



HR Update - 9<sup>th</sup> June 2009

## ACAS Code of Practice on Disciplinary and Grievance Procedures

It is hard to believe that it has been 2 months since the ACAS Code came into force!  
We thought that now would be a good time to remind you all of changes and to highlight the main features that you should be concentrating on – if you are not already doing so!

### Disciplinary Steps – 6 Key Points

#### 1. Establishing the Facts

Hold an investigation OR collate evidence  
Where possible have different people to investigate/conduct the hearing  
Any suspension to be kept brief and under constant review

#### 2. Inform of the Problem

Notify the employee of the case to answer  
Provide information on which to prepare their defence  
Provide copies of written evidence  
Establish meeting arrangements  
Right to be accompanied

#### 3. Meeting

Hold without reasonable delay  
Allow reasonable time to prepare defence  
Explain complaint & evidence  
Allow response and to state case  
Take questions/call witnesses

#### 4. Right to be Accompanied

Work colleague or Trade Union rep  
Request to be accompanied must be reasonable  
Clarify what the rep can and can't do at the meeting

#### 5. Decide Appropriate Action

No longer a need for Verbal Warning  
Written Warning normal response leading to further action if repeated  
If serious enough Final Written Warning may be appropriate in first instance

#### 6. Appeal

Hear without unreasonable delay by an uninvolved manager  
Right to be accompanied  
Out come in writing as soon as possible

### Grievance Steps – 5 Points

#### 1. Nature of Grievance

Employee informs you of a problem – can it be dealt with informally?  
Formal route – letter to set out nature of grievance is received  
Heard by a manager not involved in the complaint

#### 2. Meeting

Heard without reasonable delay  
Consider grievance and ways to resolve  
Adjourn

#### 3. Right to be Accompanied

As disciplinary process

#### 4. Appropriate Action

What action – if any?  
Confirm in writing

#### 5. Further Action

If not resolved satisfactorily inform of right to appeal  
Hear appeal without unreasonable delay  
By someone impartial  
Right to be accompanied  
Confirm outcome in writing without unreasonable delay

If you require HR Support or advice please contact us on 07824668782 or visit [www.gmaconsultants.co.uk](http://www.gmaconsultants.co.uk)