this reduce claims where Acas is unable to help, or where people can take steps first, without affecting Access to Justice?
- How would this influence downstream (e.g. ESCO & CAT roles, does it help get cases to conciliators more quickly?)
- How might capturing more structured data affect usability?
- How can we give users feedback, whether in real-time or post-submission while remaining GDPR compliant?

Uncertainties to test when ready

- What technologies (e.g AI) or platforms (e.g. build on existing Drupal form, MS Power Suite low code solution) are most appropriate for delivering the solution?
- Would this solution affect performance of Acas systems?

Prioritised service options – further discovery acas

The team agreed that **Service Option D** would be one of the most significant transformations. However there was some concern as to whether it would be a good candidate for a first alpha due to readiness to begin (eg data and cultural challenges), numerous dependencies and invisibility to external users. The recommendation is that this is prioritised but to begin further discovery to understand dependencies in more detail rather than going straight into alpha.

D: Case allocation engine

External user feedback

N/A, as the option is internal facing only

Risk level L **M** H

Internal user feedback

| Rating 4.02/5 |
| Ranking No. 5 |

Additional user feedback

- Allocations is far more nuanced than just number of cases and conciliator availability. There are many human aspects but people *"have little knowledge of how CAT works"* and have queries about how to make it more *"fair"*

- Dependencies on notification form: *"For all of this the system will only ever be as good as the information it is fed/collected e.g. expertise, availability and so on all of which is a constant (daily/hourly) changing landscape."*

CASES   CONCILIATORS & TEAMS

CAT 3.0
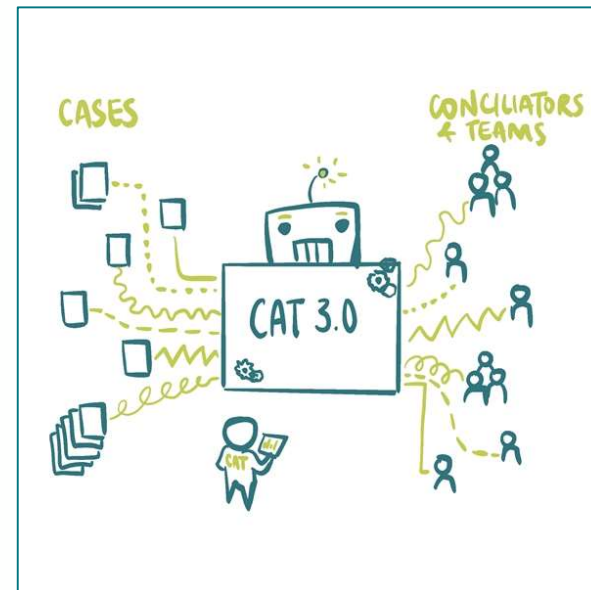
Why further discovery?

- Addressing significant user needs and business problems

- Can lead to transformational change

- Need further research about CAT's role, and how the rule of allocation should be designed to balance case resolution rate and fairness of allocation

- Deeper dive needed to understand dependencies, (including Assisted Notification, Advanced Analytics PoCs - see **slide 65**)

- Could Robotic Process Automation of existing process be a quick win?

Prioritised service options – future alpha

acas

The team felt **Service Option J: Track My Case** was worth looking into, but not an immediate priority. The team felt it had the potential to bring aspects of the service together but would not deliver the most value most quickly. There would be plenty to test with internal and external users, and lots to investigate as to how this would be delivered technically, and the scope that makes it a good candidate for a future alpha.

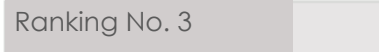### J: Track my case

External user feedback

Rating 4.32/5

Ranking No. 3

Internal user feedback

Rating 3.21/5

Ranking No. 6
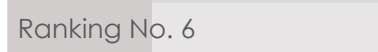
Risk level L - M H

Additional user feedback

- *"This sounds useful up to a point."* As long as it supplements conciliation and doesn't replace it, all good. Users agreed that keeping it to basic progress tracking and expectation setting would be the most useful. Leave the meat of conciliation to conciliators.

- *"Most industries use a portal – could save on pointless conversations"*, *"obvious way for ACAS to evolve its service"*

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CASE STATUS:
WAITING ON RESPONSE FROM YOUR EMPLOYER (RESPONDENT)

NOTIFY   DEADLINE
12 JULY

WHAT TO EXPECT: TO DO:
✓
✓
0
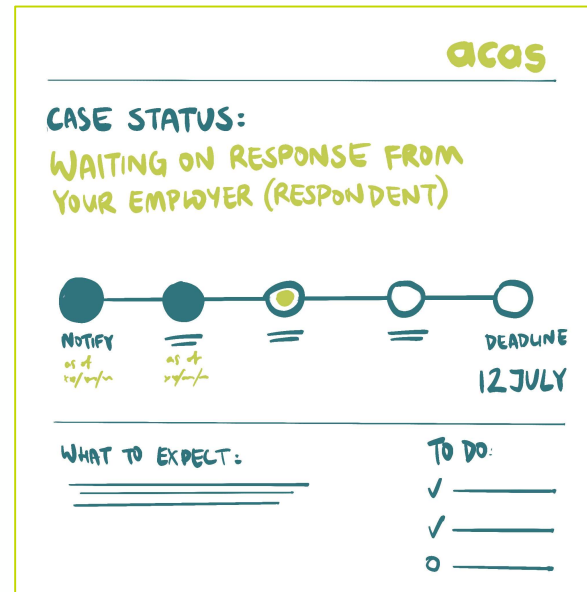
Why future alpha?

- Lots of uncertainty to test with external users, including 'value add' for one-time customers

- Technical uncertainty including data constraints, authentication methods, feasibility of using off-the-shelf templates

- Firm up scope by identifying and prototyping a minimum viable product that is valuable for both internal and external users

- A visible service improvement that could engage internal and external users with co-design opportunities

- Potential to learn from other sectors (e.g. track my parcel, ordering a passport)

Prioritised service options – develop later

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As **Service Option G: Better Conciliator Connections** was the most popular rated service improvement by external users, the team felt it should also be developed (to help reduce telephone tag and contribute to resolving cases more quickly), but after **Service Options A, L, B D and J.** Less strong internal feedback means more staff consultation is needed. The approach to development needs to be conciliator-led rather than technology-led, aiming at building confidence before any wider development in this area.

G: Better conciliator connections

External user feedback

Rating 4.16/5

Ranking No. 1

Internal user feedback

Rating 3.30/5

Ranking No. 3

Risk level   **L**   M   H

Additional user feedback

- External users love having greater transparency around conciliator availability, however internally, managing expectations and communications with their customers is a matter of training. For conciliators, trouble is finding a way to balance inbound vs. outbound calls, and how to prioritise cases.

- External: *"This would be so useful. At my new job I can only call on set break times so some structure would help"*

- Are there some comms that could be automated or templated that would alleviate customer worries and prevent the annoying *"just an update"* calls?
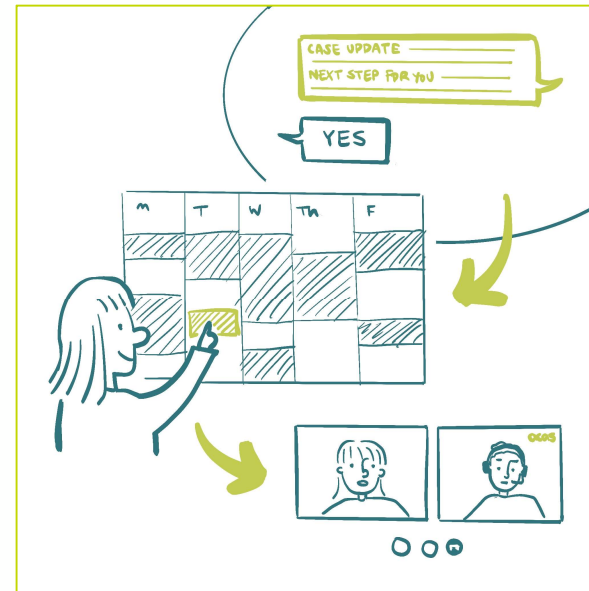
Why develop later?

- Cannot be ignored! Highest external user feedback score shows demand to at least investigate

- Needs further engagement with internal users – opportunities to co-design so the process is conciliator-led

- Data challenges may need tackling first – may be dependencies with allocation work which also depends on conciliator availability data being more accessible than currently

- Impact not as transformational as prioritised options / not addressing root issues occur in earlier part of the journey

Other service options – develop last or reconsider

Both **Service Options**

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H: Swifter certificate

External user feedback

Rating 3.47/5

Ranking No. 5

Internal user feedback

Rating 3.19/5

Ranking No. 8

Risk level L - M H

Additional user feedback

- Fears around not appearing impartial or suggesting a user go straight to ET without sufficient guidance
- This concept appears more relevant to claimants reps who are sure that there is no chance for EC or settlement: *"Fine for solicitors who just want to get on with it… but for unrepped parties, beneficial to have conversation prior to claimant requesting their certificate"*
- However participants noted that the idea of having more automated links and paperwork through to ET could save some pain points as well.

Why develop last or reconsider?

- Addressing a niche, less significant need for large claim representatives
- Create less impact based on the problem statement, and across the end-to-end journey
- Can be a feature developed later as a part of Option L: Optimised large claim service

I: Contract redesigned

External user feedback

Rating 3.89/5

Ranking No. 6

Internal user feedback

Rating. 3.18/5

Ranking No. 7

Risk level L M - H

Additional user feedback

- Seeing past examples, templates, and putting legal terms in easy to understand language is great especially for less saavy users. They can be aids in educating parties but not something conciliators or representatives feel comfortable leaving claimants and respondents to fill out on their own.
- Where there is value in this concept is having a more easy to access library of COT3s who facilitate the conversation and creation of a COT3, not as an external facing tool.
- Benefits to having that 'slower' nature of a conciliator being the conduit: *"filters out the emotion"*

Why develop last or reconsider?

- Addressing a niche, less significant need
- Create less impact based on the problem statement, and across the end-to-end journey
- Relevant user needs can be tackled through content strategy

Roadmap (for consideration)

Q3/4 2021   Q1/2 2022   Q3/4 2022   Q1/2 2023

PEOPLE & PROCESS

DATA & INSIGHT

Wage Claims (?)

Group claims (L)

Wage claims service (?)

Large claims service (L)

Iteratively roll out services for other case types based informed by learnings

Goal: Highest quality conciliation and better work / life balance for our conciliators

Goal: 80% of cases allocated smartly based on case characteristics

Goal: Simplest and most accessible journey for claimants

Swifter Certificates (H)

Goal: Users come to Acas better informed about how EC can help them avoid a costly, draining legal process

Conciliator data in / linked to CRM

Allocation engine (D) **FURTHER DISCOVERY**

Contract redesigned (I)

Define good conciliation (POC)

Allocation rules pilot

Case summaries Pilot

Better conciliator Connections (G)

Develop allocation rules (POC)

Early settlement pilot

Better case summaries (POC)

Track My Case (J) **FUTURE ALPHA**

Early settlement Indication (POC)

Iteratively deliver other content across IDR journey iteratively informed by research

Bulk upload My Cases (L)

Assisted notification (B) **ALPHA**

Test content strategy & self help video (A)

DIGITAL DEVELOPMENT

CONTENT STRATEGY

9

Appendices

Appendix A
User profiles (internal users)

Appendix A: User Profiles (internal)

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Newer conciliators	G10 Conciliators (Fast Cases)

G9+ conciliators (Open/Standard Cases)

ECSO

Central Allocations Team

Duty Cover Team

CMs (TBD)

Accessibility needs identified in research
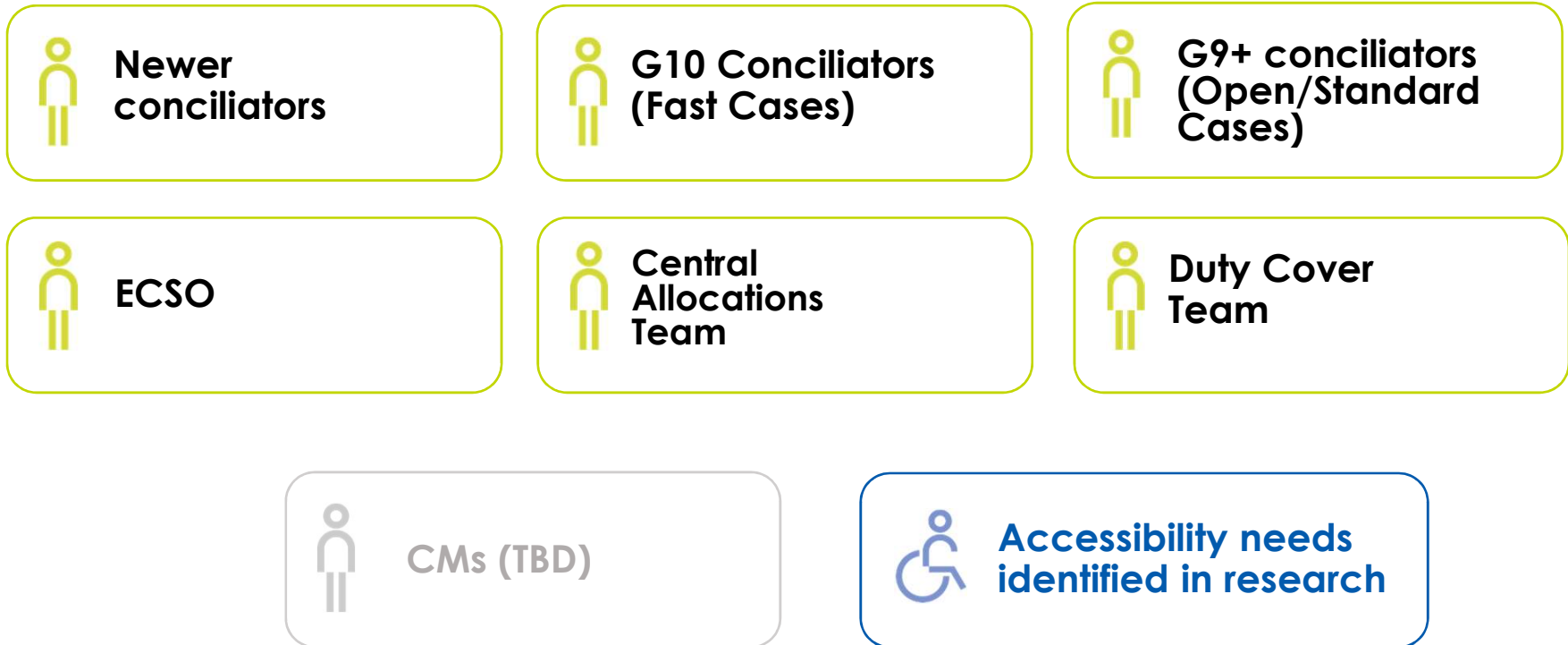
*Based on what we heard in research, not exhaustive

Newer conciliators

Behaviours

- Gathering their own library of resources so that they are easier to find and reference during the work
- May have worked in Helpline/ECSO in the past, which helps bolster the current practice
- May go to CMs, colleagues, or BST for advice
- May be nervous or unsure about how to handle the critical point of that 'initial contact'

Goals

- Improving conciliation skills to handle more caseloads and tougher cases
- Understanding the end-to-end conciliation process to better guide parties through it

- Understanding what my performance management standards are and meeting them

Grade 10 Conciliators (Fast cases)

Behaviours

- Having conversations on both sides to understand the full story behind a case
- Maximising and leveraging local, regional, and sector knowledge to progress cases
- Coming up with my own personal system for dealing with my workload, between taking calls, sending emails, etc.
- **For Team-based:** Emailing CAT if a case ends up being more complicated than initially thought and beyond my grade

Goals

- Helping bring cases to resolution ASAP
- Sowing the seeds of doubt in parties' minds
- Understanding what my performance management standards are and meeting them

Grade 9+ Conciliators (Open/Standard Cases)

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Behaviours

- Need to manage time to effectively handle the more emotional and complex cases
- Having conversations on both sides to understand the full story behind a case
- Maximising and leveraging local, regional, and sector knowledge to progress cases
- Coming up with my own personal system for dealing with my workload, between taking calls, sending emails, etc.

Goals

- Helping bring cases to resolution ASAP
- Sowing the seeds of doubt in parties' minds
- Understanding what my performance management standards are and meeting them

ECSO

Behaviours

- Manages the expectations of claimants coming in, hears a lot of the upfront concerns

- Handles the general queries of respondents / representatives as an alternative to Helpline (The general ACAS number on CAB links to ECSO)

- Taking notes on potential cases going to EC, understanding at the very least the legal basis of the case.

- Job can be rather repetitive but can give a good broad view of the claims coming in. However, rarely get to understand the respondent POV

Goals

- Prepare parties and their cases for conciliation
- Direct queries to the right resources

Central Allocations Team

- 6 people on the team (4 allocation officers, 2 managers)
- On a good week 2.5k cases allocated across ~280 conciliators. Per conciliator they aim for 7-8 cases for open/standard, and 10 cases for fast cases.

Behaviours

- Priority allocation for EC cases as opposed to ET, but will supplement with ET cases if not enough EC cases
- 'Only as good as the data we receive' -- we need the latest and greatest information from **both** our external users and internal ones so that we can align cases with the right conciliators
- Because of imperfect information, will conduct manual housekeeping of the cases for allocation. Even harder when there's cases with no ECSO contact that come in.
- Handling 100s of emails for reallocation because of misallocations by availability or speciality
- Flip-flopping between the CAT2 and Dynamics to get a good view

Goals

- Ensure the best possible fit of cases to conciliator/team
- Making sure the cases coming through are viable for conciliation, and flagging cases
- Being able to balance and prioritise the many needs vs. preferences for allocation

Duty Cover Team (G10)

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Behaviours

- I need decent notes to be able to more smoothly handle cases. When I'm enabled, I can really help progress a case even when the main conciliator is away
- Regularly on the DCT chatroom to share knowledge
- If unable to pick up a call, can rely on the rest of the DCT team to pick up
- I may have a specific conciliator I work with to handle their cases while they're on leave (e.g. same DCT conciliator for a conciliator with autism), and with that come our agreed working patterns + tactics

Goals

- Be able to progress a case forward even when the main conciliator is away
- Ensuring a smooth handoff between conciliators and other members of DCT
- Avoiding the fine line of DCT becoming a customer service centre as opposed to a proper conciliator

FD2   DCTs are predominantly G9s with minimal G10 support
Francesca Dean, 04/05/2021

SC13   do we need another slide with groups team and another for insolvency team and one for data control?
Samantha Clark, 07/05/2021

Accessibility needs of Internal Users

*Based on what we heard in research, not exhaustive

Dyslexia

- Make the information on the CMS / Guidebooks / easier to find + browse, parsing it in a way that's relevant to what I need at different stages of the journey.

- Don't force me to remember try and remember things on the spot -- give me reminders and prompts

- I might make spelling mistakes

Autism

- I don't cope with changes well. Help me stick to a routine. Stop changing the CMS so often, or at least prepare me well in advance of the changes

- It helps to have dedicated people who know me to work with

- Keep things direct and to the point, use plain language as I can take things quite literally.

- Try to avoid abbreviations

- Keep case notes simple and consistent

Visual Impairment:

- Make it screen reader friendly: Transcripts or audio calls work best for me

- Put important contextual information up front

- Keep messages short and sweet; I might take a bit more time reading emails

Hearing Impairment:

- Using a hearing aid to help with calls

SC14   we might want to highlight here or add a slide on equality impact assessment
Samantha Clark, 07/05/2021

Appendix B
User profiles (external users)

Appendix B: User Profiles (external)

*Based on what we heard in research, not exhaustive

Representatives / Solicitors

Unrepresented Claimant

Reactive + Well-resourced Respondents

Proactive Respondents

Accessibility needs identified in research
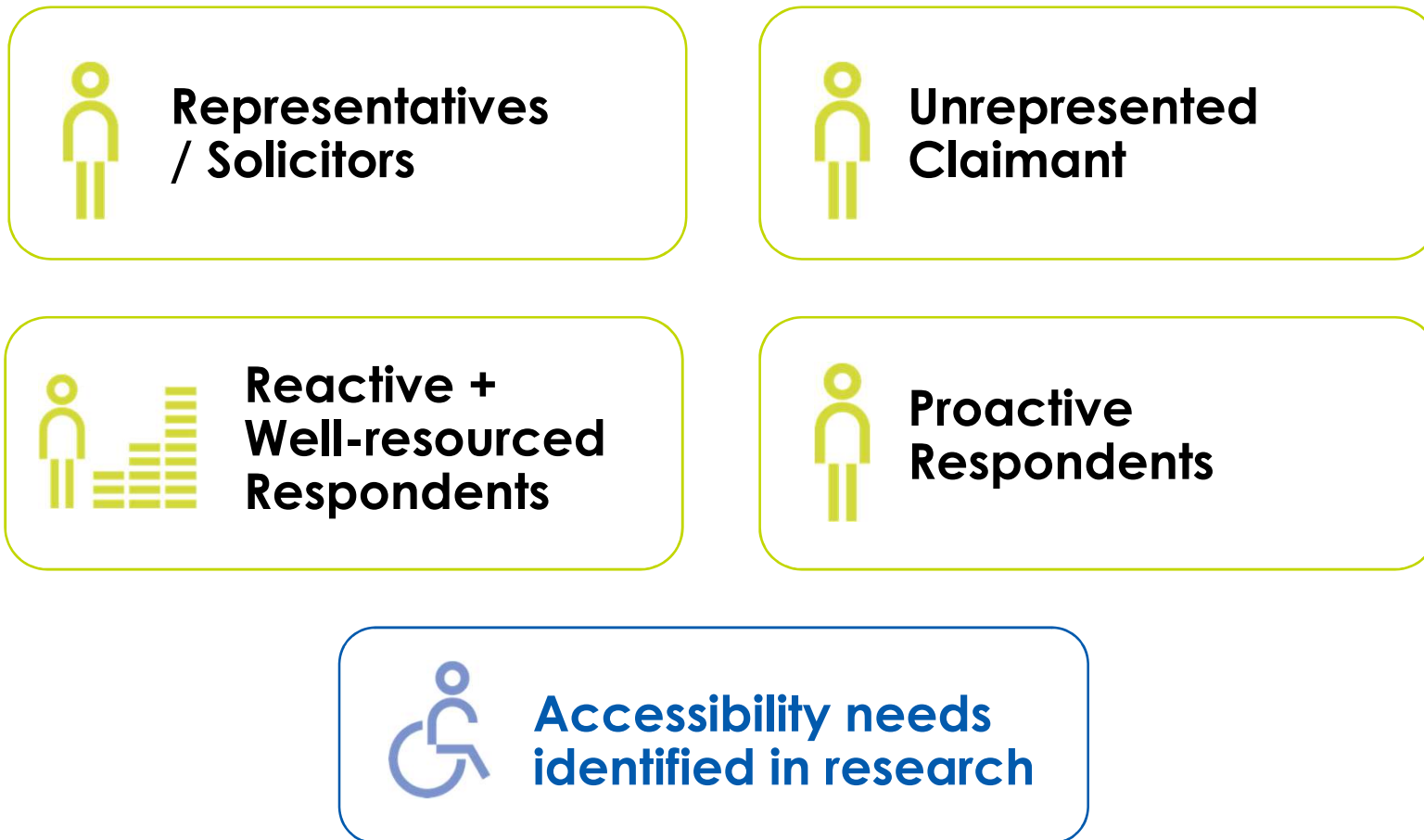
Representatives / Solicitors

Behaviours:

- Generally familiar with ACAS and what it does

- May deal with multiple cases at once

- **For Claimant Reps:** lots of conversations to understand what it is the claim is about and what they want

- Appreciates when a conciliator can work with them as an intellectual partner rather than just passing information along

- Happy to coordinate with representatives on the other side, in fact, it might even be faster to do so...

Goals:

- Getting the best deal for their client

- Not wasting any precious time

Unrepresented Claimant

Behaviours

- On good days, treats conciliator as an impartial partner in the process. But on bad days might treat conciliator as therapist or believe that conciliator is there to represent them

- May not be able to afford representation. Relying on union and other sources to understand their rights + conciliation process

- Emotionally charged and disgruntled with respondent

- What else are they juggling: other exeneuating circumstances

Goals

- I want to feel heard and be taken seriously by the counter parties

- Coming to an agreeable settlement

Reactive + Well resourced Respondents

Behaviours:

- Dedicated HR or Legal teams to coordinate with ACAS. May deal with multiple cases at once.

- By the time a conciliator reaches out to us, we feel like that we've already done all that we can from our end to try and deal with the claimant.

- …

Goals:

- Understand what the claimant wants and why they feel our response has been insufficient as of yet…

    - …so that we can close the claim and move on with our business or take them to court if necessary

- Might engage in conciliation if we feel like there's a weakness in our defense or need a second opinion on how we might improve our HR functions

Proactive Respondents

Behaviours:

- Dedicated HR or Legal teams to coordinate with ACAS. Sees ACAS as a partner that can really advise on how to resolve issues

- We initiate an employer-led claim to:

    - demonstrate a willingness to conciliate with our employees and resolve any potential disputes ahead of time and amicably

    - In some cases our employees are unable to initiate a claim, so we do it on their behalf

    - For cases that are incredibly complex and that we need a third opinion on

Goals:

- Preventing future disputes down the line going to court, using an official settlement agreement

- Giving employees an amicable and "dignified exit"

Accessibility needs of External Users

*Based on what we heard in research, not exhaustive

acas

Dyslexia

- Make the information on the website easier to find + browse, parsing it in a way that's relevant to what I need at different stages of the journey.

- Use visuals and diagrams to help me understand things quicker.

- Don't force me to remember try and remember things on the spot -- give me reminders and prompts

- I might make lots of spelling mistakes

Autism

- I don't cope with changes well.

- Keep things direct and to the point, use plain language as I can take things quite literally.

- Keep things simple and consistent

Anxiety

- Keep things targeted and simple for me. Too much complication and jargon makes me anxious

- Give me enough time, don't rush me. Give me a sense of the overall timeline and bigger picture

- Always explain what will happen next + Make information clear

- Be there for me when I need support

Visual Impairment:

- Make it screen reader friendly: Transcripts or audio calls work best for me

- Use bigger fonts or shapes

Appendix E
User needs captured

Appendix E: User needs captured

acas

Notification & ECSO

Ref No:	Topic Area	As a….	I would like…..	So that….	Overall need theme	Additional notes
EX001	Self Help	Claimant	Accessible and findable information about how to resolve my dispute	I can quickly understand the options available to me and next steps to help me towards a resolution.	Claimants understand process	Anxious Claimant
EX002	Self Help	Claimant	to understand what Acas can and can't do for me	My expectations are managed	Manage parties' expectations	Uniformed claimant
EX003	Self Help	Claimant	to understand how conciliation & tribunals work	My expectations are managed and I can be prepared for meaningful conciliation	Manage parties' expectations	Uninformed claimant
EX004	Notification	Claimant	to contact an Acas representative who knows how to handle group claims (i.e. not ECSO)	I don't have to explain it every time	Manage multiples more easily	
EX005	Notification	Claimant rep	Acas representatives (ECSO) to be fully trained in all Acas' processes	I can progress claims and resolve matters quickly?	Training & consistency of process	rep who is "hands-on"

EX006	Self Help	Claimant/Respondent	Fully accessible, up to date information on employment law and the role/processes of Acas with regards to this	I can be accurately informed as to how I want to proceed	Manage parties' expectations	
EX008	Resolution	Claimant rep	an efficient method to obtain the Acas certificate, whenever I need it.	I can submit my clients claims without any unnecessary delay.	Claimants can get quick certificate	rep who is "hands-on"
EX009	Resolution	Claimant rep	to access a certificate straightaway	cases I know will not settle are not delayed	Claimants can get quick certificate	
EX010	Notification	Claimant rep	a more efficient way to notify Acas of multiple claimants	I can avoid laboriously inputting every individual's details	Manage multiples more easily	
EX011	Self Help	Respondent	to know if I can put forward a premeditated offer before a claimant potentially raising a claim	I don't have to spend time on processes and fees to resolve a raised claim	Claimants understand process	time-restricted respondent
EX012	Notification	Claimant rep	to link multiple cases together immediately myself	I can progress the case more quickly and sync certificate dates	Manage multiples more easily	

IN001	Clarification	ECSO	a clear account of the basis of the claim (eg how the dispute is related to a breach of legislation, contract, custom & practice)	I can flag to the conciliator if there is a potential claim.	Capture right information up-front	
IN002	Notification	ECSO	relevant and concise information on form 2	I can get through forms quicker saving more time.	Capture right information up-front	
IN003	Notification	ECSO	to have details of the case that are specific to the dispute	I don't have to spend so much time sifting for this valuable information.	Capture right information up-front	
IN004	Notification	ECSO	complete notification forms	I can prepare the claim for the conciliator for allocation.	Capture right information up-front	
IN005	Clarification	ECSO	clear instructions and an efficient system through which I can record necessary case information.	I can send the CAT team the info they need to allocate cases to the right people first time	Capture right information up-front	
IN006	Notification	ECSO	claimants to be aware of the process that they are starting	we can avoid repetition and duplication of work for conciliators.	Manage parties' expectations	

Ref No:	Topic Area	As a….	I would like…..	So that….	Overall need theme	Additional notes
IN007	Notification	ECSO	claimants to provide the full details of their representatives	I can pass full and correct information to the conciliator and avoid wasting both their time.	Capture right information up-front	

Allocation to initial contact

Ref No:	Topic Area	As a….	I would like…..	So that….	Overall need theme	Additional notes
EX013	Allocation	Respondent/Rep	a dedicated conciliator"	I can build better rapport, ensure familiarity with my case and prevent repetition	Better allocation process	
EX014	Allocation	Respondent/HR Rep	the conciliator to respond quickly when i make initial contact about dispute	resolve the dispute before it escalates.	Communication with fewer delays	
EX015	Initial Contact	HR/Respondent Rep	the conciliator to have spoken to the claimant and have full details about claim, including what the claimant wants, before contacting me	I can decide whether to engage with conciliation or not	Capture right information up-front	

EX016	Initial contact	Claimant	understand the deadlines and time limits associated with my case	manage my case without unnecessary pressure.	Claimants understand process	
EX017	Initial Contact	Union Rep	be confident I receive the same level of service from conciliators	be certain my case is dealt with appropriately	Training & consistency of process	
EX018	Initial Contact	Respondent/Rep	to have a conciliator that is familiar with my sector	they can better understand the concerns I face about my case and I can relate to them better	Better allocation process	
IN008	Allocation	Conciliator	to receive cases in line with my hours, leave holidays, reasonable adjustments and ability	I can deliver a high quality service and get a better work/life balance	Better allocation process	
IN009	Allocation	CAT member	a more efficient, high quality process for allocating cases	we can speed up contact with parties and I can focus my / conciliator time where it is most needed	Better allocation process	
IN010	Allocation	CAT member	conciliators to be able to reallocate cases between each other	I am not a bottleneck dealing with 200 emails a day	Better Allocation Process	

IN011	Allocation	G9 Conciliator	I would like a good balance of work	I am not overwhelmed by complex cases and can spread my skills	Better allocation process
IN012	Hand-off	DCT Conciliators	CM's to complete their tasks correctly around allocation	DCT team are not overwhelmed with new cases	Better allocation process
IN013	Hand Off	Conciliator	parties to provide correct legal and representation details (e.g. legal identity of employer, own details, representation details)	I can avoid jeopardising their case, progress their case swiftly and reduce risk of running out of time	Capture right information up-front
IN014	Hand Off	Conciliator	to have all the relevant documentation when conciliating (for example, payslips, contracts, grievance or dismissal letters)	I can influence the parties better	Capture right information up-front
IN015	Hand Off	Conciliator/ECSO	to be aware of an agreed and standardised way of using summary and comments	myself and colleagues can easily understand each case based on each other's notes	Training & consistency of process
IN016	Initial Contact	New Conciliator	instruction and training on the 'art' of making initial contact with the parties	I can be confident I'm making the right kind of impact.	Training & consistency of process
IN017	Allocation	Conciliator	to have the opportunity to use local and specialised knowledge on a case	I can be more efficient in conciliation	Better allocation process

Working through to resolution

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Ref No:	Topic Area	As a….	I would like…..	So that….	Overall need theme	Additional notes
EX019	Initial Contact	Claimant/Respondent	to engage with a knowledgeable conciliator (eg understands the law, can bounce ideas off, will challenge)	I can best understand the case from the other side and so I can decide whether to settle or break deadlock	Training & consistency of process	
EX020	Initial Contact	Party in a dispute	a helpful first conversation with Acas (e.g. adds value, gives relevant information about the case and what will happen next)	my time isn't wasted and I understand roles and next steps (i.e. each call needs to move the case along)	Understand process?	
EX021	Negotiation	Claimant/Respondent with little knowledge of employment law	to access clear information to help me understand the rules and processes and what happens next	I can make relevant choices about what to do and feel less stressed by the process	Claimants understand process	
EX022	Negotiation	Party in dispute	to be able to contact a conciliator when I am able to speak	I can move my case on, understand what happens next, and make the right decisions	Communication with fewer delays	
EX023	Negotiation	Claimant	to settle within 6 weeks to avoid the need to submit a tribunal claim (eg ET1)	I can reach a resolution more quickly and not suffer emotional distress.	Communication with fewer delays	

EX024	Negotiation	Respondent	to settle within 6 weeks to avoid the need to engage in defending the case	I do not incur costs and am not distracted from settlement discussions because of legal time limits and paperwork.	Communication with fewer delays	
IN018	Initial Contact	Conciliator/ECSO	to ensure both claimants, respondents and their representatives understand what conciliation is, what to expect in the process, and the options for resolution available to them as soon as possible	it will be easier for me to facilitate negotiations down the line.	Expectation management	
IN019	Initial Contact	Conciliator/ECSO	customers to be well informed on the role of Acas	I don't have to repeat this information every time I speak with them	Expectation management	
IN020	Initial Contact	Conciliator/ECSO	I need to be confident that I have the correct contact details of the parties involved in the dispute or trustworthy representatives	myself / my colleagues can have a more direct conversation about resolutions that work for both parties, not wasting time dealing with those who are not directly involved in a dispute	Right information up-front	
IN021	Negotiation	Conciliator	to have a process/ techniques in place to deal with parties who are not willing or unable to engage in conciliation	I can progress a case and use my time most effectively	Opt Out	
IN022	Initial Contact	Conciliator/ECSO	I need the first conversation with the customer to be consistent	there is a level of trust and alignment between myself and my colleagues in the way we deliver the IDR service	Training & consistency of process	

IN023	Initial contact	Conciliator	to protect my time and workload	I can start cases with the careful attention and tact needed to make the most out of the initial contact	Time management	
IN024	Negotiation	(New?) Conciliator	the conciliation process to be more transparent and understandable	I can clearly see the boundaries within which I can operate	Training & consistency of process	
IN025	Negotiation	Conciliator	to know what is best mode of communication for conciliation	conciliation is most efficient and effective	Training & consistency of process	
IN026	Case management	Conciliator	a way to better align availability with the parties	there are less backs and forwards of communication and the parties can get easier access to my service.	Communication with fewer delays	
IN027	Resolution	Conciliator	my performance to also be measured against informal resolution	my work to achieve a positive outcome quickly is acknowledged.	Performance management	
IN028	Case management	Conciliator	my multiple cases easily linked and displayed	I don't use more admin time on those cases than a single case	Multiples	
IN029	Case management	DCT Conciliator	to automatically be able have access to all the linked cases	So that I don't miss any cases which should had been actioned	Multiples	
IN030	Initial Contact	Conciliator	to be able to get to the parties quickly and engage them in the value of the service	I can persuade the parties of the value of early resolution and avoid additional costs.	Communication with fewer delays	
IN031	Negotiation	Conciliator	I need to know how to move the conversation forward and convince parties to make compromises	I can get the parties to start thinking realistically to resolve their dispute within reasonable rounds of negotiation.	Training & consistency of process	

IN032	Negotiation	(less experienced) Conciliator	to have the confidence to handle the emotional complexity and grey areas of discrimination cases	I will not shy away from it and can work towards quicker settlement.	Training & consistency of process	
IN033	Negotiation	G9 Conciliator	to know how and have time to effectively handle emotional and complex cases.	I can be confident in moving the parties quicker to a resolution.	Training & consistency of process	
IN034	Case Management	Conciliator/ECSO	I need to be able to maximise and leverage local / regional / sector knowledge	it is easier to build trust and rapport with the parties and reach resolution.	Specialism	
IN035	Case Management	Conciliator	to know and understand the fixed performance expectations	I can understand and work towards meeting those performance indicators.	Training & consistency of process	
IN036	Case Management	Conciliation Manager	to know the important key performance which acas needs to measure	So that I can guide my team to focus on the important areas of conciliation	Training & consistency of process	
EX007		Claimant/Respondent	Acas to influence the other side to reach resolution.	So that I don't have to deal with the cost of dealing with an unnecessary employment tribunal claim.	Expectation Management	

Appendix H
Definition of an Alpha

What is an "Alpha"

The Government Digital Service's guidance states that an 'Alpha' phase should try out solutions to problems encountered during Discovery, by:

- experimenting with new technologies

- testing hypotheses and the riskiest assumptions

- building prototypes to test different ideas, challenge the ways things are done, and explore new approaches. These should be **just complex enough** to test different ideas (doesn't need to be production quality code)

- contributing towards solving "the whole problem" that users are encountering

- exploring immovable constraints (e.g. legislation, contracts, legacy technology) that could affect the service