

## Employment E-Brief No 59

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### ACAS DRAFT CODE OF PRACTICE ON DISCIPLINARY AND GRIEVANCE PROCEDURES

It should be common knowledge now that the new statutory procedures for handling disciplinary and grievance procedures are due to come into effect in October 2004. In anticipation of this, ACAS has updated its Code of Practice on Disciplinary and Grievance Procedures, a draft of which is now available at

<http://www.acas.org.uk/publications/pdf/CP01.2.pdf>

ACAS are seeking comments through public consultation. All comments need to be received by 14<sup>th</sup> April 2004.

Anyone with time to take a look at the draft Code will see that it gives guidance on the new statutory procedures, together with standards of good practice in relation to whether a dismissal is fair under the existing legislation. In essence, it gives guidance on how the new statutory procedures can be met as well as how they fit in with existing good practice.

There are three main sections to the Code:

- Disciplinary Procedures
- Grievance Procedures
- The right to be accompanied

There are also useful checklists of the key points.

Employers will be glad to note that the new Code gives more detail on the distinction between misconduct and poor performance, as well as an expansion of the circumstances in which employers may move immediately to a final written warning.

Metcalfes will be offering seminars on the new statutory procedures and Code before October 2004. Further details will follow.

30<sup>th</sup> January 2004