



University of Strathclyde
LAW CLINIC

1C. Key Features of ACAS Conciliation

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What is ACAS?

- ▶ ACAS is a government body which provides employees and employers free, impartial advice on workplace rights, rules and best practice.
- ▶ ACAS helps employees and employers to reach agreement on how to resolve workplace disputes during the course of the Employment Tribunal process.
- ▶ Contacting ACAS for early conciliation is an essential step in an Employment Tribunal case. Please see slideshows 1A-1B for more information.
- ▶ The information within the current slides is about ACAS's general role throughout a case.

Key Features of ACAS Conciliation



You are in control.



**Agreements are decided
by the parties, not
imposed by a Tribunal.**



**Agreed outcomes can
include things not available
at an Employment Tribunal.
Such as an employment
reference or an apology.**

Key Features of ACAS Conciliation



It informs.



Parties can get a clearer idea of the strengths and weaknesses of their case.



Parties can explore the options for resolving their differences.

Key Features of ACAS Conciliation

- ▶ It saves time and money.
- ▶ ACAS conciliation is free, and often is concluded by a few telephone calls.
- ▶ If parties can settle their differences, this will avoid the time, expense, risk and stress of making or defending a Tribunal claim.
- ▶ Or, if a claim has been made, of going to the Tribunal hearing.

Key Features of ACAS Conciliation



ACAS are impartial and independent.



ACAS doesn't represent either the employee or the employer and are not part of the Tribunal system.

Key Features of ACAS Conciliation

- ▶ It's confidential.
- ▶ Anything you tell ACAS can only be discussed with the other party if you agree that it will be helpful in trying to settle your case.
- ▶ Settlement discussions **cannot** be used by either party at a Tribunal hearing.

Key Features of ACAS Conciliation



If ACAS helps parties to reach agreement then they will also help with drawing up a binding legal agreement called a COT3.



If the Claimant is still employed it increases the chance of avoiding a permanent breakdown of the employment relationship.

If that is what both sides want to achieve.