

## **Contacting ACAS**

### **First contact with ACAS**

When you ring the telephone number provided you will speak to an administrator. They will go through the form to make sure that the information you have provided is correct. You will be asked to provide the name and contact details of the person who ACAS should contact at the company. They will also ask for a summary of your employment problem and if you wish to try to settle the matter by conciliation. It is usually a good idea to see if the matter can be sorted out at this stage.

You will be asked if you want to speak to your conciliator before they contact the company. Unless it is a straightforward matter it is better to ask to speak to your named conciliator first. This will allow you to explain in greater detail what has happened.

### **The next stage**

After the initial conversation with ACAS you will receive a further email detailing who your named conciliator is and their contact details. You will normally be contacted by your conciliator within 5 working days.

Your conciliator will want to understand what the problem is, so they can explain to the employer what you believe has happened. You might find it useful to make some notes before being contacted to ensure that you don't forget any key points or events. If you have been dismissed you should explain the reason for your dismissal and why you believe that your dismissal was unfair. If you have not been paid money you believe you are owed you should explain what it is for and how you have calculated the amount.

Rather than wait for your conciliator to phone you could email them and provide details of your complaint. If you do email then it is important that in the subject line you insert your unique reference number, your name and the employer's name.

Your conciliator will want to know what outcome you are seeking. This might be money owed, compensation for being unfairly dismissed or compensation and an amount to cover injury to feelings in discrimination cases.

### **Valuing potential claim(s)**

It is important that you are aware of any potential claims that you might have. We suggest that you seek advice if you are not sure. Assessing the value of any claims is not always easy but it is important that you understand what an employment tribunal might award, otherwise you might agree to accept an offer that is too low or ask for an amount that is unrealistic. You should seek advice if you need help in valuing your claim.

It is not always just about financial compensation and you should consider if there are other outcomes that you are seeking. For example, you might want a settlement to include an agreed reference, or in disability discrimination cases reasonable adjustment can be asked for.

## Negotiating successfully

It is important that you understand the strength of your claim. If you have strong claim and you are prepared to take the case to tribunal then you might be unwilling to accept an offer that is not close to what an employment tribunal is likely to award. However, you might prefer to settle for an amount lower than you might get at a hearing as you would receive the money much sooner. In cases where success at tribunal is not guaranteed you might be willing to lower your expectations.

Valuing your claim at the ACAS Early Conciliation stage is not always straightforward because it is not easy to predict what the future holds. For example, in unfair dismissal cases it is not possible to accurately predict when you will find another job. You can only make a best guess at this stage.

It is likely that you will be asked to make an offer to settle the dispute. If the employer is prepared to negotiate it is rare that your first offer will be accepted. You should decide what the lowest amount you are prepared to accept and make an offer above that figure, this will allow you to respond to any counter offer made by the employer. It can sometimes take several offers and counter offers before an agreement is reached. Sometimes both parties are so far apart that it is clear that an agreement will not be reached.

## No settlement

If it is not possible for the parties to settle the employment dispute ACAS will issue a certificate. It is important that you keep the certificate safe as the certificate number is required to complete an employment tribunal claim form. The certificate also includes important information about when you contacted ACAS and started the Early Conciliation process and the date the certificate was issued.

You will always have at least a month from the date of the certificate to issue a claim to the employment tribunal. We strongly advise that you start preparing your claim as soon as the certificate is issued, rather than waiting until several days before the deadline.



**Birmingham Peoples  
Centre**

Putting People First

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