

Guidance of Employment Practice/Tribunal Claims

We have seen a significant increase in the number of employment tribunal claims in recent years and we expect that these will continue to rise.

We have provided you with some guidance notes as to what dictates grounds for notification to the colleges insurers of a possible claim to ensure that you satisfy policy conditions around when to notify incidents.

Aviva, your Employment Practice Liability insurer, have recently updated their stance and advised that an Employment Practice Liability notification should be notified to them at the point when a decision to engage with the ACAS Conciliation service is made.

Insurers appreciate that HR departments follow their own internal policies and procedures when a grievance is raised, and for this reason only ask to be notified once that process has been exhausted, if ACAS Conciliation is then utilized to further a resolution.

Content of notification

At the point ACAS Conciliation is engaged, your notification to us should typically include the following information:

1. Full name of employee / Complainant / employee
2. Background to the issue including details of any internal investigations and outcomes, grievances, intimations of appeals and claims. Any offers made.
3. Date of awareness of the circumstances i.e., when you first became aware of the grievance
4. Period of time the investigation or allegations span
5. If applicable has the complainant requested an offer of redress
6. Your views on why you consider the set of facts might give rise to a claim
7. Next steps to be taken (if any)

These details should be emailed to your Claims Handler at Gallagher and include the details of the most appropriate contact at the college.