



Employment Relations: Current Issues and Future Changes

Susan Clews, ACAS

Areas for consideration:

- **Current Issues**
- **Future Changes**
- **Acas Response**



- **Acas Set up by an Act of Parliament in 1976**
- **Council made up of employer, trade union & independent representatives**
- **Acas mission: *"to improve organisations and working life through better employment relations"***
- **Website and Helpline – 4 million hits, 1 million calls**
- **Workplace projects – helping organisations to manage themselves better**
- **Excellent value for money - £1 spent by Acas generates up to £16 of direct and immediate benefit to the economy as a whole**
- **Best known as a dispute resolution service – both collective and individual**

Current Issues


- **The Economy**
 - **Private Sector**
 - **The Public Sector**
 - **The Olympics**
- 
- Decorative graphic element at the bottom right of the slide, consisting of several overlapping curved shapes in various shades of blue and grey.

Future Changes

The context:

- **Strong political interest in employment issues**
 - **Ideas generated through the “Red Tape Challenge”**
 - **Deregulation goals**
 - **Detail of changes still to come**
- 
- Decorative graphic at the bottom right of the slide, featuring overlapping curved shapes in shades of blue and grey.


The Big Challenge: Resolving Workplace Disputes

- **This Government Consultation opened in January 2011 and the closing date for comments was 20 April 2011**
 - **Over 400 responses were received and the Government responded to the Consultation on 23 November 2011**
- 
- Decorative graphic at the bottom right of the slide consisting of several overlapping curved shapes in shades of blue and grey, creating a modern, abstract design.

Resolving Workplace Disputes



The measures proposed aimed to:

- **achieve more early resolution of workplace disputes so that parties can resolve their own problems, in a way that is fair and equitable for both sides, without having to go to an employment tribunal**
 - **ensure that, where parties do come to an employment tribunal, the process is swift, user-friendly and effective; and**
 - **help businesses and social enterprises feel more confident about hiring people**
- 

Resolving Workplace Disputes



Government Response Announcements

- **Early conciliation will be introduced - probably from April 2014**
- **Support for measures to promote workplace mediation**
- **A Review of Tribunal Rules**
- **Some procedural changes introduced by SI from April 12**
- **Changes to Compromise Agreements including consultation on protected conversations**
- **Increase in Qualifying Period for Unfair Dismissal**
- **Rapid Resolution Service consultation**
- **Financial Penalties for Employers**


Other Government Announcements




And other Challenges:

- **Charging Fees for Employment Tribunal**
- **Compensated No Fault Dismissal for micro businesses**
- **Acas Code of Practice on Discipline and Grievance the Government has launched a call for evidence on simplifying dismissal procedures.**
- **Call for Evidence on dismissal processes and compensated no fault dismissal closes 8 June**




- **Consultation on Collective Redundancies - Call for evidence to explore the consequences of reducing the 90 day consultation period to 60, 45 or 30 days**
 - **Consultation on TUPE - seeking views on how the regulations might be simplified to enable necessary business restructuring while continuing to provide protection for employees**
 - **Both of these calls for evidence closed in January**
- 
- Decorative graphic element at the bottom right of the slide, consisting of several overlapping curved shapes in shades of blue and grey.

What will this mean?

- **From April 2014 before lodging a claim to the Tribunal all claimants will need to notify Acas first**
 - **There will be a “conciliation pause” of one calendar month to allow conciliation to take place**
 - **If this is unsuccessful the claimant can proceed to the Tribunal**
 - **Engaging with the conciliation process is voluntary**
 - **There are provisions for early conclusion or extension of the “conciliation pause”**
 - **Conciliation can still take place after the conclusion of the pause and once the claim is lodged**
- 
- At the bottom of the slide, there are several overlapping curved shapes in shades of blue and grey, creating a modern, abstract design.

What will this mean?

- **The pause stops the clock on the three month limitation period for lodging claims**
 - **There will be at least one month for the claimant to lodge a claim with the Tribunal after conclusion of the pause regardless of how close they were to the limitation date when they contacted Acas**
- 
- Decorative graphic at the bottom of the slide consisting of several overlapping curved shapes in shades of blue and grey.

The Acas Response



- **Acas is working closely with BIS who are developing the legislative framework for Early Conciliation**
- **Ready to adapt our guidance to help organisations implement any changes**
- **Be ready to change our Code of Practice**
- **Work to prevent conflict in the workplace by raising the knowledge and skills of supervisors & managers**
- **Support organisations to engage their employees**



Any Questions?

