

Insights

DISCIPLINARY AND GRIEVANCE PROCEDURES ARE COSTING UK EMPLOYERS BILLIONS OF POUNDS. WILL A REVISED ACAS CODE OFFER ANY SOLUTIONS?

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Summary

The Advisory, Conciliation and Arbitration Service (**Acas**) has published a [survey](#) which highlights the use of disciplinary procedures to address cultural and behavioural concerns. At the same time, Acas is consulting on a revised Code of Practice with a sharp focus on early, informal resolution, motivated by its finding that formal disciplinary and grievance processes cost employers an estimated £2.36 billion a year. The logic of steering disputes away from formal processes is clear, but the survey exposes an awkward gap: many of the issues employers actually face cannot be resolved informally.

The survey ranks the behaviours most likely to trigger disciplinary action. Top concerns include unauthorised absence (34%), bullying (30%) and rudeness to colleagues or customers (30%).

What this means for employers

There is a clear tension here. The consultation rightly acknowledges that not every workplace dispute requires a formal process. But the survey shows that when employers do reach for their disciplinary procedure, it is often to tackle issues like bullying, harassment and entrenched poor behaviour, matters that are not suited to informal resolution. Such issues:

- require formal investigation and a fair hearing, not simply early intervention;
- frequently overlap with grievances, raising questions about sequencing, confidentiality and fairness that informal resolution cannot answer.

The consultation's emphasis on early resolution is therefore welcome as far as it goes, but it leaves a gap. Employers still need a Code that helps them navigate complex cases, like those involving discrimination, patterns of behaviour, and disciplinaries which sit alongside grievances. It is

disappointing that Acas has not taken the opportunity to give further guidance on these cases, particularly when its own survey demonstrates how heavily formal processes are relied upon for exactly these issues.

What to do now

If the revised Code doesn't bridge this gap, employers will have to do it themselves. The real lesson from the survey may be that cultural and behavioural concerns are best tackled early, before they become formal disciplinary matters at all. Practical steps include:

- reviewing disciplinary and dignity-at-work policies to ensure behavioural standards are clearly defined;
- training managers to spot and address low-level conflict before it escalates;
- using regular and focused staff satisfaction surveys or other tools to get ahead of workplace issues.

This also underscores the importance of robust recruitment and early performance management, particularly for smaller employers where one bad hire can disproportionately damage workplace culture. With the forthcoming reduction in the unfair dismissal qualification period, employers will have a much shorter window to assess behavioural concerns before full rights apply and a formal process, which may not be fit for purpose, becomes unavoidable.

For further information about the [Acas Consultation](#), which is open until 23 September 2026, please get in touch with your usual [BCLP Employment contact](#).

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