



HR Update - 9th 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