Technical Appendix

**Evaluation of Acas Individual Conciliation 2019:**

**Evaluations of Early Conciliation and conciliation in Employment Tribunal applications**

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**INTRODUCTION**

Acas has a longstanding statutory duty to promote the resolution of claims to the Employment Tribunal (ET) in order to avoid recourse to a full tribunal hearing. Under current arrangements this duty is provided in two parts – Early Conciliation (EC) and conciliation in Employment Tribunal applications, which occurs after an ET1 claim form is submitted (‘post-ET1 conciliation’).

Both elements were covered by a pair of 2019 survey evaluations, the technical aspects of which are described in this report appendix – first in the case of EC and then the post-ET1 conciliation evaluation.

**EVALUATION OF EARLY CONCILIATION: TECHNICAL DETAILS**

**1.1 Introduction**

This part of the report appendix provides an overview of the technical aspects of the EC evaluation survey, covering its design, implementation and reporting.

**1.2 Survey Methodology**

***1.2.1 Survey Design***

The EC evaluation composed of two telephone (CATI) surveys:

* One of claimants (or their representatives) who had submitted an EC notification to Acas; they had not necessarily been a participant of EC.
* One of employers (or their representatives) for whom a notification had been submitted about and Acas had contacted them to offer EC.

The sample frame consisted of all claimants/employers (or their representatives) whose EC window had closed[[1]](#endnote-1) between 25 March and 3 May 2019. Sampling was made on an individual basis and not at a case level, with claimants and employers (or their representatives) being selected separately to each other:

* For the claimant survey, a random stratified sample of claimants was drawn from all cases within the sample frame. For cases which were selected where a representative was listed as dealing with the case on the claimant’s behalf (according to Acas’ MI records), the claimant’s representatives was approached for the survey. In all cases where there was no representative, the claimant was approached directly for the survey.
* For the employer survey a random stratified sample of employers was drawn from all cases in which an employer would have been aware than an EC notification had been submitted about them. Again, where recorded (on Acas’ MI records), the representative was approached.

***1.2.2 Questionnaire design***

The questionnaire followed the below structure in terms of areas covered;

1. Introduction
2. Employment details
3. Dispute details
4. Early conciliation process
	1. EC notification form
	2. ECSO
	3. Notification outcome
	4. Conciliation outcome
	5. Conciliator
	6. Overall experience
	7. Costs to employer
	8. Benefits to employer
5. Submission of ET claim
6. Employer details/Claimant profile
7. Personal details

The questionnaire used was broadly unchanged from the 2015 version. The most pertinent changes include the removal of questions pertaining to ET fees (which have been abolished) and amendments to the conciliator attributes sections to accommodate cases where disputes were managed by a team of conciliators, rather than a named individual.

The full questionnaire can be found at the end of this appendix.

***1.2.3 Sample Preparation***

Sample was received from Acas in two batches and prepared broadly in line with the approach from the previous survey wave in 2015:

***Batch 1***

The first batch of sample contained cases drawn from Acas records of EC notifications where EC had concluded and either a COT3 orCertificate had been issued between the 25 March and 14 April 2019.

The first stage in the sample preparation was to remove ineligible cases from the sample extract. Ineligible cases were as follows:

* ‘Multiple’ cases – cases taken out by a group of claimants against the same employer with the same representative.
* Duplicate claimant notifications about the same case – cases where the claimant had put the same notification in more than once (e.g. within a very short space of each other, with a very similar employer name). In each instance the notification with the most recent date was retained.
* Cases which were determined as not being an EC request by an Early Conciliation Support Officer
* Any fast-track cases handled by teams in offices that were at that time piloting team-based conciliation

The remaining cases were then divided into the following, featuring:

*a) a claimant that can be contacted individually*

This is where a claimant has full contact details (name, address and telephone number), and the claimant did not have a representative.

b) *a contactable claimant representative that has not worked with an employer* This is where a claimant had a representative and the representative’s name and telephone number were present, and the representative hadn’t represented an employer.

*c) an employer that can be contacted individually*

This is where an employer had full contact details (contact person name, address and telephone number), the employer did not have a representative, and where the case has an outcome where it is appropriate to contact the employer side (see note on this below).

d) *a contactable employer representative that has not worked with a claimant* This is where an employer had a representative and the representative’s contact name and telephone number were present79, where the case has an outcome where it is appropriate to contact an employer side, and where the representative hadn’t represented a claimant.

*e) a contactable representative that has worked with both a claimant and an employer.*

This is where a representative was identified as representing a claimant and an employer (in different cases), and the representative’s contact details were present (contact name and telephone number), and where the case has an outcome where it is appropriate to contact an employer side (see note on this below).

Across all five categories, potential participants without full contact details were excluded from the sample

The table below provides an overview of the outcome of cases which could be sampled for each survey:

***Table A1: Overview of EC case outcomes eligible for each survey***

|  |  |  |
| --- | --- | --- |
| **EC Outcome** | **Potentially sampled for the claimant survey** | **Potentially sampled for the employer survey** |
| Claimant would not engage with EC – certificate issues by ECSO no contact with respondent) | Yes | No |
| Claimant could not be contacted by conciliator – certificate issued by conciliator (no contact with respondent) | Yes | No |
| Claimant would not engage with EC – certificate issued by conciliator | Yes | No |
| Respondent could not be contacted/would not engage with EC – certificate issued by conciliator | Yes | Yes |
| EC complete – no settlement (certificate issued by conciliator) | Yes | Yes |
| EC complete – resolved COT3 | Yes | Yes |

Within categories (a) - (d) duplicates were identified and marked:

* For (a): duplicate claimants were identified where the same claimant had taken out more than one *different* EC notification over the period.
* For (b): duplicate claimant representatives were identified based on a ‘site’ basis.
* For (c): duplicate employers were identified on a ‘site’ basis.
* For (d): duplicate employer representatives were identified on a ‘site’ basis

Following de-duplication of cases at random, sample frames of (a) claimants and claimant representatives and of (b) employers and employer representatives were constructed. Representatives of both claimants and employers (category e) were randomly assigned to either frame a or b.

***Batch 2***

The second batch of sample contained cases drawn from Acas records of EC notifications where EC had concluded and *either* a COT3 *or* Certificate had been issued between 15 April and 3 May 2019.

Ineligible cases were identified using the processes outlined above, and the sample was then prepared using the same selection processes. An additional de-duplication stage was also included to identify duplicate claimants and employers (and their representatives) across the two batches: claimants were de-duplicated on a name and telephone number basis, while employers and all representatives were de-duplicated on a site or location basis.

**Sample selection**

***Batch 1***

The claimant and claimant representative frame was stratified by three categories (a) whether it was a claimant or a claimant representative; (b) track, and; (c) overarching outcome. Records were selected by a systematic sampling approach for the claimant core sample.

The employer and employer representative frame was selected using the same methodology.

***Batch 2***

The Batch 2 sample was selected using the same process as batch 1, with a stratified selection made within the claimant-side and employer-side surveys using the same categories: (a) whether it was a claimant or a claimant representative; (b) track, and; (c) overarching outcome

***Batches 3 and 4***

Later in fieldwork, additional sample was added to both claimant- and employer-side surveys to increase the number of interviews completed.

* Batch three was targeted at the employer-side survey: all remaining eligible contacts from sample batch 2 were selected.
* Batch four was targeted at the claimant-side survey: a further 750 contacts from the sample were added, using a stratified selection on the three dimensions used for sample bathes one and two

***1.2.4 Fieldwork***

The main stage fieldwork took place from the 23 May and 23 August 2019. All participants were sent an advance letter ahead of the beginning of fieldwork. In total 3,351 claimants (or their representatives) were contacted for the survey, as were 3,137 employers (or their representatives).

Overall 932 interviews were completed with claimants (or their representatives) and 773 with employers (or their representatives). A response rate of 33 per cent was achieved in the claimant survey and 31 per cent for the employer survey. The full breakdown of response rates is listed in Tables A2 and A3 below. The average interview length for claimants (or their representatives) was 26 minutes 15 seconds and for employers (or their representatives) it was 20 minutes 34 seconds.

|  |
| --- |
| **Table A2: Survey Response – Claimant Survey**  |
| **N**  |
| Advance letters sent  | 3,351  |
| Sample covered  | 3,351  |
| **Invalid sample data**  |
| Invalid telephone number | 239 |
| No answer | 126 |
| Unknown at number | 82 |
| Screen out during survey | 56 |
| Case details not confirmed | 35 |
| **Opt-out/refusal**  |
| 10+ unsuccessful calls (and made contact) | 2 |
| Unavailable during fieldwork | 213 |
| Refusal | 594 |
| 10+ unsuccessful calls (no contact) | 919 |
| Abandoned interview | 138 |
| Opt out | 15 |
| **Interviews** |  |
| Full interviews  | 932  |
| **Productive of valid sample (%)**  | **33**  |

|  |
| --- |
| **Table A3: Survey Response – Employer Survey**  |
| **N**  |
| Advance letters sent  | 3,137  |
| Sample covered  | 3,137  |
| **Invalid sample data**  |
| Invalid telephone number | 286 |
| No answer | 86 |
| Unknown at number | 114 |
| Screen out during survey | 128 |
| Case details not confirmed | 8 |
| **Opt-out/refusal**  |
| 10+ unsuccessful calls (and made contact) | 31 |
| Unavailable during fieldwork | 446 |
| Refusal | 612 |
| 10+ unsuccessful calls (no contact) | 469 |
| Abandoned interview | 156 |
| Opt out | 28 |
| **Interviews** |  |
| Full interviews  | 773 |
| **Productive of valid sample (%)**  | **31**  |

***1.2.5 Weighting***

Post-stratification weights were applied in order to account for any potential non-response bias in the employer and claimant survey datasets.

The calculation of the post-stratification weights involved applying a RIM weighting algorithm, after taking into account the calculated design weights. The algorithm ensured that the structure of the employer and claimant survey datasets matches the structure of their corresponding target populations (i.e. the populations of employer and claimant cases, respectively) in relation to a set of key profiling variables expected to be correlated with the estimates produced based on the survey datasets.

Three weighting dimensions were used for this round of the survey; representation status, outcome of the case and case track. In the 2015 survey Acas office was also included as a weight dimension but the exclusion of some offices from the sampling meant this approach was not repeated. The 2015 survey also included a design weight to take into account that the sampling included a longitudinal element – the removal of this weight has improved the efficiency of the overall approach.

The sample targets were based on a modified universe of all cases within the survey time window provided by Acas. The raw Acas management information provides a universe of *notifications* but the survey weights are modelled on the universe of *cases*, the unique instances where Acas was called to be involved in a potential conciliation. To do this, some basic cleaning of the provided sample was undertaken: non-survey viable records (such as incomplete or erroneous entries and those with claimants based abroad) and cases not assigned a track were removed, while multiple case notifications were deduplicated. The amended figures were used as the weighting targets specified below. This approach is slightly different from the 2015 evaluation where the universe of notifications was used for weighting targets but makes no material difference to the outcome achieved.

Tables A4 and A5 present the profiling variables used at the post-stratification stage and their marginal distribution in the populations of employer and claimant cases, respectively. These distributions served as weighting targets at the post-stratification process.

|  |
| --- |
| **Table A4: Weighting targets – Claimant Survey**  |
| **Dimension** | **Target %** |
| **Type** |  |
| Claimant | 69% |
| Claimant Rep | 31% |
|  |  |
| **Outcome** |  |
| Resolved COT 3 | 13% |
| Claimant does not wish to proceed (at ECSO stage) | 26% |
| Claimant contact not achieved (at EC stage) | 2% |
| Claimant contact not engaged | 3% |
| Impasse no resolution brokered | 40% |
| Employer contacted not engaged OR could not be contacted | 16% |
|   |  |
| **Case track** |  |
| Fast | 45% |
| Open | 27% |
| Standard | 27% |

|  |
| --- |
| **Table A5: Weighting targets – Employer Survey**  |
| **Dimension** | **Target %** |
| **Type** |  |
| Employer | 74% |
| Employer Rep | 26% |
|  |  |
| **Outcome** |  |
| Resolved COT 3 | 19% |
| Claimant does not wish to proceed (at ECSO stage) | - |
| Claimant contact not achieved (at EC stage) | - |
| Claimant contact not engaged | - |
| Impasse no resolution brokered | 58% |
| Employer contacted not engaged OR could not be contacted | 23% |
|   |  |
| **Case track** |  |
| Fast | 36% |
| Open | 32% |
| Standard | 32% |

**1.3 Details of the Multivariate Analysis**

***1.3.1 Overview***

Driver analysis was conducted covering three topics:

1. Drivers of acceptance of Early Conciliation
2. Drivers of settlement of Early Conciliation
3. Drivers of satisfaction with Early Conciliation

For each topic, the driver model is split into two: one covering internal factors only (e.g. aspects related to the Acas service) and one covering external factors only (e.g. characteristics of the claimant, characteristics of the dispute, which to do not relate to the Acas service, and Acas has no control over).

Additionally, modelling was conducted for claimant and employer sides separately. The focus of the models was on unrepresented employers and claimants only as the drivers of acceptance, settlement and satisfaction will differ between representatives and their clients. Table A6 gives an overview of the models for each topic. Each model presents the key drivers and how they impact the target variable.

***Table A6: Driver Models Overview***

|  |  |  |
| --- | --- | --- |
| ***Target variable*** | ***Predictor: Internal factors*** | ***Predictor: External*** |
| ***Claimant*** | ***Employer*** | ***Claimant*** | ***Employer*** |
| Acceptance | Model 1 | N/A | Model 1 | N/A |
| Settlement | Model 2 | Model 3 | Model 4 | Model 5 |
| Satisfaction  | Model 6 | Model 7 | Model 8 | Model 9 |

***1.3.2 Modelling Approach***

For each model the driver analysis was conducted using the following steps.

**Step 1**: Bivariate Analysis

In this step, each predictor factor was ‘correlated’ with a target variable. Due to the fact that all the target variables were binary: a) If the predictor factor was a categorical variable, a Chi-Square Testwas used and the Chi-Square Statistic was then converted into a F Statistic. b) If the predictor factor was an interval/continuous variable, an F-Testwas used. The P-value was used to rank predictors’ ‘correlation’ with each target variable. Those variables with p-value lower than 0.05, were then entered Step 2 for multicollinearity analysis.

**Step 2**: Multicollinearity analysis

A preliminary analysis was run to establish the extent of relationships between the dependent variables. Where two variables are very closely linked this can disrupt the model by overstating the strength of the relationships within the data. Where two variables were found to be too closely related only one was taken forward to the modelling stage.

**Step 3**: Multivariate Modelling

Reflecting the binary target variables, a logistic regression method for each model was adopted. As multicollinearity between variables had been identified in the previous stage a standard logistic regression approach was used.

Model fit is checked by using a pseudo R square and Accuracy Rate. The pseudo R square reported here (at the base of each table) is the Nagelkerke R square calculated in SAS and indicates the extent to which the model explains the variance in the target variable, with a maximum value of 1.0 indicating perfect explanatory power. The ‘Accuracy Rate’ is the percentage of cases that are correctly predicted by the model.

**Step 4**: Insights Generation

To check the relative importance of each variable in a model, a Ward Test was conducted to identify the effects of each predictor. The variable with the smallest p-value was ranked as the most important, followed by variables with a larger p-value.

To understand how each category of a categorical variable impacted the target variable, an odds ratio was used. The odds ratio was calculated by taking the ratio of the odds of one group experiencing the outcome in questions compared to the odds of the reference group experiencing the outcome:

* An odds ratio greater than one implies an increased likelihood of experiencing an outcome compared to the reference group. An odds ratio of less than one implies a decreased likelihood of experiencing an outcome compared to the reference group.
* A category with a larger odds ratio implies that the category has a larger impact on target variable compared with categories with smaller odds ratios.

For example, the odds ratio in Table A7 shows that claimants who remain currently employed at the organisation where their dispute arose (Q23) were 0.354 times more likely (i.e. less likely) to accept the offer to take part in EC than those who had moved on.

***1.3.3 Results***

For each of the nine models in the report we detail the logistic regression output and model fit measures below.

**Model 1: Claimant Acceptance of EC - Internal and external factors**

This model aims to understand the drivers of claimant acceptance of EC, taking both internal and external factors into account. Table A7 presents the full regression analysis output, detailing the predictor questions, their relevant categories and the comparator category used in each case.

***Table A7 Claimant Acceptance: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q23 | Claimant works for employer at time of survey | -1.0387 | <.0001 | 0.354 | 0.216 | 0.58 |
| No/Don’t know |  |  | 1 |  |  |
| Q40\_a | Agree information provided at EC notification form helped understand EC | 0.7343 | 0.0014 | 2.084 | 1.33 | 3.266 |
| Else |  |  | 1 |  |  |
| Q40 | Submitted an EC form in order to submit an Employment Tribunal claim | 0.774 | 0.1447 | 2.168 | 0.766 | 6.135 |
| Other | 1.1194 | 0.0274 | 3.063 | 1.133 | 8.28 |
| DK |  |  | 1 |  |  |

**Model 2: Claimant Settlement - Internal Factors**

This model aims to understand the internal factors that help claimants reach a settlement during EC. Table A8 presents the key drivers of claimant settlement identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A8: Claimant Settlement - Internal Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q40\_a  | Agree information provided at EC notification form helped understand EC | 1.029 | 0.0013 | 2.798 | 1.494 | 5.242 |
| Else |   |   | 1 |   |   |
| Q41  | Contact with Acas on the same/the next working day as submitting EC form | 0.407 | 0.0378 | 1.502 | 1.023 | 2.206 |
| Other |   |   | 1 |   |   |

**Model 3: Employer Settlement - Internal Factors**

This model aims to understand the internal factors that help employers reach settlement during EC. Table A9 presents the key drivers of employer settlement identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A9: Employer Settlement - Internal Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q78    | Had contact with conciliator 1-3 times | -1.5008 | 0.0021 | 0.223 | 0.086 | 0.58 |
| …4-6 times | 0.0687 | 0.881 | 1.071 | 0.436 | 2.633 |
| …More than 6 times | 0.8875 | 0.0704 | 2.429 | 0.929 | 6.354 |
| Don’t know |   |   | 1 |   |   |
| Q84  | Conciliator was available always/usually when needed | 0.9627 | <.0001 | 2.619 | 1.629 | 4.208 |
| Else |   |   | 1 |   |   |
| Q77  | Main contact with conciliator was by email | 0.3832 | 0.0925 | 1.467 | 0.939 | 2.292 |
| Else |   |   | 1 |   |   |

**Model 4: Claimant Settlement - External Factors**

This model aims to understand the external factors associated with claimants who reach a settlement during EC. Table A10 presents the key drivers of claimant settlement identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A10: Claimant Settlement - External Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q23  | Claimant works for employer at time of survey | -1.5293 | 0.0002 | 0.217 | 0.098 | 0.478 |
| Else |   |   | 1 |   |   |
| Q161  | Claimant has long-term illness or disability | -0.5647 | 0.0122 | 0.569 | 0.366 | 0.884 |
| Else |   |   | 1 |   |   |
| Q164  | Claimant gender is male | -0.4865 | 0.0116 | 0.615 | 0.421 | 0.897 |
| Other |   |   | 1 |   |   |

**Model 5: Employer Settlement - External Factors**

This model aims to understand the external factors associated with employers who reach settlement during EC. Table A11 presents the key drivers of employer settlement identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A11: Employer Settlement - External Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q141  | Organisation has internal HR/Personnel department | -0.7694 | 0.0003 | 0.463 | 0.306 | 0.702 |
| Else |   |   | 1 |   |   |
| Q145  | Participant is responsible for dealing with employment disputes in their organisation | 0.9658 | 0.0345 | 2.627 | 1.073 | 6.431 |
| Else |   |   | 1 |   |   |

**Model 6: Claimant Satisfaction - Internal Factors**

This model aims to understand the internal factors that drive claimant satisfaction with EC. Table A12 presents the key drivers of claimant satisfaction identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A12: Claimant Satisfaction - Internal Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q40\_a  | Agree information provided at EC notification form helped understand EC | 2.0591 | <.0001 | 7.839 | 4.909 | 12.516 |
| Else |   |   | 1 |   |   |
| Q85  | Acas was important in helping decide how to proceed | 1.2929 | <.0001 | 3.643 | 2.302 | 5.766 |
| Else |   |   | 1 |   |   |
| Q44  | ECSO’s description of EC made the service sound suitable to their case | 0.8958 | 0.0002 | 2.449 | 1.518 | 3.951 |
| Else |   |   | 1 |   |   |
| Q41   | ECSO made contact within 2 working days | 0.0779 | 0.8182 | 1.081 | 0.556 | 2.101 |
| …more than 2 working days | -0.8636 | 0.0133 | 0.422 | 0.213 | 0.835 |
| DK |   |   | 1 |   |   |

**Model 7: Employer Satisfaction - Internal Factors**

This model aims to understand the internal factors that drive employer satisfaction with Early Conciliation. Table A13 presents the key drivers of employer satisfaction identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A13: Employer Satisfaction – Internal Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q85  | Acas involvement was important in deciding how to proceed | 1.5193 | <.0001 | 4.569 | 2.753 | 7.583 |
| Else |   |   | 1 |   |   |
| Q84  | Conciliator was available always/usually when needed | 1.2375 | <.0001 | 3.447 | 2.209 | 5.377 |
| Else |   |   | 1 |   |   |
| Q77  | Main contact with conciliator was by telephone | 0.6861 | 0.0024 | 1.986 | 1.275 | 3.093 |
| Else |   |   | 1 |   |   |

**Model 8: Claimant Satisfaction - External Factors**

This model aims to understand the external factors which drive claimant satisfaction with Early Conciliation. Table A14 presents the key drivers of claimant satisfaction identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A14: Claimant Satisfaction - External Factors: Logistic regression output***

| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| --- | --- | --- | --- | --- | --- |
| Q136   | Employer was in private sector | 0.6958 | 0.0412 | 2.005 | 1.028 | 3.911 |
| …public sector/Non-profit sector | -0.0016 | 0.9965 | 0.998 | 0.481 | 2.071 |
| DK |   |   | 1 |   |   |
| Q40    | Submitted an EC form…in order to submit an Employment Tribunal claim | 0.367 | 0.3845 | 1.443 | 0.631 | 3.301 |
| …in order to submit an Employment Tribunal claim, but also keen to see if a settlement could be reached beforehand | 0.9493 | 0.0194 | 2.584 | 1.166 | 5.727 |
| …just wanted to see if a settlement could be reached, and did not want to submit an ET claim | 0.7467 | 0.075 | 2.11 | 0.927 | 4.8 |
| DK |   |   | 1 |   |   |
| Q89  | Time spent personally on the dispute: up to 3 working days | 0.6344 | 0.0006 | 1.886 | 1.312 | 2.711 |
| Else |   |   | 1 |   |   |

**Model 9: Employer Satisfaction - External Factors**

This model aims to understand the external factors which drive employer satisfaction with Early Conciliation. Table A15 presents the key drivers of employer satisfaction identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A15: Employer Satisfaction - External Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q138  | Organisation has more than one workplace in UK | 0.479 | 0.0216 | 1.614 | 1.073 | 2.429 |
| Else |   |   | 1 |   |   |
| Q23 | Claimant does not work for employer at time of survey | -0.5418 | 0.0567 | 0.582 | 0.333 | 1.016 |
|   | Else |   |   | 1 |   |   |

**EVALUATION OF CONCILIATION IN EMPLOYMENT TRIBUNAL APPLICATIONS (‘POST-ET1 CONCILIATION’): TECHNICAL DETAILS**

**2.1 Introduction**

This part of the report appendix provides an overview of the technical aspects of the post-ET1 conciliation evaluation survey, covering its design, implementation and reporting.

**2.2 Survey Methodology**

***2.2.1 Survey Design***

The post-ET1 conciliation evaluation composed of two telephone (CATI) surveys:

* One of claimants (or their representatives) who had submitted an ET application
* One of employers (or their representatives) for whom an ET notification had been submitted against them

The sample frame consisted of all claimants/employers (or their representatives) whose EC window had closed[[2]](#endnote-2) between 2 March and 30 May 2018 and who went on to submit at ET claim. Sampling was made on an individual basis and not at a case level, with claimants and employers (or their representatives) being selected separately to each other:

* For the claimant survey, a random stratified sample of claimants was drawn from all cases within the sample frame. For cases which were selected where a representative was listed as dealing with the case on the claimant’s behalf (according to Acas’ MI records), the claimant’s representatives was approached for the survey. In all cases where there was no representative, the claimant was approached directly for the survey.
* For the employer survey a random stratified sample of employers was drawn from all cases within the sample frame. Again, where a representative was recorded on Acas’ MI records, they were approached.

***2.2.2 Questionnaire design***

The questionnaire followed the below structure in terms of areas covered;

1. Introduction
2. Confirming case outcome
3. Dispute details
	1. Use of Early Conciliation earlier in the dispute
4. Acas involvement following the ET claim submission
5. Details of case outcome
6. Acas involvement in the case
	1. Conciliator experience
	2. Satisfaction with case outcome
	3. Satisfaction and perceptions of Acas’ service
7. Future use of Acas services
8. Employer details / claimant profile

The questionnaire used was broadly unchanged from the 2016 version. Small changes to the survey were made to remove questions and answer options related to tribunal fees (which are no longer charged), add codeframes to questions previously asked open-ended, and wording changes were made to questions on conciliator experience for those who dealt with more than conciliator during the process.

The full questionnaire can be found at the end of this appendix.

***2.2.3 Sample Preparation***

The sample was prepared broadly in line with the approach in the 2016 wave of the survey. The sample delivered to Ipsos MORI contained cases drawn from Acas records of EC notifications where an EC notification had been submitted and closed between 2 March and 30 May 2018 and an ET claim had then been submitted. In total, 5,580 cases were sent.

The sample was cleaned to remove duplicate and ineligible entries. The following approach was used for removing duplicates:

* Claimants: duplicate claimants were identified where the same claimant had taken out two or more EC notifications over the period
* Employers: duplicates were identified on a ‘site’ basis, using postcode and address information
* Representatives: For both claimant and employer representatives, duplicates were identified on a ‘site’ basis, using postcode and address information

Other cases were removed as being ineligible for the survey

* Those whose ET case had not yet have a final outcome
* Those who had participated in the Early Conciliation survey (which began a few weeks prior to this survey)
* Cases with two or more respondents (multiple conciliation cases)
* Those with insufficient contact information

***2.2.4 Sample selection***

Claimant and employer samples were selected separately, but each was sampled using the same methodology: a random stratified sample. Both sample frames were stratified by three categories: whether the contact was the party themselves (claimant or respondent) or a representative of that person; case track, and; outcome of the conciliation.

At the start of fieldwork an initial sample of 1,250 contacts was drawn for each audience. As fieldwork progressed additional contacts were added to the sample; 1,000 additional contacts were added for the employer sample and 543 additional contacts were included in the claimant sample. This means that the total number of sample records were selected for the survey was 1,793 for claimants and claimant representatives, and 2,250 for employers and their representatives. Missing postal and email addresses meant that of these totals, 1,752 claimants (and representatives) and 1,987 employers (and representatives) were directly contacted.

***2.2.5 Fieldwork***

The main stage fieldwork took place from the 12 June and 15 August 2019. All participants were sent an advance letter ahead of fieldwork, with the exception of the supplementary claimant sample who were sent emails instead. In total, 1,752 claimant and claimant representatives were contacted for the survey, as were 1,987 employers and their representatives.

In total, 481 interviews were conducted with claimant-side participants and 464 were carried out with employer-side participants. A response rate of 35 per cent was achieved in the claimant survey and 33 per cent for the employer survey. The full breakdown of response rates is listed in Tables A16 and A17 below. The average interview length for claimants (or their representatives) was 20 minutes 29 seconds and for employers (or their representatives) it was 16 minutes 33 seconds.

|  |
| --- |
| **Table A16: Survey Response – Claimant Survey**  |
| **N**  |
| Advance letters/emails sent  | 1,752  |
| **Invalid sample data**  |
| Invalid telephone number | 226 |
| No answer | 87 |
| Unknown at number | 45 |
| Screen out during survey | 13 |
| Case details not confirmed | 25 |
| **Opt-out/refusal**  |
| 10+ unsuccessful calls (and made contact) | 0 |
| Unavailable during fieldwork | 61 |
| Refusal | 209 |
| 10+ unsuccessful calls (no contact) | 527 |
| Abandoned interview | 70 |
| Opt out | 8 |
| **Interviews** |  |
| Full interviews  | 481  |
| **Productive of valid sample (%)**  | **35**  |

|  |
| --- |
| **Table A17: Survey Response – Employer Survey**  |
| **N**  |
| Advance letters sent  | 1,987  |
| **Invalid sample data**  |
| Invalid telephone number | 351 |
| No answer | 46 |
| Unknown at number | 114 |
| Screen out during survey | 51 |
| Case details not confirmed | 13 |
| **Opt-out/refusal**  |
| 10+ unsuccessful calls (and made contact) | 4 |
| Unavailable during fieldwork | 314 |
| Refusal | 327 |
| 10+ unsuccessful calls (no contact) | 198 |
| Abandoned interview | 93 |
| Opt out | 12 |
| **Interviews** |  |
| Full interviews  | 464 |
| **Productive of valid sample (%)**  | **33**  |

***2.2.6 Weighting***

The weights applied on the Acas employer and claimant datasets comprised a post-stratification weight, which accounts for potential non-response bias in the employer and claimant survey datasets. The calculation of the post-stratification weights involved applying a RIM weighting algorithm. The algorithm ensured that the structure of the employer and claimant survey datasets matches the structure of their corresponding target populations (i.e. the populations of employer and claimant cases, respectively) in relation to a set of key profiling variables expected to be correlated with the estimates produced based on the survey datasets.

The sample targets were based on a modified universe of all cases within the survey time window provided by Acas. The raw Acas management information provides a universe of *notifications* but the survey weights are modelled on the universe of *cases*, the unique instances where Acas was called to be involved in a potential conciliation. To do this, some basic cleansing of the provided sample was undertaken: non-survey viable records (such as incomplete or erroneous entries and those with claimants based abroad) and cases not assigned a track were removed, while multiple case notifications were de-duplicated. The amended figures were used as the weighting targets specified below. This approach differs slightly from the 2016 evaluation, where the universe of notifications was used for weighting targets but this makes no material difference to the outcome achieved.

Tables A18 and A19 present the profiling variables used at the post-stratification stage and their marginal distribution in the populations of employer and claimant cases, respectively. These distributions served as weighting targets at the post-stratification process. The impact of weighting in this survey was greater than for EC due to differences between the overall sample and that used for the survey; but with an overall weighting efficiency of 76 per cent the data remains a good measure of the target population.

|  |
| --- |
| **Table A18: Weighting targets – Claimant Survey**  |
| **Dimension** | **Target %** |
| **Type** |  |
| Claimant | 61% |
| Claimant Rep | 39% |
|  |  |
| **Outcome** |  |
| Settled | 53% |
| Withdrawn | 18% |
| Hearing | 20% |
| Struck Out | 5% |
| Default Judgement | 4% |
|   |  |
| **Case track** |  |
| Fast | 30% |
| Open | 34% |
| Standard | 37% |

|  |
| --- |
| **Table A19: Weighting targets – Employer Survey**  |
| **Dimension** | **Target %** |
| **Type** |  |
| Employer | 39% |
| Employer Rep | 61% |
|  |  |
| **Outcome** |  |
| Settled | 53% |
| Withdrawn | 18% |
| Hearing | 20% |
| Struck Out | 5% |
| Default Judgement | 4% |
|   |  |
| **Case track** |  |
| Fast | 30% |
| Open | 34% |
| Standard | 37% |

**2.3 Details of the Multivariate Analysis**

***2.3.1 Overview***

Within this report, driver analysis was conducted covering two topics:

1. Drivers of acceptance of post-ET1 conciliation
2. Drivers of settlement post-ET1

For each topic, the driver model is split into two: one covering internal factors only (e.g. aspects related to the Acas service) and one covering external factors only (e.g. characteristics of the claimant, characteristics of the dispute, which to do not relate to the Acas service, and Acas has no control over).

Additionally, modelling was conducted for claimant and employer sides separately. The focus of the models was on unrepresented employers and claimants only as the drivers of acceptance, settlement and satisfaction will differ between representatives and their clients. Table A20 gives an overview of the models for each topic. Each model presents the key drivers and how they impact the target variable.

***Table A20: Driver Models Overview***

|  |  |  |
| --- | --- | --- |
| ***Target variable*** | ***Claimant*** | ***Employer*** |
| Acceptance | Model 1 | Model 2 |
| Settlement – internal factors | Model 3 | Model 4 |
| Settlement – external factors | Model 5 | Model 6 |

***2.3.2 Modelling Approach***

For each model the driver analysis was conducted using the following steps.

**Step 1**: Bivariate Analysis

In this step, each predictor factor was ‘correlated’ with a target variable. Due to the fact that all the target variables were binary: a) If the predictor factor was a categorical variable, a Chi-Square Test was used and the Chi-Square Statistic was then converted into a F Statistic. b) If the predictor factor was an interval/continuous variable, an F-Testwas used. The P-value was used to rank predictors’ ‘correlation’ with each target variable. Those variables with p-value lower than 0.05, were then entered Step 2 for multicollinearity analysis.

**Step 2**: Multicollinearity analysis

A preliminary analysis was run to establish the extent of relationships between the dependent variables. Where two variables are very closely linked this can disrupt the model by overstating the strength of the relationships within the data. Where two variables were found to be too closely related only one was taken forward to the modelling stage.

**Step 3**: Multivariate Modelling

Reflecting the binary target variables, a logistic regression method for each model was adopted. As multicollinearity between variables had been identified in the previous stage a standard logistic regression approach was used.

Model fit is checked by using a pseudo R square and Accuracy Rate. The pseudo R square reported here (at the base of each table) is the Nagelkerke R square calculated in SAS and indicates the extent to which the model explains the variance in the target variable, with a maximum value of 1.0 indicating perfect explanatory power. The ‘Accuracy Rate’ is the percentage of cases that are correctly predicted by the model.

**Step 4**: Insights Generation

To check the relative importance of each variable in a model, a Ward Test was conducted to identify the effects of each predictor. The variable with the smallest p-value was ranked as the most important, followed by variables with a larger p-value.

To understand how each category of a categorical variable impacted the target variable, an odds ratio was used. The odds ratio was calculated by taking the ratio of the odds of one group experiencing the outcome in questions compared to the odds of the reference group experiencing the outcome:

* An odds ratio greater than one implies an increased likelihood of experiencing an outcome compared to the reference group. An odds ratio of less than one implies a decreased likelihood of experiencing an outcome compared to the reference group.
* A category with a larger odds ratio implies that the category has a larger impact on target variable compared with categories with smaller odds ratios.

For example, the odds ratio in Table A21 shows that claimants who agreed to take part in Early Conciliation earlier in their dispute (Q35) were 1.835 times more likely to accept the offer to take part in post-ET1 conciliation than those who had not.

***2.3.3 Results***

For each of the nine models in the report we detail the logistic regression output and model fit measures below.

**Model 1: Claimant Acceptance of post-ET1 conciliation - Internal and external factors**

This model aims to understand the drivers of claimant acceptance of **post-ET1 conciliation**, taking both internal and external factors into account. Table A21 presents the full regression analysis output, detailing the predictor questions, their relevant categories and the comparator category used in each case.

***Table A21 Claimant Acceptance: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q35 | Agreed to take part in EC | 0.6072 | 0.0596 | 1.835 | 0.976 | 3.452 |
| Else |  |  | 1 |  |  |
| Q47 | Received a letter from the conciliator explaining that they would be contacting you to try to settle | 0.8373 | 0.0064 | 2.31 | 1.265 | 4.219 |
| No/Don’t know |  |  | 1 |  |  |
| Q117 | Ethnic background: White | -0.7325 | 0.005 | 0.481 | 0.288 | 0.801 |
| Else |  |  | 1 |  |  |

*R-Square score: 0.0523*

**Model 2: Employer Acceptance of post-ET1 conciliation - Internal and external factors**

This model aims to understand the drivers of employer acceptance of **post-ET1 conciliation**, taking both internal and external factors into account. Table A22 presents the full regression analysis output, detailing the predictor questions, their relevant categories and the comparator category used in each case.

***Table A22 Employer Acceptance: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q35 | Agreed to take part in EC | 1.4569 | <.0001 | 4.293 | 2.338 | 7.883 |
| Else |  |  | 1 |  |  |
| Q47 | Received a letter from the conciliator explaining that they would be contacting you to try to settle | 0.7862 | 0.0975 | 2.195 | 0.866 | 5.563 |
| Don't know | 1.3062 | 0.031 | 3.692 | 1.126 | 12.102 |
| No |  |  | 1 |  |  |
| Q101 | Organisation has an internal Human Resources or Personnel Department that deals with personnel issues? | 0.5597 | 0.062 | 1.75 | 0.972 | 3.15 |
| No/Don't know |  |  | 1 |  |  |

*R-Square score: 0.1504*

**Model 3: Claimant Settlement - Internal Factors**

This model aims to understand the internal factors that help claimants reach a settlement post-ET1. Table A23 presents the key driver of claimant settlement identified in the logistic regression model. There is only one factor identified in this analysis.

***Table A23: Claimant Settlement - Internal Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q80 | Acas' involvement in helping move parties closer towards resolving the case was important | 1.246 | <.0001 | 3.476 | 2.216 | 5.454 |
| Else |  |  | 1 |  |  |

*R-Square score: 0.0781*

**Model 4: Employer Settlement - Internal Factors**

This model aims to understand the internal factors that help employers reach settlement post-ET1. Table A24 presents the key drivers of employer settlement identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A24: Employer Settlement - Internal Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q73 | I contacted Acas most of the time after submitting an ET1 form | 0.8058 | 0.0647 | 2.238 | 0.952 | 5.263 |
| Contacted each other equally | 0.8167 | 0.0241 | 2.263 | 1.113 | 4.601 |
| Acas contacted me most of the time/ DK |  |  | 1 |  |  |
| Q78 | Acas Conciliator (s) were always/ usually/sometimes available when needed | 0.9043 | 0.0229 | 2.47 | 1.133 | 5.385 |
| Else |  |  | 1 |  |  |
| Q80 | Acas' involvement in helping move parties closer towards resolving the case was important | 1.226 | 0.0002 | 3.408 | 1.769 | 6.562 |
| Else |  |  | 1 |  |  |

*R-Square score: 0.1766*

**Model 5: Claimant Settlement - External Factors**

This model aims to understand the external factors associated with claimants who reach a settlement post-ET1. Table A25 presents the key drivers of claimant settlement identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A25: Claimant Settlement - External Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Case track | Open | 1.1774 | <.0001 | 3.246 | 1.868 | 5.642 |
| Standard | 0.509 | 0.043 | 1.664 | 1.016 | 2.723 |
| Fast |  |  | 1 |  |  |
| Q112 | Employed Full time | -0.7021 | 0.0113 | 0.496 | 0.288 | 0.853 |
| Else |  |  | 1 |  |  |
| Q111 | Job tenure: Less than 5 years | 0.8286 | 0.0007 | 2.29 | 1.418 | 3.699 |
| More than 5 years |  |  | 1 |  |  |

*R-Square score: 0.0456*

**Model 6: Employer Settlement - External Factors**

This model aims to understand the external factors associated with employers who reach settlement post-ET1. Table A26 presents the key drivers of employer settlement identified in the logistic regression model. They are ranked from most important at the top row to least important at the bottom row.

***Table A26: Employer Settlement - External Factors: Logistic regression output***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Predictor** | **Predictor categories** | **Estimate** | **Statistical significance** | **Odds ratio** | **95% Confidence limits** |
| Q103 | Trade Unions/staff associations present in workplace | 1.0515 | 0.0057 | 2.862 | 1.358 | 6.033 |
| No |  |  | 1 |  |  |

*R-Square score: 0.0387*

**ACAS EARLY CONCILIATION EVALUATION 2019**

**QUESTIONNAIRE**

**Screener section**

**Q1. Respondent Type [DRAWN FROM SAMPLE]**

Dummy. SINGLE CODE

1. Claimant
2. Claimant Representative
3. Employer
4. Employer Representative

***Scripter notes: Will be drawn from the sample***

**Q2. Result [DRAWN FROM SAMPLE]**

Dummy. SINGLE CODE

1. Resolved COT3
2. Claimant does not wish to proceed (at ECSO stage)
3. claimant contact not achieved (at EC stage)
4. Claimant contact not engaged
5. Impasse no resolution brokered
6. Employer contacted not engaged OR could not be contacted

***Scripter notes: Will be drawn from the sample***

**Claimant introduction**

**Q3. Good morning/afternoon/evening, my name is <interviewer name> calling on behalf of Ipsos MORI. May I speak to {claimant}?**ASK IF Q1=1. SINGLE CODE

IF ASKED WHY / NOT AVAILABLE – CALL BACK UNTIL GET THROUGH TO THE RIGHT PERSON. DO NOT TELL ANYONE OTHER THAN THE RESPONDENT THE REASON FOR THE CALL AND DO NOT MENTION ACAS. IF ASKED MENTION THE SURVEY IN GENERAL TERMS – THAT WE ARE CALLING ABOUT A GOVERNMENT SPONSORED SURVEY.

WHEN SPEAKING TO THE NAMED RESPONDENT
**We are conducting some important research on behalf of Acas to evaluate the assistance they offer in employment disputes. You should have received a letter about this recently. The survey is about your experiences and views of any assistance Acas may have provided in a recent employment dispute or issue that you are having. This will help us to understand Acas customers' views and whether or not the service meets their needs and expectations.**

IF NECESSARY: **The survey should take about 20 to 25 minutes to complete depending on your answers. I just want to clarify that participation in the survey is voluntary and you can change your mind at any time. You will be asked some personal information, such as about your employment issue, but you can choose not to answer these questions if you prefer.  Again, I’d like to remind you that the survey data is only looked at on an overall level so all details are confidential.**

**Do you agree to take part in this study?**

1. Yes
2. No [SCREEN OUT]

**Q4. Before we start, can I confirm that you have contacted or been contacted by someone from Acas in the past two to three months about an employment issue or dispute you had with {employer}?**

ASK IF Q1=1. SINGLE CODE

CONFIRM THE CLAIMANT CONTACTED ACAS OR WAS CONTACTED BY ACAS ABOUT AN EMPLOYMENT DISPUTE OR ISSUE WITH {EMPLOYER}.

CHECK EMPLOYER ORGANISATION IS TRADING UNDER THE SAME NAME. IF NAME IS INCORRECT TERMINATE THE INTERVIEW. HOWEVER IF NAME HAS CHANGED BUT IS CLEARLY THE SAME ORGANISATION CODE 2 TO MODIFY THE EMPLOYER NAME

1. Yes
2. Yes, under a different name
3. No [SCREEN OUT]

**Q5: CINTRO3: Employer name**

ASK IF Q4 = 2. OPEN END.

**Name of employer**

ENTER NAME THAT EMPLOYER IS CURRENTLY OPERATING UNDER

**Employer introduction**

**Q6. Good morning/good afternoon, may I speak with {employer contact name}?**ASK IF Q1 =3

IF NECESSARY: **I work for an independent social research company called Ipsos MORI and we are conducting research on behalf of Acas to evaluate the assistance they offer employers.**

IF NAMED CONTACT IS NOT AVAILABLE THEN ARRANGE TO CALL BACK.

IF NAMED CONTACT HAS LEFT THE COMPANY / NOT KNOWN: **May I please speak to the person who has overall responsibility for matters related to employment tribunals or employment issues in the organisation?**

ORGANISATION NAME IS {employer}

WHEN THROUGH TO CORRECT PERSON
**My name is <> and I work for an independent social research company called Ipsos MORI. We are conducting research on behalf of Acas to evaluate the assistance they offer employers. You should have received a letter about this recently. We would like to speak to you about your experiences and views of any assistance Acas may have provided in a recent employment dispute or issue that involved your organisation. This will help us to understand Acas customers' views and whether or not the service meets their needs and expectations.**

IF NECESSARY, THE CLAIMANT NAME IS {claimant}. THE CONTACT WITH ACAS WOULD HAVE BEEN IN THE LAST 2-3 MONTHS

IF NECESSARY: **The survey should take around 20 minutes depending on your answers. We recently sent a letter to your organisation about the survey.** **I just want to clarify that participation in the survey is voluntary and you can change your mind at any time. You will be asked some personal information, such as about the employment issue, but you can choose not to answer these questions if you prefer.  Again, I’d like to remind you that the survey data is only looked at on an overall level so all details are confidential.**

**Do you agree to take part in this study?**

DETAILS OF THE CASE WILL BE CONFIRMED ON THE NEXT SCREENS

1. Yes
2. No [SCREEN OUT]

**Q7: Before we start the main interview I just need to confirm a few details. Can I just confirm the organisation’s name is {employer}?**
ASK IF Q1 = 3. SINGLE CODE

CHECK EMPLOYER NAME

CHECK EMPLOYER ORGANISATION IS TRADING UNDER THE SAME NAME. IF NAME IS INCORRECT TERMINATE THE INTERVIEW. HOWEVER IF NAME HAS CHANGED BUT IS CLEARLY THE SAME ORGANISATION CODE 2 TO MODIFY THE EMPLOYER NAME

1. Yes
2. Yes – but modify employer name
3. No [SCREEN OUT]

**Q8**

ASK IF Q7 =2. OPEN END.

**Enter name of employer**

ENTER NAME THAT EMPLOYER IS CURRENTLY OPERATING UNDER

Scripter notes: Use entry as all {employer} text fills

**Q9. Can I confirm that you have been contacted by someone from Acas in the past two to three months about an employment issue or dispute with {claimant}?**ASK IF Q1 = 3. SINGLE CODE

CONFIRM THE RESPONDENT WAS CONTACTED BY ACAS ABOUT AN EMPLOYMENT DISPUTE OR ISSUE WITH {CLAIMANT}.

IF CLAIMANT NAME IS INCORRECT BUT IS CLEARLY THE SAME PERSON (E.G. SPELLING MISTAKE) CODE 2 TO MODIFY THE CLAIMANT NAME. HOWEVER, IF NAME IS SIMPLY INCORRECT, TERMINATE THE INTERVIEW.
IF QUERIED ABOUT WHO, THEN CASE IS REGARDING A DISPUTE WITH {CLAIMANT}
MAKE SURE THAT YOU ARE SPEAKING TO A MEMBER OF THE LEGAL/HR TEAM, NOT A RECEPTIONIST OR SWITCH BOARD OPERATOR

1. Yes
2. Yes – but modify claimant name
3. No [SCREEN OUT]

**Q10. Claimant Name**

ASK IF Q9 = 2. OPEN END.

**Claimant Name**

ENTER CORRECT CLAIMANT NAME

Scripter notes: Use entry as {claimant} text fill

**Q11. Are you responsible for dealing with this particular employment dispute?**

ASK IF Q1 = 3. SINGLE CODE

1. Yes – Solely responsible
2. Was/am responsible along with someone else
3. Was/am not responsible for dealing with this particular case

**Q12. Can I just check, is there another person in this organisation who had more details of this particular case that we should be talking to?**

SINGLE CODE

IF THEY SAY YES, ASK TO SPEAK TO THAT PERSON

1. Yes should be speaking to someone else
2. No, continue speaking to respondent

Scripter notes: If Yes(1), route back to EINTROTEXT and speak to new respondent

**Representative introduction:**

**Q13. Good morning/afternoon/evening, my name is < > calling on behalf of Ipsos MORI. May I speak to {representative}?**ASK IF Q1 =2,4. SINGLE CODE.

IF ASKED WHY / NOT AVAILABLE – CALL BACK UNTIL GET THROUGH TO THE RIGHT PERSON. DO NOT TELL ANYONE OTHER THAN THE RESPONDENT THE REASON FOR THE CALL AND DO NOT MENTION ACAS. IF ASKED MENTION THE SURVEY IN GENERAL TERMS – THAT WE ARE CALLING ABOUT A GOVERNMENT SPONSORED SURVEY.

WHEN SPEAKING TO THE NAMED RESPONDENT
**We are conducting some important research on behalf of Acas to evaluate the assistance they offer in employment disputes. You should have received a letter about this recently. We would like to speak to you about the recent case when you acted on behalf of {client name} to find out your experiences and views of any assistance Acas may have provided in this recent employment dispute. This will help us to understand our customers' views and whether or not the service meets their needs and expectations.**

IF NEEDED: **We have also written to {client name} to inform them of our intention to interview you, and provide them with the option to opt-out directly**

Scripter notes: if DUM1=2 {client name} = {claimant}
if DUM1 = 4 {client name} = {employer}

IF NECESSARY: **The survey should take about 20 minutes to complete depending on your answers. I just want to clarify that participation in the survey is voluntary and you can change your mind at any time. You will be asked some personal information, such as about the employment issue, but you can choose not to answer these questions if you prefer.  Again, I’d like to remind you that the survey data is only looked at on an overall level so all details are confidential.**

**Do you agree to take part in this study?**

1. Yes
2. No [SCREEN OUT]

**Q14. Before we start, can I just confirm that you acted on behalf of [{claimant}/ {employer}] to resolve a recent problem with [{employer}/ {claimant}]?**ASK IF Q1 =2,4. SINGLE CODE.

RINTRO1.
IF DETAILS ARE INCORRECT RECORD CORRECT DETAILS.

IF CAN BE SURE THAT THIS IS THE SAME CASE – RECORD NEW NAME(S) IF IT APPEARS THAT THIS IS NOT THE SAME (I.E. THE NAMES ARE TOO DISSIMILAR – END INTERVIEW AT THIS POINT)

1. Yes, both names correct
2. Yes, but claimant's name incorrect
3. Yes, but employer's name incorrect
4. Yes, but both names incorrect
5. No [SCREEN OUT]

Scripter notes: if Q1=2 first text fill = {claimant} & second textfill = {employer}
if Q1=4 first text fill = {employer} & second textfill = {claimant}

**Q15.**

ASK IF Q14 = 2,4. OPEN END.

INSERT CORRECT CLAIMANT NAME

Scripter notes: use entry as {claimant} text fill

**Q16.**

ASK IF Q14 =3,4. OPEN END.

INSERT CORRECT EMPLOYER NAME

Scripter notes: use entry as {employer} text fill

**Q17. And can I confirm that you have contacted or been contacted by someone from Acas in the past two to three months about an employment issue or dispute between {claimant} and {employer}?**

ASK IF Q1 =2,4. SINGLE CODE

IF DOES NOT CONFIRM ANY CONTACT WITH ACAS IN THE LAST TWO-THREE MONTHS REGARDING THIS EMPLOYMENT ISSUE THEN TERMINATE THE INTERVIEW.

1. Yes
2. No [SCREEN OUT]

**Q18. And are you representing {claimant} individually or as one of a number of claimants who are all bringing the same group claim against the same employer?**

ASK IF Q1=2. SINGLE CODE

IF PART OF A GROUP - CHECK THAT THEY ARE ONLY HAVING ONE SET OF INTERACTIONS WITH ACAS, FOR THIS CASE – IF THEY ARE SPEAKING TO ACAS SEPERATELY WITH REGARD TO EACH DIFFERENT CLAIMANT WHO HAS SUBMITTED AGAINST THE EMPLOYER, CODE AS INDIVIDUAL REPRESENTATION

1. Individually
2. Part of a group [SCREEN OUT]

**Q19. And at what point in the Early Conciliation process were you appointed as [{claimant}/{employer}]'s representative?**

ASK IF Q1 =2,4. SINGLE CODE.
READ OUT

1. **Before notifying Acas** (SHOW IF Q1 = 2)
2. **After Acas was notified, but before dealings with Acas got properly underway**
3. **Midway through the Early Conciliation process**
4. **After Early Conciliation had finished**

*Scripter notes: text fill - if claimant rep = {claimant} // if employer rep = {employer}*

**NEW SCREEN**

READ OUT TO ALL:

**Thank you for agreeing to participate in this study. Before we begin, I'd like to inform you that Ipsos MORI is a member of the Market Research Society. All information that you give us will be treated in the strictest confidence and your identity will not be passed on to a third party or connected to your answers in any way.**

**This survey is being carried out on behalf of Acas, the Advisory, Conciliation and Arbitration Service.**

IF NECESSARY: **If you would like to read the Privacy Notice - You can access the privacy policy at** [**http://www.acas.org.uk/privacy**](http://www.acas.org.uk/privacy) **or if you can let me know your e-mail address I can make sure that this will be sent to you within a week.**

**(This explains the purposes for processing your personal data as well as your rights under data protection regulations to access your personal data, withdraw consent, object to processing of your personal data and other required information.)**

SEND PRIVACY NOTICE IF NECESSARY.

**Q20. Can I just check, did {claimant} initially get in touch with Acas about this dispute, or did you notify Acas about it?**

ASK IF Q1=3,4. SINGLE CODE.

1. Claimant notified Acas
2. Employer notified Acas
3. Don't know (ANCHOR)

**Tribunal claims**

**Q21.**

IF CLAIMANT (Q1=1): **Can I check before we start the interview, since your dealings with Acas, have you submitted an Employment Tribunal claim regarding this issue? To do this you would have submitted an ET1 form.**
IF EMPLOYER / REPRESENTATIVE (Q1=2-4): **Can I check, since your dealings with Acas has {claimant} submitted an Employment Tribunal claim regarding this issue? To do this {claimant} would have submitted an ET1 form.**

SINGLE CODE. ASK IF Q2 <> 1.

INTERVIEWER: IF RESPONDENT QUERIES THIS ISSUE EXPLAIN: **The workplace dispute in which they may have taken part in Early Conciliation with Acas.**
IF RESPONDENT SAYS THAT THEY SUBMITTED A CLAIM BUT LATER WITHDREW IT, CODE AS YES

1. Yes
2. No
3. No, but planning to submit (SPONTANEOUS ONLY)
4. Don't know

**NEW SCREEN:**

**For the interview today, I want you to think about everything that happened**

[IF Q21 = 1: **before you/**IF Q1 = 2-4 – {claimant}] **submitted the tribunal claim. In particular I want you to think about everything that happened**

**until you**/[IF Q1 = 2-4 {claimant}] **received formal notification from Acas that Early Conciliation had ended. This is known as Early Conciliation. Please do not think about any assistance or conciliation that you may have received from Acas after this.**

INTERVIEWER NOTE: THIS WILL BE WHEN THE CLAIMANT RECEIVED THEIR CERTIFICATE (IF EC DIDN'T TAKE PLACE OR TOOK PLACE BUT NO RESOLUTION WAS REACHED)
OR
CLAIMANT AND EMPLOYER RECIEVED THEIR COT3 (IF A RESOLUTION WAS REACHED).

**Employment details**

Q22. **To start with, we would like to ask a few questions around the background to the dispute.**
ASK ALL. SINGLE CODE.

CLAIMANT: **First of all I would like to ask you about the job related to the problem you had**
EMPLOYER: **So first of all, I would like to ask you a few questions about {claimant}**REPRESENTATIVE (ANY): **So first of all, I would like to ask you a few questions about the job related to the dispute**

CLAIMANT: **Can I check, did you work for {employer} or were you applying for a job with them?**EMPLOYER or REPRESENTATIVE (ANY): **Can I check, did {claimant} work for {employer} or was he/she applying for a job with {employer}?**

1. Worked for them
2. Job Applicant
3. Don't know

**Q23.** CLAIMANT: **And do you work for them now?**EMPLOYER or REPRESENTATIVE (ANY): **And does {claimant} work for {employer} now?**

ASK IF Q22 <> 2. SINGLE CODE

1. Yes
2. No
3. Don't know

**Q24.**

CLAIMANT: **How did your employment with {employer} come to an end?**
INTERVIEWER IF NECESSARY: **Were you dismissed or made redundant, did you resign or leave without resigning, or did you leave for some other reason?**

EMPLOYER or REPRESENTATIVE (ANY): **How did {claimant}’s employment with {employer} come to an end?**
INTERVIEWER IF NECESSARY: **Were they dismissed or made redundant, did they resign or leave without resigning or did they leave for some other reason?]**

ASK IF Q23 = 2. SINGLE CODE.

1. Dismissed
2. Made redundant/'Laid off'
3. Resigned
4. Left of own accord/without resigning
5. Retired
6. Some other reason (SPECIFY)
7. Don't know
8. No answer

**Q25.**

CLAIMANT: **In what month did your employment with {employer} come to an end?**

EMPLOYER or REPRESENTATIVE (ANY): **In what month did {claimant}'s employment with {employer} come to an end?**

ASK IF Q23 = 2. SINGLE CODE

1. Before August 2018
2. August 2018
3. September 2018
4. October 2018
5. November 2018
6. December 2018
7. January 2019
8. February 2019
9. March 2019
10. April 2019
11. May 2019
12. June 2019
13. Don't know

Scripter notes: Only show options up to and including the current month
i.e - in May only show up to May 2019 as an option

**Q26.**

CLAIMANT: **Did you stop working for {employer} because of the problem you had at work?**
REPRESENTATIVE (ANY): **Did {claimant} stop working for {employer} because of the problem they had at work?**

ASK IF Q23=2. SINGLE CODE

1. Yes
2. No
3. Don't know
4. Refused

**Q27.**

CLAIMANT: **And did your employment with {employer} end before you submitted your notification to Acas?**

EMPLOYER or REPRESENTATIVE (ANY): **And did {claimant}'s employment with {employer} end before they submitted their notification to Acas?**

ASK IF Q23=2. SINGLE CODE

1. Yes - before submitting notification to Acas
2. No - after submitting notification to Acas
3. Don't know

**Dispute details**

**Q28**

CLAIMANT: **Can you sum up in a few words the nature of the dispute or issue that you had with {employer}?**
EMPLOYER / REPRESENTATIVE (ANY): **Can you sum up in a few words the nature of the dispute or issue that {claimant} had with the organisation?**
**I only need a brief summary; how would you sum it up in one sentence?**

ASK ALL. OPEN END.

1. Don't know

**Q29. Before you/{claimant} contacted Acas, did {employer} have written polices or procedures for dealing with cases like this?**
ASK ALL. SINGLE CODE

INTERVIWER IF NECESSARY: **Such as a written grievance procedure.**

1. Yes
2. No
3. Don't know

*Scripter notes: If claimant text fill = ‘you’. If claimant representative or employer or employer representative text fill = ‘{claimant}.*

**Q30. Were the policies and procedures used in this case?**

ASK IF Q29 = 1. SINGLE CODE

1. Yes – fully
2. Yes - partially
3. No
4. Don't know

**Early Conciliation**

**Q31. Can I just check did [you / the organisation] use a representative to deal with Acas during the Early Conciliation process?**

IF NECESSARY: **By this I mean that a representative helped you with the day to day handling of the dispute and dealt with Acas on your behalf. Please do not include any representatives that may have become involved in the case later on, after early conciliation had ended.**
INTERVIEWER IF NECESSARY REMIND THE RESPONDENT NOT TO INCLUDE REPRESENTATIVES THAT MAY HAVE BECOME INVOLVED IN THE CASE LATER FOR EXAMPLE AFTER THE TRIBUNAL CLAIM (ET1/ET3) WAS SUBMITTED.

INTERVIEWER: IF THE RESPONDENT SOUGHT LEGAL ADVICE, BUT THE LEGAL ADVISOR DID NOT ACTUALLY DEAL WITH ACAS ON [{claimant} /{employer}]’s BEHALF PLEASE CODE ‘NO’ HERE.

ASK IF Q1 = 1,3. SINGLE CODE

1. Yes
2. No
3. Don't know

*Scripter notes: first text fill: If claimant, text fill = ‘you’. If employer, text fill = ‘the organisation’.
second text fill: If claimant text fill = ‘{claimant}’. If employer text fill ‘{employer}’.*

**Q32. And who was [your/the organisation's] representative at this time?**

ASK IF Q31=1. SINGLE CODE

1. Solicitor, Barrister or some other kind of lawyer
2. Trade union / Worker representative at workplace
3. Citizens Advice Bureau
4. Neighbourhood Local Law Centre or other voluntary advice agency (not CAB)
5. Employers' association / Trade Association
6. Equal Opportunities Commission, the Commission for Racial Equality and Human Rights Commission
7. Friend/Neighbour/Spouse/Partner (TO APPEAR FOR CLAIMANTS ONLY)
8. Owner/Senior Manager/General Manager (TO APPEAR FOR EMPLOYERS ONLY)
9. Personnel or human resources specialist
10. Legal specialist in company / company lawyer
11. External consultant / Insurance company advisor
12. Other (specify)
13. Don't know
14. Refused

Scripter notes: text fill - if claimant=your // if employer = the organisation
Answer code 7 should only appear to claimants,
Answer code 8 should only appear for employers.

**Q33. And at what point in the Early Conciliation process did [you/the organisation] appoint this representative?**

ASK IF Q31=1. SINGLE CODE. READ OUT

1. **Before you initially notified Acas about the issue** (TO APPEAR FOR CLAIMANTS ONLY)
2. **After Acas was notified, but before dealings with Acas got properly underway**
3. **Midway through your dealings with Acas (in the Early Conciliation process)**
4. **After Early Conciliation had finished**

*Scripter notes: text fill: If claimant, text fill = ‘you’. If employer, text fill = ‘the organisation’.
Answer code 1 should only appear for claimants (Q1 = 1).*

**Q34. And did [you personally/the organisation] have to pay this person for their advice and representation? Did you have to pay for all of it, some or it, or did you get all of the advice and representation for free?**

ASK IF Q31=1. SINGLE CODE

1. Paid for all
2. Paid for some
3. All free
4. Don't know
5. Refused

*Scripter notes: text fill - claimant = you personally // employer = the organisation*

**EC Notification Form**

**NEW SCREEN:**

**I want to now ask you some questions about when [you/{claimant name}] originally got in touch with Acas. Please think right back to when [you/{claimant name}] completed the Early Conciliation notification form, which is the form normally submitted via the Acas website that [you/claimant name] would have completed to let Acas know [you/they] were thinking about submitting an employment tribunal claim.**

*SHOW IF Q1 =1,2*

*Scripter notes: text fills - claimant=you / claimant representative = {claimant}*

**Q35. Thinking about the dispute or issue that [you/{claimant}] had with {employer}. Approximately how soon after it happened did [you/{claimant}] complete the Acas Early Conciliation notification form?**

ASK IF Q1 =1,2. SINGLE CODE

INTERVIEWER NOTE: **If there was no single issue but an ongoing series of events with no clear start date, then ask them to think about the last time the issue happened i.e. when they were finally triggered into taking action.**

1. Within a week
2. Within a month
3. Within three months
4. More than three months afterwards
5. Don't know

*Scripter notes: Claimant = you
Claimant rep={claimant}*

**Q36. Thinking back did [you/{claimant}] notify and complete the Early Conciliation notification form [yourself/themselves], or did somebody else do it for [you/them]?**
IF NECESSARY: **It is a very short form and on it [you/{claimant}] would have just included [your/their] basic contact details, those of {employer} and possibly your period of employment.**

ASK IF Q1 =1,2. SINGLE CODE

1. Yes - claimant submitted notification
2. No - representative submitted notification
3. No - somebody else submitted notification
4. Don't know

*Scripter notes: text fill 1 - claimant = 'you' // representative = '{claimant}'
textfill 2 - claimant 'yourself' // representative = 'themselves'
text fill 2 - claimant = 'you' // representative = 'them'*

**Q40. Could you tell me which of the following reasons best describes why [you/{claimant}] submitted the EC notification form?**

ASK IF Q1 =1,2. SINGLE CODE. READ OUT.

1. **[I/{claimant}] had to, in order to submit an Employment Tribunal claim**
2. **[I/{claimant}] had to, in order to submit an Employment Tribunal claim, but [I/{claimant}] was also keen to see if a settlement could be reached before hand**
3. **[I/{claimant}] just wanted to see if a settlement could be reached, and [I/{claimant}] did not have a desire to submit an Employment Tribunal claim**
4. Don't know (DO NOT READ OUT)

*Scripter notes: text fill 1 - claimant = 'you' // representative = '{claimant}'*

**Q40\_a. And still thinking about when you originally completed the Early Conciliation notification form, to what extent do you agree or disagree that the information provided by Acas at this stage helped [you/{claimant}] understand how the Early Conciliation process worked?**

IF NEEDED: **Please think about the information provided when you submitted the notification form (as in, before you spoke to anyone at Acas directly)**

ASK IF Q1 = 1,2. SINGLE CODE. READ OUT. REVERSE CODES FOR 50% OF INTERVIEWS

1. **Strongly agree**
2. **Tend to agree**
3. **Neither agree nor disagree**
4. **Tend to disagree**
5. **Strongly disagree**
6. Don’t Know (DO NOT READ OUT)

*Scripter notes: text fill 1 - claimant = 'you' // representative = '{claimant}'***Experience of ECSOs**

**Q41. After the notification was submitted, how soon did you establish contact with someone at Acas? This would have been with an Acas support officer who would have checked your contact details and confirmed some basic case details with you.**

ASK IF Q1 = 1. SINGLE CODE

1. On the same day
2. On the next working day
3. Within two working days
4. More than two working days
5. Don't know

**Q43. And thinking about this Acas support officer, how would you rate this Acas support officer in explaining the Early Conciliation service that Acas offer?**

ASK IF Q1 = 1. SINGLE CODE. READ OUT. REVERSE CODES FOR 50% OF INTERVIEWS.

1. **Very good**
2. **Fairly good**
3. **Neither good nor poor**
4. **Fairly poor**
5. **Very poor**
6. Did not do this (DO NOT READ OUT)
7. Don't know (DO NOT READ OUT)

**Q44. When they discussed the Early Conciliation service with you, how suitable did it sound to your case?**

ASK IF Q1 = 1. SINGLE CODE. READ OUT. REVERSE CODES FOR 50% OF INTERVIEWS.

1. **Very suitable**
2. **Fairly suitable**
3. **Neither suitable nor unsuitable**
4. **Fairly unsuitable**
5. **Very unsuitable**
6. Did not describe EC (DO NOT READ OUT)
7. Don't know (DO NOT READ OUT)

**Q45 : Why did it not sound suitable for your case?**

OPEN END. ASK IF Q44 = 4,5

1. Don't know

**Q46. What do you understand the time limits for presenting a tribunal claim to be?**

IF RESPONDENT DOES NOT KNOW AND WANTS MORE INFORMATION ABOUT TIME LIMITS ARE YOU CAN EXPLAIN THERE IS A TIME LIMIT BETWEEN WHEN THE DISPUTE TAKES PLACE AND WHEN A EMPLOYMENT TRIBUNAL CLAIM CAN BE SUBMITTED ABOUT IT

ASK IF Q1 = 1. CODE TO LIST. SINGLE CODE. DO NOT READ OUT

28 days

1 month

2 months

3 months less 1 day

3 months

3 months plus 1 day

6 months

No limit

Other

Not stated

1. Don’t know (DO NOT PROMPT)

**EC Notification Outcome**

**Q48. Our records showed that when you spoke to this Acas support officer you decided NOT to take part in Early Conciliation. Is that correct?**
IF NECESSARY: **This conciliation is where an Acas conciliator gets in touch with both parties to try and talk through the issues with both parties to see if a solution can be found**

ASK IF Q2 =2. SINGLE CODE.

1. Yes
2. No
3. Don’t know

**Q49. Our records show that after this you did not take part in Early Conciliation with an Acas Conciliator. Is this correct?**

ASK IF Q2 = 3. SINGLE CODE

1. Yes
2. No
3. Don’t know

NEW SCREEN:

**I now would like to ask you about what happened when you spoke to the Acas conciliator. This would be the next person from Acas who contacted you, after you spoke to the Acas support officer.**

SHOW IF (Q1 = 1 OR 2) AND (Q48 < > 1 OR Q49 <> 1)

**Q50.**

CLAIMANT: **How soon after you accepted the offer to speak to an Acas conciliator were you contacted by one?**CLAIMANT REPRESENTATIVE: **How soon after the offer of Acas assistance was accepted were you contacted by a conciliator?**

ASK IF (Q1 = 1 OR 2) AND (Q48 < > 1 AND Q49 <> 1). SINGLE CODE. READ OUT.

1. **On the next working day**
2. **Within two working days**
3. **More than two working days**
4. Did not speak to Acas conciliator (DO NOT READ OUT)
5. Can't remember (DO NOT READ OUT)

**Q51.**

CLAIMANT or EMPLOYER: **Our records show that you reached a settlement through Acas. Is this correct?**REPRESENTATIVE (ANY): **Our records show that a settlement was reached through Acas. Is this correct?**

ASK IF Q2 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q52.**

CLAIMANT: **Our records show that after you spoke to the Acas conciliator you decided not to use the assistance of Acas to try and resolve the matter and did not take part in Early Conciliation. Is this correct?**CLAIMANT REPRESENTATIVE: **Our records show {claimant} did not use the assistance of Acas to try and resolve the matter, and did not take part in Early Conciliation. Is this correct?]**

ASK IF Q2 =4. SINGLE CODE

1. Yes
2. No
3. Don’t know

*Scripter notes: NOTE - There is no equivalent question text for employer or employee reps as there will be no employer or reps in the sample with Q2 = 4.*

**Q53.**

CLAIMANT: **Our records show that an Acas conciliator spoke to you and {employer} but that you did NOT reach a formal resolution or settlement through Acas. Is this correct?**

EMPLOYER: **Our records show that an Acas conciliator spoke to you and {claimant} but that you did NOT reach a formal resolution or settlement through Acas. Is this correct?**

REPRESENTATIVE (ANY): **Our records show that an Acas conciliator spoke to you and the other party but that you did NOT reach a formal resolution or settlement through. Is this correct?]**

INTERVIEWER: WE ARE INTERESTED HERE IN WHETHER OR NOT A ‘FORMAL’ SETTLEMENT DRAWN UP BY ACAS WAS REACHED (Acas settlements are legally-binding contracts between the parties; they are recorded on an Acas form called a ‘COT3’). IF JUST A PRIVATE OR INFORMAL SETTLEMENT WAS REACHED YOU SHOULD STILL CODE YES HERE.

ASK IF Q2 =5. SINGLE CODE.

1. Yes
2. No
3. Don’t know

**Q54.**

CLAIMANT: **Our records show after you spoke to the Acas conciliator, early conciliation did not take place because {employer} did not want to take part. Is this correct?**
EMPLOYER OR REPRESENTATIVE (any): **Our records show that early conciliation did not take place because {employer} decided not to take part. Is this correct?**

ASK IF Q2 = 6. SINGLE CODE.

1. Yes
2. No
3. Don’t know

**Q55.**

CLAIMANT/EMPLOYER: **When you were offered Acas conciliation, could you tell me which of the following happened?**CLAIMANT REPRESENTATIVE: **When {claimant} was offered Acas conciliation, could you tell me which of the following happened?**EMPLOYER REPRESENTATTIVE: **When {employer} was offered Acas conciliation, could you tell me which of the following happened?**
IF NECESSARY: **This is known as Early Conciliation**

ASK IF:

Q48 =2,3 or Q49 =2,3 OR Q51=2,3 OR Q52=2,3 OR Q53=2,3 or Q54 =2,3

SINGLE CODE, READ OUT.

1. **[You were / {claimant} was / {employer} was] offered Acas conciliation but decided not to take part in it**
2. **[You / {claimant}/ {employer} ] accepted the offer of Acas assistance and took part in the conciliation**
3. **[You/{claimant}/{employer}] accepted the offer of Acas assistance but [{claimant}/{employer}] decided not to take part**
4. **[You were / {claimant} was / {employer} was] was not offered Acas conciliation (spontaneous only)**
5. Don’t know (DO NOT READ OUT)

*Scripter notes:*

*Answer1 textfill - Claimant='you were' , claimant rep= '{claimant} was', employer/employer rep= '{employer} was'

Answer2 textfill - Claimant='you' , claimant rep= '{claimant}', employer/employer rep= '{employer}'

Answer3 textfill - 1st(Claimant='you' , claimant rep= '{claimant}', employer/employer rep= '{employer}') 2nd(Claimant/Claimant rep={employer} , Employer/Employer rep = {claimant})

Answer4 textfill - Claimant='you were' , claimant rep= '{claimant} was', employer/employer rep= '{employer} was'*

**Q56. What was the outcome of the Acas conciliation?**
IF NECESSARY: **This is known as Early Conciliation.**

ASK IF Q55 = 2. SINGLE CODE. READ OUT

1. **The issue was resolved during the conciliation and an Acas settlement was drawn up**
2. **The issue was resolved during conciliation, however without a written agreement being drawn up by Acas**
3. **The issue was not resolved**
4. **Something else happened...(specify)** (spontaneous only)
5. Don’t know (DO NOT READ OUT)

**Q57. Why did you reach a private settlement as opposed to a settlement through Acas?**

ASK IF Q56 = 2. OPEN END

**Q58 And can I just check, was your dispute resolved after you notified Acas?**

ASK IF Q56 = 4,5. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Conciliation Outcome**

**Q59. DUMMY VARIABLE – OUTCOME OF CONCILIATION**

SINGLE CODE – ASSIGN FOLLOWING RULES.

filtering variable for remainder of questionnaire
outcome of EC

1. Claimant did not wish to proceed with EC (at ECSO stage)
2. No claimant contact at conciliation stage
3. Claimant did not wish to proceed with EC (at conciliator stage)
4. Employer did not wish to proceed with EC
5. EC took place and Acas resolution (COT3)
6. EC took place and reached an impasse (certificate issued)
7. EC took place and a private settlement was reached
8. Not established

Scripter coding notes:

1 (Q48=1)
2 (Q49=1)
3 ((Q52=1) OR ((Q1=1-2) AND Q55= 1) OR ((Q1=3-4) AND Q55= 3)))
4 ((Q54=1) OR ((Q1=3-4) AND Q55= 1) OR ((Q1=1-2) AND Q55= 3)))
5 (Q51= 1 OR Q56= 1)
6 (Q53 = 1 OR Q56= 3-5)
7 (Q56= 2)
8 (Q55 = 4-5)

**Q60. What were the terms of this settlement?**

ASK IF Q59 = 5,7. MULTICODE. READ OUT

1. **Reinstatement (old job back)**
2. **Another job in the organisation i.e. re-engagement**
3. **Money**
4. **A reference**
5. **An apology**
6. **A letter of explanation**
7. **Other** (specify)
8. Don’t know (DO NOT READ OUT) (EXCLUSIVE CODE)

**Q61.**

CLAIMANT: **How much money was it agreed that {EMPLOYER} would give you in total?**EMPLOYER OR REPRESENTATIVE (ANY): **How much money was it agreed that {employer} would give to {CLAIMANT} in total?**

ASK IF Q60 = 3. NUMERIC ENTRY (Max 1000000)

RECORD AMOUNT

*Scripter notes: add 'don't know' + 'refused'*

**Q62.**

CLAIMANT: **Have you received the money yet?**
EMPLOYER or REPRESENTATIVE (ANY): **Has{CLAIMANT} been paid the money yet?**

ASK IF Q60 = 3. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q63. And why did [you/ {claimant}] decide not to use Acas assistance to try and resolve the matter?**

ASK IF Q59 = 1,3. MULTICODE. PROMPT TO LIST.

1. [I / {claimant}] was not willing to negotiate
2. [I / {claimant}] felt that conciliation would not resolve the issue / would be a waste of time
3. When [I / {claimant}] spoke to Acas [I / {claimant}] felt [I/they] did not have a case
4. When [I / {claimant}] spoke to Acas [I / {claimant}] decided that they didn’t want to take [my/their] case any further
5. The issue was resolved by the time Acas assistance was offered
6. [I / {claimant}] Felt that the process wouldn’t be impartial / Acas would be on the side of {employer}
7. I knew that {employer} would not be willing to engage (TO APPEAR FOR CLAIMANTS / CLAIMANT REPS ONLY – Q1 = 1-2)
8. When I spoke to Acas there was not enough time to take part in conciliation
9. Other (specify)
10. Don’t know (EXCLUSIVE CODE)

*Scripter notes: If claimant text fill = ‘you', if claimant representative or employer or employer representative text fill = ‘{claimant}’.*
*ANSWER CODES
If claimant text fill = ‘I', if claimant representative or employer or employer representative text fill = ‘{claimant}’.
Answer code 7 should only appear for claimants and claimant reps only*

**Q64. And which of these [do you think] was the most important reason that [you/{claimant}] decided not to use Acas assistance?**

ASK IF Q63 =MORE THAN ONE ANSWER. SHOW ONLY SELECTED CODES. SINGLE CODE. READ OUT

1. **[I / {claimant}] was not willing to negotiate**
2. **[I / {claimant}] felt that conciliation would not resolve the issue / would be a waste of time**
3. **When [I / {claimant}] spoke to Acas [I / {claimant}] felt [I/they] did not have a case**
4. **When [I / {claimant}] spoke to Acas [I / {claimant}] decided that they didn’t want to take [my/their] case any further**
5. **The issue was resolved by the time Acas assistance was offered**
6. **[I / {claimant}] Felt that the process wouldn’t be impartial / Acas would be on the side of {employer}**
7. **I knew that {employer} would not be willing to engage (TO APPEAR FOR CLAIMANTS / CLAIMANT REPS ONLY – Q1 = 1-2)**
8. **When I spoke to Acas there was not enough time to take part in conciliation**
9. **Other (specify)**
10. Don’t know (DO NOT READ OUT)

*Scripter notes: Code 7 to only appear for claimants and claimant reps.
Note the 'other' code bring through the other specify answer if given at Q54.
[do you think] to be shown to all except claimants*

**Q65. And why did [you/ {employer} decide not to use Acas assistance to try and resolve the matter?**

ASK IF Q59 = 4. MULTI CODE. PROMPT TO LIST.

1. [I / {employer}] was not willing to negotiate
2. [I / {employer}] felt that conciliation would not resolve the issue / would be a waste of time
3. The issue was resolved by the time Acas assistance was offered
4. [I / {employer}] felt that the process wouldn’t be impartial / Acas would be on the side of {claimant}
5. Wanted to see if {claimant} was serious about going to an employment tribunal (EMPLOYERS + EMPLOYER REPS ONLY – Q1 = 3-4)
6. [I / {employer}] felt we had no case to answer to
7. Other (specify)
8. Don’t know

*Scripter notes: If employer text fill = ‘I', if employer representative or claimant or claimant representative text fill = ‘{employer}’.*

**Q66. And which of these [do you think] was the most important reason that {employer} decided not to use Acas assistance?**

ASK IF Q65 = MORE THAN ONE ANSWER. SINGLE CODE. READ OUT.

1. **[I / {employer}] was not willing to negotiate**
2. **[I / {employer}] felt that conciliation would not resolve the issue / would be a waste of time**
3. **The issue was resolved by the time Acas assistance was offered**
4. **[I / {employer}] felt that the process wouldn’t be impartial / Acas would be on the side of {claimant}**
5. **Wanted to see if {claimant} was serious about going to an employment tribunal**
6. **[I / {employer] felt we had no case to answer to**
7. **Other (specify)**
8. Don't know (DO NOT READ OUT)

*Scripter notes: Show text fill 'do you think' to Claimant and Claimant rep.
Note the 'other' code bring through the other specify answer if given at Q55.*

**Q68. Is there anything that would have encouraged [you/{claimant}/{employer}] to take part in the Early Conciliation?**

ASK IF (Q1 = 1-2 AND Q59 = 1,3) OR (Q1 = 3-4 AND Q59 = 4). OPEN END.

INTERVIEWER: PROBE FOR REASONS THAT MAY HAVE ENCOURAGED THEM TO HAVE TAKEN PART IN CONCILIATION. IN PARTICULAR WAS THERE ANYTHING THE ACAS ADVISOR COULD HAVE DONE DIFFERENTLY.

1. No - nothing would have encouraged respondent to take part
2. Don’t know

*Scripter notes: If claimant or employer text fill = ‘you’, if claimant representative text fill = ‘{claimant}’.if employer representative text fill = ‘{employer}’.*

**Q69.**

CLAIMANT: **Why at that time did you decide you were unlikely to take the matter any further?**EMPLOYER OR REPRESENTATIVE (ANY): **Why at that time did {claimant} decide that they were unlikely to take the matter any further?**

ASK IF Q63 = 4. OPEN END.

1. Don't know

**Q70. Could you briefly explain how the issue was resolved?**

ASK IF Q56 = 2 OR Q63 = 5 OR Q65 = 3 OR Q58 = 1. OPEN END.

1. Don't know (EXCLUSIVE CODE)

**Q71. What was the reason for not reaching a settlement?**

ASK IF Q1 = 3-4 AND Q59 = 6. MULTI CODE. PROMPT TO LIST.

1. We did not wish to take part in the conciliation / was not interested in talking
2. We offered a settlement but the claimant was not willing to accept it
3. The claimant wanted money and we were not willing to pay
4. We were not willing to talk further to {claimant}
5. We felt we had no case to answer to
6. We did not think that {claimant} was serious about taking the case to an Employment Tribunal
7. Other (specify)
8. Don't know (EXCLUSIVE CODE)

**Q72. IMPASSEWHYC : What was the reason for not reaching a settlement?**

ASK IF Q1 = 1-2 AND Q59 = 6. MULTI CODE. PROMPT TO LIST.

1. {employer} did not wish to take part in the conciliation / was not interested in talking
2. {employer} offered a settlement but [I/{claimant} was not willing to accept it
3. [I/{claimant}] wanted money and {employer} was not willing to pay
4. {employer} was not willing to talk further to [me/{claimant}]
5. {employer} felt they had no case to answer to
6. {employer} did not think that [I/{claimant}] was serious about taking the case to an Employment Tribunal
7. Other (specify)
8. Don't know (EXCLUSIVE CODE)

*Scripter notes: Text fill 1, if claimant 'I'. If claimant rep, '{claimant}'
Text fill 2, if claimant 'me'. If claimant rep, '{claimant}'*

**Experience of Conciliator**

NEW SCREEN

SHOW IF Q59 <> 1,2.

**I now want to ask you about your contact with the Acas conciliator and the early conciliation service that you were offered.**

**Q73. Why did [you / {claimant}/{employer}] decide to take part in the Early Conciliation service that Acas offered you?**

ASK IF Q59 = 5,6,7. CODE TO LIST. MULTICODE. DO NOT READ OUT.

Because we/I had to

To reach a resolution

To avoid an employment tribunal

To solve the issue quickly

Couldn’t reach a settlement privately

Was advised to by solicitor

Was advised to by Citizen’s Advice Bureau (CAB)

Was advised to by Acas

Was advised to by someone else

Had faith in Acas

Always participate in conciliation

Early Conciliation is free

It was the best approach

To clear our/my name

Principle

To help understand better

Didn’t take part

Because contacted by Acas

Other (SPECIFY)

Don’t know [EXCLUSIVE CODE]

*Scripter notes: If claimant or employer text fill = ‘you’, if claimant representative text fill will read ‘{claimant}’, if employer representative text fill = ‘{employer}’.*

**Q74. Why were you happy to take part in early conciliation, even though [{employer}/{claimant}] was not?**

ASK IF (Q1 =1,2 AND Q59=4) OR (Q1=3,4 AND Q59 =3). MULTICODE. DO NOT READ OUT.

Because I/we had to

To reach a resolution

To avoid an employment tribunal

To solve the issue quickly

Couldn’t reach a settlement privately

Was advised to by solicitor

Was advised to by Citizens’ Advice Bureau (CAB)

Was advised to by Acas

Was advised to by other

Had faith in Acas

Always participate in conciliation

Early Conciliation is free

It was the best approach

To clear my/their name

Principle

To help understand better

Didn’t take part

Because contacted by Acas

Other (SPECIFY)

Don’t know [EXCLUSIVE CODE]

*Scripter notes: If claimant or claimant representative, text fill = ‘{employer}’. If employer or employer representative, text fill – ‘{claimant}’.*

**Q75. And now thinking about your contact with the Acas conciliator, can I just check, did you have contact with just one conciliator or more than one?**

ASK IF Q59=3,4,5,6,7,8. SINGLE CODE.

INTERVIEWER: IF MORE THAN ONE, PROBE FOR HOW MANY. IF CLAIMANT SAYS MORE THAN ONE, CHECK THAT THEY HAVE NOT INCLUDED THE FIRST SUPPORT OFFICER THAT THEY SPOKE TO

1. One
2. Two
3. Three or more
4. Don't know

SCRIPTER NOTE: IF Q75 = 1, text substitutions for Qs 76 – 78, 80-84 should read “Acas conciliator”. If Q75 <>1, text substitutions for Qs 76 – 78, 80-84 should read “Acas conciliators”

**Q76. Was your contact with the [Acas conciliator/Acas conciliators] by...?**

ASK IF Q59 <> 1,2. MULTI CODE.

CODE ALL THAT APPLY

1. Telephone
2. Email
3. Letter
4. Face to face
5. No contact (DO NOT PROMPT)
6. Don't know (EXCLUSIVE CODE)

**Q77. And which of these was the main way in which you contacted the [Acas conciliator/Acas conciliators]?**

ASK IF Q76 = MORE THAN ONE ANSWER. SINGLE CODE

1. Telephone
2. Email
3. Letter
4. Face to face
5. Don't know (EXCLUSIVE CODE)

**Q78. How many times did you have contact with the [Acas conciliator/Acas conciliators]?**

ASK IF Q76 <> 5. NUMERIC ENTRY (Min1 | Max 25).

INTERVIEWER: IF UNSURE PLEASE ASK THE RESPONDENT TO GIVE THEIR BEST ESTIMATE.

*Scripter notes: Add 'Don't know' option*

**Q79. During the conciliation, did Acas contact you most of the time or did you contact Acas most of the time?**

ASK IF Q76 <> 5 AND Q59 = 5,6,7. SINGLE CODE

1. Acas contacted me most of the time
2. I contacted Acas most of the time
3. Contacted each other equally
4. Don't know

**Q80. Would you have preferred more contact with the [Acas conciliator/Acas conciliators], less contact or about the same?**

ASK IF Q76 <> 5 AND Q59 = 5,6,7. SINGLE CODE

1. More
2. The same
3. Less
4. Don't know

**Quality of Conciliation**

**Q81. How would you rate the [Acas conciliator/Acas conciliators] in terms of…**

ASK IF Q76 <> 5 AND Q59 = 5,6,7. READ OUT. SINGLE CODE PER STATEMENT. REVERSE CODES FOR 50% OF INTERVIEWS.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Very good** | **Fairly good** | **Neither good nor poor** | **Fairly poor** | **Very poor** | **Did not do thi**s (DO NOT READ OUT) |
| **Outlining the (employment) law as it applied to your problem** |  |  |  |  |  |  |
| **O the conciliation process** |  |  |  |  |  |  |
| **Helping you understand the strengths and weaknesses of this potential claim** |  |  |  |  |  |  |
| **Relaying proposals and offers to and from [employer/ claimant] ?** |  |  |  |  |  |  |
| **Helping you to consider the pros and cons of resolving the problem [without submitting a tribunal claim / before the submission of a tribunal claim]** |  |  |  |  |  |  |

*Scripter notes: If Claimant or claimant representative text fill = ‘employer’. If Employer or employer representative text fill = ‘claimant’.
 If Claimant or claimant representative text fill = ‘without submitting a tribunal claim’. If Employer or employer representative text fill = ‘before the submission of a tribunal claim’.*

**Q82. To what extent do you agree or disagree that the [Acas conciliator/Acas conciliators]…**

ASK IF Q76 <> 5 AND Q59 = 5,6,7. READ OUT. SINGLE CODE PER STATEMENT. REVERSE CODES FOR 50% OF INTERVIEWS.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **Strongly agree** | **Tend to agree** | **Neither agree nor disagree** | **Tend to disagree** | **Strongly disagree** | **Don't know** (DO NOT READ OUT) |
| **Was knowledgeable about the case** |  |  |  |  |  |  |
| **Understood how you felt about the case** |  |  |  |  |  |  |
| **Understood the circumstances of the case** |  |  |  |  |  |  |
| **Was trustworthy** |  |  |  |  |  |  |
| **Listened to what you had to say** |  |  |  |  |  |  |
| **Was actively involved in seeking an agreement to settle** |  |  |  |  |  |  |
| **Helped you to decide whether or not to settle your case, without undue influence** |  |  |  |  |  |  |

**Q83.**

CLAIMANT OR CLAIMANT REPRESENTATIVE: **Overall, did you feel that the [Acas conciliator was/Acas conciliators were] more on your side, more on the employer’s side or even handed between you?**EMPLOYER OR EMPLOYER REPRESENTATIVE: **Overall did you feel that the [Acas conciliator was/Acas conciliators were] more on your side, more on the claimant’s side or even handed between you?]**

ASK IF Q76 <> 5 AND Q59 = 5,6,7. SINGLE CODE.

1. More on your side
2. More on [employer/claimant]'s side
3. Even handed
4. Don't know

*Scripter notes: If Claimant or claimant representative text fill = ‘employer’. If Employer or employer representative text fill = ‘claimant’.*

**Q84. [Was the Acas conciliator/Were the Acas conciliators] available when needed?**

ASK IF Q76 <> 5. SINGLE CODE. READ OUT. REVERSE CODES FOR 50% OF INTERVIEWS.

1. **Always**
2. **Usually**
3. **Sometimes**
4. **Rarely**
5. **Never**
6. Did not need to contact the conciliator as they always contacted me (DO NOT PROMPT)
7. Don't know (DO NOT READ OUT)

**Impact on Settling**

**Q85. How important was Acas involvement in helping you to decide on how to proceed with this dispute? Was it...**

ASK ALL. SINGLE CODE. READ OUT, REVERSE CODES FOR 50% OF INTERVIEWS.

1. **Very important**
2. **Quite important**
3. **Not very important**
4. **Not at all important**
5. Don't know (DO NOT READ OUT)

**Q86. How important was Acas involvement in helping move parties closer towards resolving the case? Was it…**

ASK ALL. SINGLE CODE. READ OUT, REVERSE CODES FOR 50% OF INTERVIEWS.

1. **Very important**
2. **Quite important**
3. **Not very important**
4. **Not at all important**
5. Don't know (DO NOT READ OUT)

**Q87. Looking back, how much do you agree or disagree that Acas involvement was a factor in the decision to resolve the case?**

ASK IF Q59 = 5,7. SINGLE CODE. READ OUT. REVERSE CODES FOR 50% OF INTERVIEWS.

1. **Strongly agree**
2. **Agree**
3. **Neither agree nor disagree**
4. **Disagree**
5. **Strongly disagree**
6. Don't know (DO NOT READ OUT)

**Q88. If you were involved in a similar situation in the future, would you make use of the Early Conciliation service from Acas?**

ASK ALL. SINGLE CODE. READ OUT. REVERSE CODES FOR 50% OF INTERVIEWS.

1. **Definitely yes**
2. **Probably yes**
3. **Probably no**
4. **Definitely no**
5. Don't know (DO NOT READ OUT)

**The EC Experience**

**Q89. How much of your time in total did you spend on the workplace problem from the time you submitted your notification up until you received official notification that conciliation had finished?** IF Q21 = 1: **Please do not include any time that you may have spent since submitting the tribunal claim.**

ASK IF Q1 = 1,2,4. NUMERIC ENTRY (Min 1 | Max 240)

INTERVIEWER NOTE: 1 DAY = 8 HOURS.
ENTER TIME IN HOURS ONLY
IF NECESSARY REMIND THE RESPONDENT THAT WE ARE INTERESTED IN THE ACTUAL TIME THEY SPENT RATHER THAN THE PERIOD OVER WHICH THE CONCILIATION TOOK PLACE.
ROUND UP TO THE NEAREST HOUR

IF NECESSARY: OFFICIAL NOTIFICATION WOULD BE EITHER A CERTIFICATE FOR TRIBUNAL SUBMISSION OR A COT3 RESOLUTION

*Include 'Don't Know'*

**Q90. Compared to submitting an Employment Tribunal claim, what do you think are the main benefits, if any, of taking part in Acas Early Conciliation?**

ASK ALL. MULTI CODE. PROMPT TO LIST.

1. It resolves the issue more quickly
2. It can save going to a tribunal/court
3. It is less stressful/traumatic
4. It is easier / more convenient
5. It is cheaper
6. It prevents possible reputational damage of going to tribunal
7. It is less time consuming
8. It can produce a better outcome for claimants
9. Other (specify)
10. None (EXCLUSIVE CODE)
11. Don't know (EXCLUSIVE CODE)

**Q91. And, can I just check, why do you think it is cheaper?**

ASK ALL. CODE TO LIST. MULTICODE. DO NOT READ OUT.

Acas is free

Legal fees

Tribunal fees

Cost of being in court

Fewer people involved

Takes up time

Other (SPECIFY)

1. Don’t know [EXCLUSIVE CODE]

**Q92. Putting Acas’ service to one side and focusing just on the outcome, how satisfied or dissatisfied were you with the outcome of this conciliation?** IF Q21 = 1: **Please just think about the Early Conciliation that took place before the tribunal claim was submitted.**

ASK IF Q59 = 5,6,7. SINGLE CODE. READ OUT. REVERSE CODES FOR 50% OF INTERVIEWS.

INTERVIEWER NOTE: QUESTION IS ON OUTCOME NOT SERVICE

1. **Extremely satisfied**
2. **Very satisfied**
3. **Satisfied**
4. **Neither satisfied nor dissatisfied**
5. **Dissatisfied**
6. **Very Dissatisfied**
7. **Extremely dissatisfied**
8. Don't know (DO NOT READ OUT) (ANCHOR)

**Q93. Putting the outcome to one side, thinking about all the Acas staff you spoke to and all the contact you had with them during this case, how satisfied or dissatisfied were you with the timeliness of the contact?**

ASK IF Q59 = 5,6,7. SINGLE CODE. READ OUT. REVERSE CODES FOR 50% OF INTERVIEWS.

1. **Extremely satisfied**
2. **Very satisfied**
3. **Satisfied**
4. **Neither satisfied nor dissatisfied**
5. **Dissatisfied**
6. **Very Dissatisfied**
7. **Extremely dissatisfied**
8. Don't know (DO NOT READ OUT) (ANCHOR)

**Q94. How satisfied or dissatisfied are you with the service you received from Acas in this case** [IF Q21 = 1: **before the tribunal claim was submitted**]**? Would you say you were...**

ASK ALL. SINGLE CODE. READ OUT. REVERSE CODES FOR 50% OF INTERVIEWS.

1. **Extremely satisfied**
2. **Very satisfied**
3. **Satisfied**
4. **Neither satisfied nor dissatisfied**
5. **Dissatisfied**
6. **Very Dissatisfied**
7. **Extremely dissatisfied**
8. Don't know (DO NOT READ OUT) (ANCHOR)

**Q95. And why do you say you were dissatisfied?**

ASK IF Q94 = 5,6,7. CODE TO LIST. MULTICODE. DO NOT READ OUT.

Acas communication was poor

Acas service was poor

Acas didn’t do enough for respondent

Acas did not present case accurately

Acas did not present offer accurately

Conciliator went on holiday

Acas did not offer any advice

Acas has no power

Acas was not neutral

Bad outcome

Time limits caused issues

Other (SPECIFY)

1. Don’t know [EXCLUSIVE CODE]

**Employer Costs**

NEW SCREEN.

SHOW IF Q1 = 3.

**I’d like to ask you how much time staff in the organisation spent on this case, from the time Acas first contacted you until the time your dealings with Acas came to an end.**

IF Q21 = 1: **Please do not include any time that you may have spent since the claimant submitted the tribunal claim.**

**Q96. In total, how many people were involved and spent time on this case? Please include yourself, other directors and senior managers and any other staff. Please only include staff in the organisation. Do not include any time spent by representatives or advisers who may have helped with the case.**

ASK IF Q1 = 3. NUMERIC (Min 1 | Max 20)

ENTER NUMBER OF PEOPLE

1. Don’t know

**Q97.** INTERVIEWER: CODE WHETHER THIS PERSON WHO SPENT TIME IS THE RESPONDENT. ASK IF UNSURE.

ASK IF Q96 = 1 PERSON. SINGLE CODE

1. Respondent spent time on case
2. Other staff member spent time on case

**Q98. And how much time in total did you / this person spend on the case?**

ASK IF Q96 = 1 PERSON. NUMERIC ENTRY (Min 1 | Max 240)

1 DAY = 8 HOURS
ENTER TIME IN HOURS ONLY. ROUND UP TO THE NEAREST HOUR

**Q99. Can I just check, would you classify yourself as / was this person a Director or Senior Manager within the organisation?**

ASK IF Q96 = 1 PERSON. SINGLE CODE.

1. Yes
2. No
3. Don't know

**Q100. And how much time did you spend on this case?**

ASK IF Q96>1 PERSON. NUMERIC ENTRY. (Max 240)

1 DAY = 8 HOURS
ENTER TIME IN HOURS ONLY. ROUND UP TO THE NEAREST HOUR

**Q101. Can I just check, would you classify yourself as a Director or Senior manager within the organisation?**

ASK IF Q96>1 PERSON. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q102.**

**Now thinking of the different staff involved...**

**[**IF Q101=1: **Apart from yourself] how much time in total did directors and senior management spend on this case?**

ASK IF Q96>1 PERSON. NUMERIC (Max 240)

1 DAY = 8 HOURS
ENTER TIME IN HOURS ONLY. ROUND UP TO THE NEAREST HOUR

**Q103. How much time in total did other staff spend on this case?**

ASK IF Q96>1 PERSON. NUMERIC ENTRY (Max 240)

1 DAY = 8 HOURS
ENTER TIME IN HOURS ONLY ROUND UP TO THE NEAREST HOUR

**Q104. Thinking about the time spent, from the time you received the offer of Early Conciliation until the time Acas involvement ended, by all people at the organisation, including yourself, can I just check the following is correct?**

ASK IF Q96>1 PERSON. MULTI CODE

SELECT ANY THAT ARE INCORRECT AND RE-ENTER NEW TOTAL. IF ALL CORRECT, CODE: ALL INFORMATION CORRECT.

1. You spent {Q98/100} hours
2. Directors and Senior Management spent {Q102} hours
3. Other staff spent {Q103} hours
4. All information correct (single coded)

*Scripter notes: Only show options if the question relating to it is greater than 1
If 1,2 or 3 is selected, go back to this question and re-enter.
then repeat time check exercise.*

**Non Financial Benefits to Employer**

**Q105. Did the Acas conciliator provide you with any information or advice which you believe will help you avoid having to deal with another case of this type in the future?**

ASK IF Q1 = 3. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q106. Did the information or advice given by the Acas conciliator result in the organisation taking any of the following actions?**

ASK IF Q105 = 1. READ OUT STATEMENTS AND CODE TO LIST**.**

INTERVIEWER NOTE: THE CHANGES MUST BE A DIRECT RESULT OF THIS CASE, PROMPT IF UNSURE.

|  |  |  |  |
| --- | --- | --- | --- |
|  | Yes | No | Don't know |
| **Introduce or review formal disciplinary or grievance procedures** |  |  |  |
| **Make sure procedures are followed**  |  |  |  |
| **Revise terms and conditions in claimants’ contracts**  |  |  |  |
| **Reviewing/improving the training of managers in the handling of problems at work**  |  |  |  |
| **Join an employers’ association for legal services**  |  |  |  |
| **Take out insurance against potential claims** |  |  |  |
| **Seek professional advice prior to taking disciplinary action** |  |  |  |
|  **Anything else** |  |  |  |

**Q107. What other actions did your organisation take as a result of this information and advice?**

ASK IF Q106h = 1. OPEN END

1. Don’t know

**Submission of ET**

NEW SCREEN

SHOW IF Q59 < > 5. READ OUT.

**I now want to ask you some questions about what happened since [you submitted the early conciliation notification form to Acas/you spoke to Acas about the dispute and were offered early conciliation/early conciliation finished].**

*Scripter notes: If Q59 = 2 text fill = ‘you submitted the early conciliation notification form to Acas’. If Q59= 1 or 3 or 4 or 8 text fill = ‘you spoke to Acas about the dispute and were offered early conciliation’. If Q59= 5 or 6 or 7 text fill = ‘since early conciliation finished’.*

**Q108. You should have now received a formal acknowledgement from Acas that early conciliation has ended.
Can I just check, [have you/has {claimant}] received this certificate?**

ASK IF Q59 <> 5 AND Q1 = 1-2. SINGLE CODE

IF NECESSARY: **This would have had a unique reference number allowing you to proceed to an Employment Tribunal claim.**

IF NECESSARY: **This is a certificate confirming that you had complied with the requirement to contact Acas before starting proceedings with an employment tribunal**

1. Yes
2. No
3. Don’t know

*Scripter notes: Textfill
Claimant = you // rep={claimant}*

**Q109. And did you understand what receiving this certificate meant in regards to [your/{claimant}'s] employment dispute?**

ASK IF Q1 = 1-2 AND Q108=1. CODE TO LIST. MULTICODE. DO NOT READ OUT.

IF THE RESPONDENT IS UNSURE AND ASKS YOU FOR MORE INFORMATION ABOUT YOU CAN EXPLAIN TO THEM THAT IT MEANT THAT THEY/CLAIMANT WOULD BE ABLE TO PROCEED WITH AN EMPLOYMENT TRIBUNAL IF THEY WISHED AND IT PROVIDED A UNIQUE REFERENCE NUMBER TO INCLUDE ON THE APPLICATION FORM.

Formal notification that EC had ended

Proof that conciliation was attempted

Can proceed to tribunal

That there was now a time limit to submit

1 month to submit

3 months to submit

Can’t proceed any further

Other (SPECIFY)

1. Don’t know [EXCLUSIVE CODE]

*Scripter notes: textfill
claimant = your // rep={claimant}'s*

**Q110. Once Early Conciliation had come to an end, were you made aware that a certificate confirming that {claimant} had complied with the requirement to contact Acas would be issued to {claimant} before they may submit an Employment Tribunal claim?**

ASK IF Q1 = 3,4 AND Q59 = 6,7. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q111. And since [receiving/{claimant} received] this certificate have [you/ they] continued to have contact with the Acas conciliator about the case?**

ASK IF Q1 = 1-2 AND Q108 = 1. SINGLE CODE

INTERVIEWER: IF CONTINUED CONTACT BETWEEN EITHER CLAIMANT OR REPRESENTATIVE WITH ACAS PLEASE CODE YES.

1. Yes
2. No
3. Don’t know

*Scripter notes: Text fill 1, if claimant ‘receiving’, if employer or representative (any) ‘{claimant} received’
Text fill 2, if claimant ‘you’, if employer or representative (any) ‘they’*

**Q112. And was this continued contact with Acas before or after [you/{claimant}] submitted [your/their] employment tribunal claim?**

ASK IF Q111 = 1. SINGLE CODE

1. Before
2. After
3. Both
4. Don’t know

*Scripter notes: Text fill 1: If claimant = 'you', if claimant rep = '{claimant}'.
Text fill 2: If claimant = 'your', if claimant rep = 'their'.*

**Q113. You mentioned at the start of the interview that [you/{claimant}] haven’t submitted a tribunal claim. Can I just check, [have you/has {claimant}] made a final decision about whether or not [you/they] will submit an employment tribunal claim about this issue?**

ASK IF Q21 = 2 AND Q59<>5 AND Q1 = 1-2. SINGLE CODE

1. Yes
2. No

*Scripter notes: For each textill, the first part of the text will appear for claimants and the second part for claimant representatives.*

**Q114. And [do you/does {claimant}] intend to submit a tribunal claim regarding this issue?**

ASK IF Q113 = 1. SINGLE CODE

1. Yes - do intend to submit a claim
2. No - do NOT intend to submit a claim
3. No - it is too late for me to submit a claim (spontaneous only)
4. Don’t know

*Scripter notes: For each textill, the first part of the text will appear for claimants and the second part for claimant representatives.1*

**Q115. And although [you/{claimant}] haven’t made a final decision about whether or not to submit a tribunal claim, currently do you think [you/they] will…**

ASK IF Q113 = 2. SINGLE CODE. READ OUT

1. **Probably will submit a claim**
2. **Probably won't submit a claim**
3. **Or are you really not sure at the moment?**

*Scripter notes: For each textill, the first part of the text will appear for claimants and the second part for claimant representatives.*

**Q118. You mentioned at the start of this interview that [you/{claimant}] had already submitted a tribunal claim about this issue. Why [did [you/{claimant] decide /why [are you/is {claimant}] intending] to submit a tribunal claim?**

ASK IF (Q21 = 1 OR Q114 = 1) AND Q1=1,2. CODE TO LIST. MULTICODE. DO NOT READ OUT.

Did not take part in conciliation

Employer would not engage in conciliation

Issue wasn’t resolved through conciliation

Want to recover money owed

Want compensation

Not satisfied with outcome of conciliation

Hold employer accountable

Acas support not sufficient

Necessary to get a resolution

Advised to by Acas

Advised to by lawyer/CAB

Advised to by representative

Advised to by other

Am in the right

Show willingness to take matter to court

Next step in the process

1. Other (SPECIFY)

Don’t know [EXCLUSIVE CODE]

*Scripter notes: If submit = 1, textfill = 'did you/claimant decide'
If Intend = 1, textfill = 'why are you/is claimant intending’*

**Q119. And do you think there was anything else Acas could have done to assist in [your/this] dispute up to this point, to help resolve the matter without an Employment Tribunal claim being submitted?**

ASK IF (Q21 = 1 OR Q114 = 1) AND Q1=1,2. SINGLE CODE.

1. Yes
2. No
3. Don’t know

*Scripter notes: Textfill 1
If claimant, text fill = 'your'
If claimant rep, text fill = 'this'.

Textfill 2
If claimant, text fill = 'you'
If claimant rep, text fill = '{claimant}'.*

**Q120. What could they have done?**

ASK IF Q119 = 1. CODE TO LIST. MULTICODE. DO NOT READ OUT.

Explain process better

Better support

Better understanding of issue

Met face-to-face

More communication

Speak to other side more

Encourage employer to take part

More conciliator training

Force employers to take part

Be more neutral

Extend Early Conciliation period

Be more involved

Be on my side (general mention)

Other (SPECIFY)

1. Don’t know [EXCLUSIVE CODE]

**Q121. When was the tribunal claim submitted?**

ASK IF Q21 = 1 AND Q1 = 1,2. DATE ENTRY (DAY AND MONTH)

ENTER DAY AND MONTH
IF DOES NOT KNOW DAY PLEASE ENTER MONTH IF KNOWN

ALLOW BLANK FOR BOTH FIELDS.

**Q128. Why [did [you/{claimant} decide not / do you think [you are/{claimant} is] unlikely] to submit a tribunal claim?**

ASK IF Q114 = 2 OR Q115 = 2. MULTI CODE. PROMPT TO LIST.

1. Ran out of time
2. The issue was resolved
3. Didn't think [I/they] would win the case / thought it would be a waste of time
4. Thought [my/their] case would be thrown out by the tribunal / didn't think [I/they] had a case
5. It was too stressful to continue
6. [I /{claimant}] pursued /will pursue [my/their] case as a civil claim instead (e.g. in the County Courts)
7. [I /{claimant}] pursued /will pursue [my/their]. case using some other kind of conflict resolution/enforcement instead (e.g. mediation or arbitration)
8. [I was/they were] never really intending to submit a claim/[I was/they were] only testing the water to see if [my/their] employer would do a deal
9. Other (specify)
10. Don’t know (EXCLUSIVE CODE)

*Scripter notes: If Q115= 2, text fill = 'do you/does claimant think you are unlikely'
If Q114 = 2, text fill = 'did you/claimant decide not'*

**Q129. And to what extent was Acas conciliation a factor in helping you to reach this conclusion?**

ASK IF Q128 <>10 OR Q114 = 3, 4 OR Q115 = 3. SINGLE CODE.

1. **Completely**
2. **To a large extent**
3. **To some extent**
4. **Not at all**
5. Don't know

**Q132. Please imagine there was no Acas Early Conciliation service. How likely is it that [you/{claimant}] would have done the following in the dispute? Would [you/{claimant}] have...**

ASK IF Q1 = 1,2 AND Q59 = 5,6,7. SINGLE CODE. READ OUT.

1. **Submitted an Employment Tribunal claim anyway**
2. **Tried to settle the matter some other way first, but submitted an Employment Tribunal claim if that didn't work**
3. **Tried to settle the matter some other way first, but NOT submitted an Employment Tribunal claim if that didn't work**
4. **Not have pursued the matter any further**
5. Don't know (DO NOT READ OUT)

*Scripter notes: For each textfill, the first part of the text will appear for claimants and the second part for claimant representatives.*

**Q133. Please imagine there was no Acas 'Early Conciliation' service. Which of the following do you think would have been most likely to have happened in the dispute?**

ASK IF Q1 = 3,4 AND Q59 = 5,6,7. SINGLE CODE. READ OUT.

1. **{Claimant} would have submitted an Employment tribunal claim against us anyway**
2. **We would have tried to settle the matter some other way first, but {claimant} would probably have submitted an Employment Tribunal claim if that didn't work**
3. **We would have tried to settle the matter some other way first, but {claimant} would probably NOT have submitted an Employment Tribunal claim if that didn't work**
4. **I don't think {claimant} would have pursued the matter any further**
5. Don't know (DO NOT READ OUT)

**Q134. Looking back, how do you feel in hindsight about your decision NOT to use Acas Early Conciliation?**

ASK IF (Q59 = 1,2,3 AND Q1 = 1,2) OR (Q59 = 4 AND Q1 = 3,4). SINGLE CODE. READ OUT.

1. **I am happy with my decision NOT to use Early Conciliation**
2. **I regret NOT having used Early Conciliation**
3. **I am in mixed minds about my decision NOT to use Early Conciliation**
4. Don't know (DO NOT READ OUT)

**Employer Details / Claimant Profile**

NEW SCREEN:

CLAIMANT: **I’d now like to ask you some more classification questions about yourself and {employer} at the time of the dispute. This helps us get a better understanding of what the benefits of offering Early Conciliation are.**

EMPLOYER: **I’d now like to ask you some more classification questions about you, your organisation and {claimant} at the time of the dispute. This helps us get a better understanding of what the benefits of offering Early Conciliation are.**

REPRESENTATIVE (ANY) **I’d now like to ask you a few classification questions about [{organisation} and] yourself. This helps us get a better understanding of what the benefits of offering Early Conciliation are.]**

**Q135.**

CLAIMANT OR REPRESENTATIVE (ANY): **Has {employer} ever had an Employment Tribunal claim made against them before this problem arose?**EMPLOYER: **Has your organisation ever had an Employment Tribunal claim made against it, before this problem arose?**

ASK ALL. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q136.**

CLAIMANT OR REPRESENTATIVE (ANY): **Was {employer} a private sector organisation, a public sector body or a non-profit or voluntary organisation?**

EMPLOYER: **Is your organisation a private sector organisation, a public sector body or a non-profit or voluntary organisation?**

ASK ALL. SINGLE CODE

INTERVIEWER IF RESPONDENT IS NOT SURE PROMPT WITH EXAMPLES IF NECESSARY:
**Private sector: such as a limited company or PLC
Public sector: such as central government, civil service, NHS, police
Non-profit: such as a charity or something in the voluntary sector**

1. Private sector
2. Public sector
3. Non-profit/voluntary sector
4. Don't know

**Q137. And what does the organisation mainly make or do at the workplace {claimant} [worked at / applied to work at]?**

ASK IF Q1 = 3-4. OPEN END

Scripter notes: If Q22= 1 or DK, text fill = ‘worked at’. If Q22= 2 ‘applied to work at’.

**Q138. Does the organisation have a single workplace in the UK or more than one workplace in the UK?**

ASK IF Q1 = 3-4. SINGLE CODE

1. Single workplace in UK
2. More than one workplace in UK
3. Don't know

**Q139. To the best of your knowledge how many people were working at or from the workplace {claimant} [worked at / was applying to].**

ASK IF Q1 = 3-4. SINGLE CODE

NOTE: PROBE FOR BEST GUESS, BELOW 25 OR BELOW 50 WORKERS
IF CLAIMANT DID NOT WORK FROM ONE MAIN SITE THEN PROBE FOR THE NUMBER OF PEOPLE WORKING AT THE SITE CLAIMANT MAINLY REPORTED TO.

1. 1-9
2. 10-19
3. 20-24
4. 25-49
5. 50-99
6. 100-249
7. 250-499
8. 500 or more
9. Don't know but less than 25
10. Don't know but between 25 and 49
11. Don't know but 50 or more
12. Don't know

Scripter notes: If Q22 = 1 or DK, text fill = ‘worked at’. If Q22 = 2 ‘applied to work at’.

**Q140. And how many people worked for the whole organisation in the UK? Please include all contracted, non-contracted, agency, freelance and temporary workers.**

ASK IF Q1 = 3-4. SINGLE CODE

NOTE: PROBE FOR BEST GUESS, BELOW 25 OR BELOW 50 WORKERS

1. 1-9
2. 10-19
3. 20-24
4. 25-49
5. 50-99
6. 100-249
7. 250-499
8. 500 or more
9. Don't know but less than 25
10. Don't know but between 25 and 49
11. Don't know but 50 or more
12. Don't know

**Q141. Does the organisation have an internal Human Resources or Personnel Department that deals with personnel issues?**

ASK IF Q1 = 3-4. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q142. Does the organisation have an internal legal department that deals with any personnel or employment issues, for example relating to employment tribunal claims?**

ASK IF Q1 = 3-4. SINGLE CODE

NOTE: IF YES, PROBE TO MAKE SURE THAT THIS IS AN INTERNAL LEGAL DEPARTMENT, BASED AT THE ORGANISATION, RATHER THAN AN EXTERNAL SOLICITOR THAT THE EMPLOYER USES.

1. Yes
2. No
3. Don’t know

**Q143. Are there any trade unions or staff-associations active in the workplace?**

ASK IF Q1 = 3-4. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q144. Is the organisation a member of an Employer’s or Trade Association which gives advice on personnel or employment relations matters?**

ASK IF Q1 = 3-4. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q145. And can I just check, are you responsible for dealing with employment disputes in this organisation?**

ASK IF Q1 = 3. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q146 : What is your job title?**

ASK IF Q1 = 3. OPEN END

INTERVIEWER: RECORD JOB TITLE.

**Q147. Have you had previous experience of any Acas services before this case?**

ASK ALL. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q148. Which other Acas services have you used in the last 12 months (regarding this case or any other issue)?**

ASK IF Q 147 = 1. MULTI CODE. READ OUT.

1. **Used Acas for conciliating in another (different) employment dispute that could lead or had led to an Employment Tribunal**
2. **Used Acas' collective conciliation service for resolving an industrial dispute**
3. **Used an Acas mediator to help resolve a dispute between individual workers**
4. **Telephoned Acas’ Employment Rights Helpline**
5. **Attended or sent a member of staff to attend an open access training course delivered by Acas**
6. **Received a bespoke training course delivered by Acas to a group of staff at your workplace**
7. **Received an on-site joint management/employee project to improve relationships**
8. **Visited the Acas website (www.acas.org.uk)**
9. **Used Acas some other way** (SPECIFY)
10. None of the above (EXCLUSIVE CODE)
11. Don't know (DO NOT READ OUT)

**Q149. What was [[your/{claimant}’s] job title / the title of the job [you/{claimant}] were applying for, which is the title of the job related to the workplace problem that Acas assisted with?**

ASK IF Q1 = 1,2. OPEN END.

*Scripter notes: If Q22 = 1 OR 3 text fill = ‘your/{claimants} job title’. If Q22 = 2 ‘the title of the job you/{claimant} were applying for’.*

**Q150. Did [you/{claimant} have any managerial duties, or [were you/was {claimant}] supervising any other employees?**

ASK IF Q1 = 1-2 AND Q22 = 1. SINGLE CODE

1. Manager
2. Foreman/Supervisor
3. No
4. Don't know

*Scripter notes: For textill, the first part of the text will appear for claimants and the second part for claimant representatives.*

**Q151. How long had [you/{claimant}] worked for {employer} at the time of contact with Acas about the workplace problem?**

ASK IF Q1 = 1-2 AND Q22 = 1. SINGLE CODE

RECORD IN YEARS / MONTHS (IF LESS THAN 5 YEARS) / WEEKS (IF LESS THAN 1 MONTH

1. Record in years
2. Record in months
3. Record in weeks

*Scripter notes: When they select which to record in, go to a numerical box
Years limit = 1-70
Months limit = 1-60
Weeks limit = 0-3

For textfill, the first part of the text will appear for claimants and the second part for claimant representatives.*

**Q152. Was this job...**

ASK IF Q1 = 1-2 AND Q22 = 1. SINGLE CODE. READ OUT.

1. **Full-time, that is 30 or more contracted hours per week**
2. **Part-time, that is less than 30 contracted hours per week**
3. **Or did the hours depend on the availability of work or whether you were contacted by the employer?**
4. Don't know (DO NOT READ OUT)

**Q153. [Are you/Is {claimant}] currently in paid employment?**

ASK IF Q1 = 1-2 AND (Q22 = 2 OR Q23 = 2). SINGLE CODE

1. Yes
2. No
3. Don’t know
4. Refused

*Scripter notes: For textfill, the first part of the text will appear for claimants and the second part for claimant representatives.*

**Q154. Can I check, [have you/has {claimant}] had a paid job since leaving {employer}?**

ASK IF Q153 = 2. SINGLE CODE

1. Yes
2. No
3. Don’t know
4. Refused

*Scripter notes: For textfill, the first part of the text will appear for claimants and the second part for claimant representatives.*

**Q155. At the time [you were/{claimant} was] in contact with Acas [were you/was {claimant}] a member of a trade union or staff association?**

ASK IF Q1 = 1-2 AND Q22 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know
4. Refused

*Scripter notes: For textill, the first part of the text will appear for claimants and the second part for claimant representatives.*

**Personal Details**

NEW SCREEN

SHOW IF Q1 = 1.

**I would like now to ask some questions about you and your background. This helps Acas to understand more about the different types of people who use their services.**

**Q156. Have you ever made an Employment Tribunal claim, at any workplace, before this problem arose?**

**Please don’t count any past EC notifications you may have made; think purely about Employment Tribunal claims.**

ASK IF Q1 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q157. What is your ethnic group? I will read out the options; choose one option that best describes your ethnic group or background**

ASK IF Q1 = 1. SINGLE CODE. READ OUT.

1. **White**
2. **Mixed/Multiple ethnic groups**
3. **Asian/Asian British**
4. **Black/African/Caribbean/Black British**
5. **Chinese**
6. **Arab**
7. **Other ethnic group**
8. Prefer not to say (DO NOT READ OUT)

**Q158. What is your religion?**

ASK IF Q1 = 1. SINGLE CODE. CODE TO LIST.

1. No religion
2. Christian (including Church of England, Church of Scotland, Catholic, Protestant and all other Christian denominations)
3. Buddhist
4. Hindu
5. Jewish
6. Muslim
7. Sikh
8. Any other religion
9. Don't know
10. Prefer not to say.

**Q159. Do you speak English as your first language?**

ASK IF Q1 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know
4. Prefer not to say

**Q160. What is your first language?**

ASK IF Q159 = 2. OPEN END.

1. Don't know
2. Prefer not to say

**Q161. Do you have a long-term illness, health problem or disability? By long-term we mean that it can be expected to last for more than one year.**

ASK IF Q1 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know
4. Prefer not to say

**Q162. How old are you?**

ASK IF Q1=1. NUMERIC ENTRY (Min 16 | Max 100)

1. Prefer not to say

**Q163. Can you please tell us in what age group you would place yourself...**

ASK IF Q162 = REFUSED. SINGLE CODE. READ OUT.

1. **16 to 19**
2. **20 to 24**
3. **25 to 34**
4. **35 to 44**
5. **45 to 54**
6. **55 to 64**
7. **65 and over**
8. Prefer not to say (DO NOT READ OUT)

**Q164. Which of the following describes how you think of yourself?**

ASK IF Q1=1. SINGLE CODE. READ OUT.

1. **Male**
2. **Female**
3. **In another way**
4. Prefer not to say (DO NOT READ OUT)

**Q166. I will now read out a list of terms people sometimes use to describe how
they think of themselves.

As I read the list again please say ‘yes’ when you hear the option that best
describes how you think of yourself.**

ASK IF Q1 = 1. SINGLE CODE.

INTERVIEWER: **read list to end without pausing. Note that ‘Heterosexual or Straight’ is one option; ‘Gay or Lesbian’ is one option.**

1. **Heterosexual or Straight**
2. **Gay or Lesbian**
3. **Bisexual**
4. **Other**
5. Don't know (DO NOT READ OUT)
6. Prefer not to say (DO NOT READ OUT)

**Q167. INCOME : Income**

SINGLE CODE

**I would also like to know about your household’s income from all sources during the 12 months before you made your application. This includes earnings from employment or self-employment, income from benefits and pensions, and income from other sources such as interest from savings. Could you please tell me if your household income before any deductions such as income tax or National Insurance was more than £30,000?**

1. Yes
2. No
3. Nothing/no work or scheme (Spontaneous only)
4. Don’t know
5. Prefer not to say

**Q168. INCOME2 : Income2**

SINGLE CODE

**And would you say it was more than £15,000?**

1. Yes
2. No
3. Don’t know
4. Prefer not to say

**Q169. INCOME3 : Income3**

SINGLE CODE. ASK IF Q168 = 2.

**Could you please tell me which of the following categories best describes your household ANNUAL income before any deductions such as income tax or National Insurance?**

1. Under £5,000
2. £5,000 - £9,999
3. £10,000 - £12,999
4. £13,000 - £14,999
5. Don't know
6. Prefer not to say

**Q170. INCOME4 : Income4**

SINGLE CODE. ASK IF Q168 = 1.

**Could you please tell me which of the following categories best describes your household ANNUAL income before any deductions such as income tax or National Insurance?**

1. £15,000 - £17,999
2. £18,000 - £19,999
3. £20,000 - £24,999
4. £25,000 - £29,999
5. Don't know
6. Prefer not to say

**Q171. How long have you been dealing with employment tribunal claims?**

ASK IF Q1 = 2,4. SINGLE CODE

READ OUT

1. **Less than a year**
2. **1-5 years**
3. **More than 5 years**
4. **Never dealt with an employment tribunal claim before**
5. Don't know (DO NOT READ OUT)

**Q172. Which of these parties do you usually represent?**

ASK IF Q1 = 2,4. SINGLE CODE. READ OUT.

1. **The employer**
2. **The claimant**
3. **Either**
4. **Never represented either before**

**Q173. Which of the following best describes you?**

ASK IF Q1 = 2,4. SINGLE CODE. READ OUT.

1. **Solicitor, Barrister or some other kind of lawyer**
2. **Trade union / Worker representative at workplace**
3. **Citizens Advice Bureau**
4. **Neighbourhood Local Law Centre or other voluntary advice agency (not CAB**
5. **Employers’ association / Trade Association**
6. **Equal Opportunities Commission, the Commission for Racial Equality and Human Rights Commission**
7. **Friend/Neighbour/Spouse/Partner** (TO ONLY APPEAR FOR CLAIMANT REPRESENTATIVES – Q1 = 2**)**
8. **Owner / Senior Manager / General Manager** (TO ONLY APPEAR FOR EMPLOYER REPRESENTATIVES = Q1 = 4)
9. **Personnel or human resources specialist**
10. **Legal specialist in company / Company lawyer**
11. **External Consultant/Insurance company advisor**
12. **Other (specify)**
13. Don’t know (DO NOT READ OUT)
14. Prefer not to say (DO NOT READ OUT)

**Q174 : Finally can I just check, had you heard of the Acas Early Conciliation service before this dispute? The Acas Early Conciliation service started in April 2014, and takes place before an Employment Tribunal claim can be submitted.**

ASK ALL. SINGLE CODE.

1. Yes
2. No
3. Don’t know

**Q175. And have you used it previously, since it was introduced in April 2014?**

ASK IF Q174 = 1. SINGLE CODE

INTERVIEWER: IF THE RESPONDENT MENTIONS THEY HAVE USED PCC (PRE CLAIM CONCILIATION) THIS IS DIFFERENT TO EARLY CONCILIATION SO PLEASE CODE NO HERE.

1. Yes
2. No
3. Don’t know

**Q176. [Can you remember how you very first heard / How did you first hear] about the Acas early conciliation service?**

ASK IF Q174 = 1. MULTI CODE. PROMPT TO LIST.

[INTERVIEWER ONLY CODE OPTION 16 IF CAN NOT REMEMBER HOW THEY ORIGINALLY HEARD ABOUT IT]

1. Gov.uk website
2. Acas website
3. Acas publication
4. Acas e-newsletter
5. Acas helpline
6. My own organisation/HR department (TO ONLY APPEAR FOR EMPLOYERS AND CLAIMANTS)
7. Trade union
8. Citizens' advice bureau
9. Legal representative (such as solicitor, or lawyer) (TO ONLY APPEAR FOR EMPLOYERS AND CLAIMANTS)
10. Newspaper/press
11. Trade publication
12. Social Media
13. A friend or colleague
14. Professional body/membership organisation specific to my industry
15. Peninsula (TO ONLY APPEAR FOR EMPLOYERS AND EMPLOYER REPRESENTATIVES)
16. Had taken part in it / been offered it previously by Acas (in a different employment dispute)
17. Other (specify)
18. Don’t know (EXCLUSIVE CODE)

Scripter notes: Scripter notes: First part of the text fill will appear if Q175= 1. For everyone else the second part will appear.
The interviewer note will only appear if Q175 = 1.

THANK AND CLOSE:

**Thank you for your help and assistance in completing this survey. As I mentioned earlier everything that you have said will be treated in the strictest confidence, and no organisations or individuals will be identifiable in the results of the survey.**

**EVALUATION OF ACAS POST-ET1 CONCILIATION 2019**

**QUESTIONNAIRE**

**Introduction**

**Q1. Respondent type – derived from sample**

CODE ALL - Dummy. SINGLE CODE

1. Claimant
2. Claimant Rep
3. Employer
4. Employer Rep

**Claimant introduction**

**Q2.**

**Good morning/afternoon/evening, my name is < > calling on behalf of Ipsos MORI. May I speak to {claimant}?**

IF ASKED WHY / NOT AVAILABLE – CALL BACK UNTIL GET THROUGH TO THE RIGHT PERSON. DO NOT TELL ANYONE OTHER THAN THE RESPONDENT THE REASON FOR THE CALL AND DO NOT MENTION ACAS. IF ASKED MENTION THE SURVEY IN GENERAL TERMS – THAT WE ARE CALLING ABOUT A GOVERNMENT SPONSORED SURVEY.

WHEN SPEAKING TO THE NAMED RESPONDENT
**We are conducting some important research on behalf of Acas. You should have received a letter about this recently. The survey is about your experience of a recent employment tribunal application, and in particular your experiences and views of any assistance that Acas may have provided in this recent dispute.**

**Please could you spare some time to answer the survey questions now? I just want to clarify that participation in the survey is voluntary and you can change your mind at any time. You will be asked some personal information, such as about your employment issue, but you can choose not to answer these questions if you prefer.  Again, I’d like to remind you that the survey data is only looked at on an overall level so all details are confidential.**
IF NECESSARY: **The survey should take about 15 minutes to complete depending on your answers**

ASK IF Q1 = 1. SINGLE CODE.

1. Yes – proceed
2. No - thank and close

**Q3. Before we start, can I confirm that you submitted an Employment Tribunal Application against {employer}?**SINGLE CODE. ASK IF Q1=1.

CHECK EMPLOYER ORGANISATION IS TRADING UNDER THE SAME NAME. IF NAME IS INCORRECT TERMINATE THE INTERVIEW. HOWEVER IF NAME HAS CHANGED BUT IS CLEARLY THE SAME ORGANISATION CODE 2 TO MODIFY THE EMPLOYER NAME

1. Yes – proceed
2. Yes - but modify employer name
3. No - thank and close

Scripter notes: IF =2 ALLOW INTERVIEWER TO MODIFY NAME. USE MODIFIED NAME IN ALL SUBSEQUENT {employer} TEXTFILLS.

**Employer introduction**

**Q4. Good morning/good afternoon, may I speak with {employer contact name}?**
IF NECESSARY: **I work for an independent social research company called Ipsos MORI and we are conducting research on behalf of Acas to evaluate the assistance they offer employers.**IF NAMED CONTACT IS NOT AVAILABLE THEN ARRANGE TO CALL BACK.

IF NAMED CONTACT HAS LEFT THE COMPANY / NOT KNOWN: **May I please speak to the person who has overall responsibility for matters related to employment tribunals or employment issues in the organisation?**ORGANISATION NAME IS {employer}
 \*\*\*\*\*
WHEN THROUGH TO CORRECT PERSON
**My name is <> and I work for an independent social research company called Ipsos MORI and we are conducting research on behalf of Acas to evaluate the assistance they offer employers. We would like to speak to you about a recent employment tribunal case.**

**Please could you spare some time to answer the survey questions now? I just want to clarify that participation in the survey is voluntary and you can change your mind at any time. You will be asked some personal information, such as about the employment issue, but you can choose not to answer these questions if you prefer.  Again, I’d like to remind you that the survey data is only looked at on an overall level so all details are confidential.**
IF NECESSARY: **The survey should take around 15 minutes depending on your answers. We recently sent a letter to your organisation about the survey.**ASK IF Q1 = 3. SINGLE CODE

DETAILS OF THE CASE WILL BE CONFIRMED ON THE NEXT SCREENS.

1. Yes – proceed
2. No - thank and close

**Q5. Before we start the main interview I just need to confirm a few details. Can I just confirm the organisation’s name is {employer}?**

ASK IF Q1 = 3. SINGLE CODE

CHECK EMPLOYER ORGANISATION IS TRADING UNDER THE SAME NAME. IF NAME IS INCORRECT TERMINATE THE INTERVIEW. HOWEVER IF NAME HAS CHANGED BUT IS CLEARLY THE SAME ORGANISATION CODE 2 TO MODIFY THE EMPLOYER NAME

1. Yes – proceed
2. Yes - but modify employer name
3. No - thank and close

Scripter notes: IF =2 ALLOW INTERVIEWER TO MODIFY NAME. USE MODIFIED NAME IN ALL SUBSEQUENT {employer} TEXTFILLS.

**Q6. Can I confirm that {claimant} submitted an Employment Tribunal Application against {employer}?**ASK IF Q1 = 3. SINGLE CODE

CONFIRM CLAIMANT NAME AND THAT THEY SUBMITTED AN EMPLOYMENT TRIBUNAL APPLICATION AGAINST {EMPLOYER}.

IF NECESSARY: This will probably have been in the last 6 months to a year.

IF NAME IS INCORRECT BUT IS CLEARLY THE SAME PERSON (E.G. SPELLING MISTAKE) CODE 2 TO MODIFY THE NAME. HOWEVER, IF NAME IS SIMPLY INCORRECT, TERMINATE THE INTERVIEW. DO NOT USE CODE 2 TO SHIFT TO A COMPLETELY DIFFERENT PERSON/TRIBUNAL CASE!

1. Yes – proceed
2. Yes - but modify claimant's name
3. No - thank and close

Scripter notes: IF =2 ALLOW INTERVIEWER TO MODIFY NAME. USE MODIFIED NAME IN ALL SUBSEQUENT {claimant} TEXTFILLS.

**Q7. Were you responsible for dealing with this particular employment dispute?**

ASK IF Q1 = 3. SINGLE CODE

1. Yes - solely responsible
2. Was responsible alongside someone else
3. Was NOT responsible for dealing with this particular case

**Q8. Can I just check is there another person in this organisation who had more details of this particular case that we should be talking to?**

ASK IF Q7 = 2,3. SINGLE CODE

IF YES ASK TO SPEAK TO THAT PERSON

1. Yes - should be speaking to someone else
2. No - continue speaking to respondent

Scripter notes: IF =1 ROUTE BACK TO Q4

**Representative introduction**

**Q9. Good morning/afternoon/evening, my name is < > calling on behalf of Ipsos MORI. May I speak to {representative}?**
IF ASKED WHY / NOT AVAILABLE – CALL BACK UNTIL GET THROUGH TO THE RIGHT PERSON. DO NOT TELL ANYONE OTHER THAN THE RESPONDENT THE REASON FOR THE CALL AND DO NOT MENTION ACAS. IF ASKED MENTION THE SURVEY IN GENERAL TERMS – THAT WE ARE CALLING ABOUT A GOVERNMENT SPONSORED SURVEY.

WHEN SPEAKING TO THE NAMED RESPONDENT
**We are conducting some important research on behalf of Acas to evaluate the assistance they offer in employment tribunal cases. You should have received a letter about this recently. We would like to speak to you about the recent case when you acted on behalf of {client name} to find out your experiences and views of any assistance Acas may have provided in this recent employment tribunal case.**

**Please could you spare some time to answer the survey questions now? I just want to clarify that participation in the survey is voluntary and you can change your mind at any time. You will be asked some personal information, such as about the employment issue, but you can choose not to answer these questions if you prefer.  Again, I’d like to remind you that the survey data is only looked at on an overall level so all details are confidential.**

IF NECESSARY: **The survey should take about 15 minutes to complete depending on your answers**

ASK IF Q1 = 2,4. SINGLE CODE.

1. Yes – proceed
2. No - thank and close

**Q10. Before we start, can I just confirm that you acted on behalf of [{claimant}/ {employer}] during a recent employment tribunal claim with [{employer}/ {claimant}]?**
IF EITHER DETAILS ARE INCORRECT ASCERTAIN CORRECT DETAILS.
IF CAN BE SURE THAT THIS IS THE SAME CASE – RECORD NEW NAME(S) IF IT APPEARS THAT THIS IS NOT THE SAME (I.E. THE NAMES ARE TOO DISSIMILAR – END INTERVIEW AT THIS POINT)

ASK IF Q1 = 2,4. SINGLE CODE.

1. Yes, both names correct
2. Yes, but claimant's name incorrect
3. Yes, but employer's name incorrect
4. Yes, but both names incorrect
5. No - thank and close

Scripter notes: IF Q1=2 INSERT ONLY {claimant} INTO FIRST TEXTFILL BRACKETS, AND INSERT ONLY {employer} INTO SECOND TEXTFILL BRACKETS
IF Q1=4 INSERT ONLY {employer} INTO FIRST TEXTFILL BRACKETS, AND INSERT ONLY {claimant} INTO SECOND TEXTFILL BRACKETS
IF Q10=2,3,4 ALLOW INTERVIEWER TO MODIFY NAME(S). USE MODIFIED NAME(S) IN ALL SUBSEQUENT {claimant} AND/OR {employer} TEXTFILLS

**Q11. And also can I check at what point in the Employment Tribunal process were you appointed as {claimant}’s representative? Was it…**IF NECESSARY: THE ET1 FORM IS THE EMPLOYMENT TRIBUNAL APPLICATION FORM

ASK IF Q1 = 2. SINGLE CODE. READ OUT.

1. **Before the ET claim was submitted**
2. **At the point of submitting the ET claim**
3. **After the ET claim had already been submitted**
4. Don’t know (DO NOT READ OUT) (Position Fixed)

**Q12. And also can I check at what point in the Employment Tribunal process were you appointed as {employer}’s representative? Was it…**IF NECESSARY EXPLAIN THAT: THE ET3 FORM IS THE NOTICE OF APPEARANCE FORM, WHICH THE EMPLOYER OR THEIR REPRESENTATIVE IS REQUIRED TO COMPLETE WHEN AN EMPLOYMENT TRIBUNAL CLAIM HAS BEEN MADE AGAINST THEM

ASK IF Q1 = 4. SINGLE CODE. READ OUT.

1. **Before the ET claim was submitted**
2. **After the ET claim was submitted; at the point of the ET3 response**
3. **After the employer had already made the ET3 response**
4. Don’t know (Position Fixed)

NEW SCREEN

READ OUT TO ALL.

**Thank you for agreeing to participate in this study. Before we begin, I'd like to inform you that Ipsos MORI is a member of the Market Research Society. All information that you give us will be treated in the strictest confidence and your identity will not be passed on to a third party or connected to your answers in any way.**

**This survey is being carried out on behalf of Acas, the Advisory, Conciliation and Arbitration Service.**

IF NECESSARY: **If you would like to read the Privacy Notice - You can access the privacy policy at LINK or if you can let me know your e-mail address I can make sure that this will be sent to you within a week.**

**(This explains the purposes for processing your personal data as well as your rights under data protection regulations to access your personal data, withdraw consent, object to processing of your personal data and other required information.)**

SEND PRIVACY NOTICE IF NECESSARY.

**Establishing outcome**

**Q13.** Sample outcome

DUMMY – DERIVED FROM SAMPLE FOR ALL. SINGLE CODE

1. Settled
2. Withdrawn
3. Hearing
4. Struck out
5. Default judgment

NEW SCREEN

READ OUT IF Q1 = 1-2.

**For the interview today, I want you to think about what happened after the Employment Tribunal claim was submitted. This will be everything that happened after [you/your or the claimant] submitted the Employment Tribunal application form (also known as an ‘ET1’ form).
First of all I want to ask you about how the Employment Tribunal claim was resolved.**

Scripter notes: If Q1 =1 text fill will read ‘you’. If Q1 = 2, text fill will read ‘you or the claimant’

NEW SCREEN

READ OUT IF Q1 = 3,4.

**For the interview today I want you to think about what happened after the Employment Tribunal claim was submitted. This is everything that happened after {employee} submitted the ET1 form and the organisation submitted the response form (also known as the ‘ET3’ form).**

**First of all I want to ask you about how the Employment Tribunal claim was resolved.**

**Q14. Our records show that the case went to a full tribunal hearing. Is this correct?**

ASK IF Q13 = 3.

SINGLE CODE

1. Yes
2. No

**Q15. And was the hearing decided in [your]/[the organisation’s] favour or {employer}/{claimant}’s favour?**

ASK IF Q14 = 1. SINGLE CODE. CODE TO LIST.

1. Decided in favour of {claimant}
2. Decided in favour of {employer}
3. SPONTANEOUS ONLY: Dismissed

Scripter notes: IF Q1=1,2 USE TEXTFILLS [your] AND {employer}
IF Q1=3,4 USE TEXTFILLS [the organisation] AND {claimant}

**Q16. Our records show that you SETTLED formally with {employer}/{claimant} through Acas for a sum of money or something else, such as a reference, or an offer or employment, rather than the case being decided at a full tribunal hearing. Is this correct?**
INTERVIEWER NOTE: IN SOME CASES THE SETTLEMENT MAY TAKE PLACE ON THE DAY OF THE HEARING BEFORE THE HEARING OFFICIALLY TAKES PLACE. IF THIS IS THE CASE, CODE 1.

IF NECESSARY: THE TERMS OF THIS SETTLEMENT WILL HAVE BEEN FORMALLY RECORDED ON AN ACAS FORM CALLED A ‘COT3’

ASK IF Q13 = 1. SINGLE CODE

1. Yes
2. No

*Scripter notes: IF Q1=1,2 USE TEXTFILL {employer}
IF Q1=3,4 USE TEXTFILL {claimant}*

**Q17. Did [you/or the claimant] decide to withdraw or drop the case at some point rather than go to a full tribunal hearing? By this I mean that [you/you or the claimant] withdrew the case without receiving any money or anything else such as a reference?**
INTERVIEWER: IF YES, PROBE TO CHECK THAT THE RESPONDENT DID NOT RECEIVE ANY MONEY, A REFERENCE OR ANYTHING ELSE FROM THE EMPLOYER IN RETURN FOR WITHDRAWING THE CASE. IF ANYTHING RECEIVED THEN CODE NO.

ASK IF Q1 = 1,2 AND Q13 = 2. SINGLE CODE

1. Yes
2. No

*Scripter notes: If Q1 =1 text fill will read ‘you’. If Q1 = 2, text fill will read ‘you or the claimant’*

**Q18. Did [you/your or claimant] SETTLE with {employer} for a sum of money or something else, such as a reference, or an offer of employment, rather than your case being decided at a full tribunal hearing?**INTERVIEWER: IF YES, PROBE TO CHECK THAT SOMETHING WAS RECEIVED. IF NOT, CODE NO.

ASK IF Q17 = 2. SINGLE CODE.

1. Yes
2. No

*Scripter notes: If Q1 =1 text fill will read ‘you’. If Q1 = 2, text fill will read ‘you or the claimant’*

**Q19. Did [you/your or the organisation SETTLE with {claimant} for a sum of money or something else, such as a reference, or an offer of employment, rather than the case being decided at a full tribunal hearing?**INTERVIEWER: IF YES, PROBE TO CHECK THAT SOMETHING WAS RECEIVED. IF NOT, CODE NO.

ASK IF Q1 = 3,4 AND Q13 = 2. SINGLE CODE

1. Yes
2. No

*Scripter notes: If Q1 =3 text fill will read ‘you’. If Q1 = 4, text fill will read ‘you or the organisation’*

**Q20. Did {claimant} decide to withdraw or drop the case at some point rather than go to a full tribunal hearing? By this I mean that {claimant} withdrew the case without receiving any money or anything else such as a reference?**
INTERVIEWER: IF YES, PROBE TO CHECK THAT THE CLAIMANT DID NOT RECEIVE ANY MONEY, A REFERENCE OR ANYTHING ELSE FROM THE EMPLOYER IN RETURN FOR WITHDRAWING THE CASE. IF ANYTHING RECEIVED THEN CODE NO.

ASK IF Q19 = 2. SINGLE CODE.

1. Yes
2. No

**Q21. Our records show that a default judgment in [your favour]/[favour of {claimant}] was applied to [your]/[the] case. Is this correct?** IF NECESSARY EXPLAIN THAT A DEFAULT JUDGEMENT IS GENERALLY WHERE THE EMPLOYER FAILS TO RESPOND TO THE EMPLOYMENT TRIBUNAL SERVICE ABOUT THE CLAIM OR DOES NOT OBJECT TO THE CLAIM, AND THEREFORE THE CLAIM IS AWARDED IN THE EMPLOYEE’S FAVOUR.

ASK IF Q13 = 5. SINGLE CODE.

1. Yes
2. No

*Scripter notes: IF Q1=1 USE TEXTFILLS [your favour] AND [your]
IF Q1=2,3,4 USE TEXTFILLS [in favour of {claimant}] AND [the]*

**Q22. Our records show that the case was struck out by the tribunal. Is that correct?**IF NECESSARY EXPLAIN THAT THIS IS WHEN A CASE IS NOT ACCEPTED OR THROWN OUT BY THE TRIBUNAL. THIS CAN BE FOR A RANGE OF REASONS INCLUDING THAT THE TRIBUNAL RULES HAD NOT BEEN FOLLOWED, IT WAS NOT POSSIBLE TO HAVE A FAIR HEARING OR THAT THE CASE WAS NOT ACTIVELY PURSUED

ASK IF Q13 = 4. SINGLE CODE

1. Yes
2. No

**Q23. I’m going to read out the different ways in which Employment Tribunal applications can be resolved. Please tell me which best describes what happened in this case.**

ASK IF Q14 = 2 OR Q16 = 2 OR Q18 = 2 OR Q20 =2 OR Q21 = 2 OR Q22 = 2

SINGLE CODE. READ OUT.

INTERVIEWER NOTE: ALLOW RESPONDENT TIME TO RESPOND TO EACH OPTION BEFORE READING NEXT ONE

1. **[You/You or the claimant/You or the organisation] SETTLED with {employer}/{claimant} through ACAS for a sum of money or something else, such as a reference, or an offer of employment, rather than your case being decided at a full tribunal hearing (COT3 Settlement)**
2. **[You/You or the claimant/You or the organisation] SETTLED with {employer}/{claimant} outside of ACAS for a sum of money or something else, such as a reference, or an offer of employment, rather than your case being decided at a full tribunal hearing (private Settlement)**
3. **[You]/{claimant} decided to withdraw or drop the case at some point rather than go to a full tribunal hearing. By this I mean that [you]/{claimant} withdrew the case without receiving any money or anything else such as a reference**
4. **The case went to a full tribunal hearing and was decided in your favour**
5. **The case went to a full tribunal hearing and was decided in favour of {employer}/{claimant}**
6. **The case was ‘struck out’ by the Employment Judge**
7. **The Employment Judge issued a ‘default judgement’**
8. None of the above

*Scripter notes: IF Q1=1 USE TEXTFILL [You], {employer} IN ANSWERS 1,2, [you] IN ANSWER 3, and {employer} IN ANSWER 5.*

*IF Q1=2 USE TEXTFILL [You or the claimant], {employer} IN ANSWERS 1,2, [{claimant}] IN ANSWER 3, and {employer} IN ANSWER 5.
IF Q1=3 USE TEXTFILL [You], {claimant} IN ANSWERS 1,2, [{employer}] IN ANSWER 3, and {claimant} IN ANSWER 5.*

*IF Q1=4 USE TEXTFILL [You or the organisation], {claimant} IN ANSWERS 1,2, [{claimant}] IN ANSWER 3, and {claimant} IN ANSWER 5.*

**Q24. Can I check, did the case go to a full tribunal hearing?**

ASK IF Q23 = 8. SINGLE CODE

1. Yes
2. No

**Q25. Please could you describe how the case was resolved?**

ASK IF Q23 = 8. OPEN END.

**Q26. Outcome of Tribunal**

CODE ALL. DUMMY. SINGLE CODE

1. Settled
2. Withdrawn
3. Hearing
4. Struck out
5. Default judgment
6. Private settlement
7. Other

Scripter notes:

1 if Q16=1 or Q23=1
2 if Q17=1 or Q20=1 or Q23=3
3 if Q14=1 or Q23=4,5 or Q24=1
4 if Q22=1 or Q23=6
5 if Q21=1 or Q23=7
6 if Q18=1 or Q19=1 or Q23=2
7 if Q23=8 and Q24=2

**Establishing the dispute**

**Q28. We would like to ask a few questions around the background to the dispute, please think back to before [you/{claimant}] originally submitted [your/their] Early Conciliation notification form.**CLAIMANT: **First of all I would like to ask you about the job related to the problem you had.**
EMPLOYER: **So first of all, I would like to ask you a few questions about {claimant}.**
REPRESENTATIVE (ANY**): So first of all, I would like to ask you a few questions about the job related to the dispute.**CLAIMANT: **Can I check, did you work for {employer} or were you applying for a job with them?**EMPLOYER or REPRESENTATIVE (ANY): **Can I check, did {claimant} work for {employer} or was he/she applying for a job with {employer}?**

ASK ALL. SINGLE CODE

1. Worked for them
2. Job applicant
3. Don’t know (Position Fixed)

*Scripter notes: USE APPROPRIATE TEXTFILLS BASED ON Q1.*

*FOR FIRST PARAGRAPH, IF Q1=1 TEXT FILLS = [you] AND [your].*

*IF Q1 = 2,3,4 TEXT FILLS = [{claimant}] AND [‘their’].*

**Q29. And [do you]/[does {claimant}] work for {employer} now?**

ASK IF Q28 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know (Position Fixed)

*Scripter notes: IF Q1=1 USE TEXTFILL [do you]
IF Q1=2,3,4 USE TEXTFILL [does {claimant}]*

**Q30. How did [your]/[{claimant}'s] employment with {employer} come to end?**INTERVIEWER IF NECESSARY: **Were [you]/[they] dismissed or made redundant, did [you]/[they] resign or leave without resigning, or did [you]/[they] leave for some other reason?**

ASK IF Q29 = 2. SINGLE CODE

1. Dismissed
2. Made redundant / 'laid off'
3. Resigned
4. Left of own accord (without resigning)
5. Retired
6. Some other reason
7. Don’t know
8. No answer

*Scripter notes: IF Q1=1 USE TEXTFILLS [your] AND [you]
IF Q1=2,3,4 USE TEXTFILLS [{claimant}'s] AND [they]*

**Q34. Can you sum up in a few words the nature of the dispute or issue that [you]/{claimant} had with {employer}. I only need a brief summary; how would you sum it up in one sentence?**

ASK ALL. OPEN END.

*Scripter notes: IF Q1=1 USE TEXTFILL [you]
IF Q1=2,3,4 USE TEXTFILL {claimant}*

**Q35. Anybody who wants to submit an Employment Tribunal claim must first notify Acas of their intention to do so and will be offered the chance to use ‘Early Conciliation’ to try to resolve the dispute before an ET claim is submitted. If they agree, Acas will extend the offer to their employer. Thinking back to before the Employment Tribunal application was submitted on [ET1 date], did [you/{claimant}/ you or {claimant}/{employer}/you or {employer}] agree to take part in Acas Early Conciliation?**

INTERVIEWER NOTE: IF THE RESPONDENTS SAYS NO, PLEASE PROMPT FOR WHETHER THEY DIDN’T TAKE PART BECAUSE THEY WERE OFFERED EC AND TURNED IT DOWN (CODE 2), OR BECAUSE THEY WERE NEVER OFFERED IT (CODE 3).]

ASK ALL. SINGLE CODE

1. Yes - I agreed to take part in EC
2. No - I did not agree to take part in EC
3. No - EC was not offered to me (TO APPEAR FOR EMPLOYER AND EMPLOYER REP ONLY – Q1 = 2,4)
4. Don’t know (Position Fixed)

*Scripter notes: CODE DATE OF EC NOTIFICATION FROM SAMPLE INFO
TEXTFILL FOR QUESTION TEXT:
IF Q1=1, 3 USE TEXTFILL [you]*

*IF Q1=2 AND (Q11= 2 or 3 or DK) USE TEXTFILL [{claimant}]*

*IF Q1=2 AND Q11=1 USE TEXTFILL [you or {claimant}]
IF Q1=4 AND (Q12 = 2 or 3 or DK) USE TEXTFILL {employer}*

*IF Q1=4 AND Q12 = 1 USE TEXTFILL [you or {employer}*

TEXTFILL FOR IF NECESSARY INSTRUCTION: THIS IS ONLY TO APPEAR WHERE Q1=3 OR 4

**Q36. And did Early Conciliation take place?**

ASK IF Q35 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know (Position Fixed)

**Q37. And why did [you/ {claimant}] decide not to take part in Early Conciliation to try and resolve the matter at this earlier point in time?**

ASK IF Q1 = 1,2 AND Q35 = 2. MULTI CODE. CODE TO LIST.

1. [I / {claimant}] was not willing to negotiate
2. [I / {claimant}] felt that conciliation would not resolve the issue / would be a waste of time
3. When [I / {claimant}] spoke to Acas [I / {claimant}] decided that they didn’t want to take [my/their] case any further, but [i/they] have since changed their mind.
4. [I / {claimant}] Felt that the process wouldn’t be impartial / Acas would be on the side of {employer}
5. I knew that {employer} would not be willing to engage
6. When I spoke to Acas there was not enough time to take part in conciliation
7. Other (SPECIFY)
8. Don’t know (EXCLUSIVE CODE)

*Scripter notes: IF Q1=1 USE TEXTFILLS [you] AND [I]
IF Q1=2 USE TEXTFILL {claimant} AND [they]*

**Q38. And why did [you/ {employer} decide not to take part in Early Conciliation to try and resolve the matter at this earlier point in time?**

ASK IF Q1 =3,4 and Q35=2. CODE TO LIST. MULTICODE.

1. [I / {employer}] was not willing to negotiate
2. [I / {employer}] felt that conciliation would not resolve the issue / would be a waste of time
3. The issue was resolved by the time Acas assistance was offered
4. [I / {employer}] felt that the process wouldn’t be impartial / Acas would be on the side of {claimant}
5. Wanted to see if {claimant} was serious about going to an employment tribunal
6. [I / {employer}] felt we had no case to answer to
7. Other (SPECIFY)
8. Don’t know (EXCLUSIVE CODE)

*Scripter notes: IF Q1=3 USE TEXTFILLS [you] AND [I]
IF Q1=4 USE TEXTFILL {employer}*

**Q39. What was the reason for not reaching a settlement at this earlier point in time?**

ASK IF Q1 = 1,2 AND Q36 = 1. MULTI CODE. CODE TO LIST.

1. {employer} did not wish to take part in the conciliation / was not interested in it
2. {employer} offered a settlement but [I/{claimant} was not willing to accept it
3. [I/{claimant}] wanted money and {employer} was not willing to pay
4. {employer} was not willing to talk further to [me/{claimant}]
5. {employer} felt they had no case to answer to
6. {employer} did not think that [I/{claimant}] was serious about taking the case to an Employment Tribunal
7. Other (SPECIFY)
8. Don’t know (EXCLUSIVE CODE)

*Scripter notes: If q1=1 'I' and 'me'. If q1=2, '{claimant}'.*

**Q40. What was the reason for not reaching a settlement at this earlier point in time?**

ASK IF Q1 = 3,4 AND Q36 = 1. MULTI CODE. CODE TO LIST.

1. We did not wish to take part in the conciliation / were not interested in talking
2. We offered a settlement but the claimant was not willing to accept it
3. {claimant} wanted money and we were not willing to pay
4. We were not willing to talk further to {claimant}
5. We felt we had no case to answer to
6. We did not think that {claimant} was serious about taking the case to an Employment Tribunal
7. Other (SPECIFY)
8. Don’t know (EXCLUSIVE CODE)

**Acas Involvement**

**Q47. I would like now to ask you about the involvement of Acas during the Employment Tribunal case, this is after the ET claim was submitted.

Did {you/ you or {claimant}/ you or {employer}] receive a letter from the Acas conciliator explaining that they would be contacting you to try to settle the matter through conciliation?**ASK ALL. SINGLE CODE.
IF NECESSARY EXPLAIN THAT:
THE SUBMISSION OF THE ET CLAIM IS AFTER THE {ET1/ET3} IS SUBMITTED.

THE ET1 FORM IS THE EMPLOYMENT TRIBUNAL APPLICATION FORM

THE ET3 FORM IS THE NOTICE OF APPEARANCE FORM, WHICH THE EMPLOYER OR THEIR REPRESENTATIVE IS REQUIRED TO COMPLETE WHEN AN EMPLOYMENT TRINBUAL CLAIM HAS BEEN MADE AGAINST THEM

IF NECESSARY: **Please do not think about any Acas involvement you may have received prior to the ET claim being submitted. This would be after [ET1 Date]**

1. Yes
2. No
3. Don’t know (Position Fixed)

Scripter notes:

Textfill in second para:

(If Q1=1 or 3 [‘you’]

Q1=2 [‘you or {claimant}’]

Q1=4 [‘you or {employer}’])

*Text fill in if necessary instruction:
Q1 = 1 or 2: first textfill: [ET1]
second textfill: [THE ET1 FORM IS THE EMPLOYMENT TRIBUNAL APPLICATION FORM*

*Q1 = 3 or 4: first textfill: [ET3]
second textfill: [THE ET3 FORM IS THE NOTICE OF APPEARANCE FORM, WHICH THE EMPLOYER OR THEIR REPRESENTATIVE IS REQUIRED TO COMPLETE WHEN AN EMPLOYMENT TRINBUAL CLAIM HAS BEEN MADE AGAINST THEM]*

**Q48. Still thinking about AFTER the ET claim was submitted, who made the first contact between you and Acas?**

ASK ALL. SINGLE CODE. CODE TO LIST.

1. Acas conciliator made the first contact
2. I made the first contact
3. Contact was never made
4. Don’t know (Position Fixed)

**Q49. How soon after receiving the letter was this?**

ASK IF Q47 = 1 AND Q48 = 1. SINGLE CODE. READ OUT.

1. **Within two working days**
2. **Within one week but more than two working days**
3. **A week or more after receiving the letter**
4. Don’t know (DO NOT READ OUT) (Position Fixed)

**Q50. Even though no contact was established with Acas, were any attempts made either by yourself or someone at Acas?**

ASK IF Q48 = 3. SINGLE CODE. CODE TO LIST.

1. Yes – Acas tried to contact me
2. Yes – I tried to contact Acas
3. Yes – both
4. No – nobody made an attempt to establish contact

**Q51. Did [you/you or the claimant/you or the organisation] take part in Conciliation at this point?**IF NECESSARY REMIND RESPONDENT THIS IS ANY HELP OR ASSISTANCE FROM ACAS AFTER THEY HAVE SUBMITTED THE [ET1/ET3] FORM. THEY MAY HAVE HAD HELP MUCH EARLIER DURING THE PROCESS PRIOR TO THIS (AT EARLY CONCILIATION)

ASK IF Q48 = NOT 3. SINGLE CODE.

1. Yes
2. No
3. Don’t know

*Scripter notes:*

*FIRST TEXTFILL: If Q1=1, 3 TEXTFILL = [‘you’]. IF Q1=2, TEXTFILL = [‘you or the claimant’], IF Q1=4, TEXTFILL = ‘[you or the organisation’]*

*SECOND TEXTFILL IN IF NECESSARY PARAGRAPH, IF Q1=1,2 TEXTFILL = [‘ET1’]
IF Q1=3,4 [‘ET3’]*

**Q52. And why did [you/you or the claimant/you or the organisation] not take part in Conciliation?**

IF NECESSARY REMIND RESPONDENT THIS IS ANY HELP OR ASSISTANCE FROM ACAS AFTER THEY HAVE SUBMITTED THE [ET1/ET3] FORM. THEY MAY HAVE HAD HELP MUCH EARLIER DURING THE PROCESS PRIOR TO THIS (AT EARLY CONCILIATION)

ASK IF Q51 = 2. MULTI CODE. CODE TO LIST.

1. {I was/We were} not willing to negotiate
2. Other side were not willing to negotiate
3. I felt that conciliation would not resolve the issue / would be a waste of time
4. When [I / {claimant}] spoke to Acas [I / {claimant}] felt [I/they] did not have a case [CLAIMANT SIDE ONLY]
5. When [I / {claimant}] spoke to Acas [I / {claimant}] decided that they didn’t want to take [my/their] case any further [CLAIMANT SIDE ONLY]
6. The issue was resolved by the time Acas assistance was offered
7. I Felt that the process wouldn’t be impartial / Acas would be on the side of [employer/claimant]
8. I knew that {employer} would not be willing to engage (TO APPEAR FOR CLAIMANTS / CLAIMANT REPS ONLY)
9. [I / {employer}] felt we had no case to answer to [EMPLOYER SIDE ONLY]
10. I had already previously taken part in Acas Early Conciliation and felt that all the issues had already been exhausted– there was nothing more to be achieved
11. Had previously taken part in Acas conciliation and had a negative experience
12. Other (specify)
13. Don't know (EXCLUSIVE CODE)

*Scripter notes:*

* *TEXTFILL FOR QUESTION TEXT: If Q1=1, 3 TEXTFILL = [‘you’]. IF Q1=2, TEXTFILL = [‘you or the claimant’], IF Q1=4, TEXTFILL = ‘[you or the organisation’]*
* *TEXTFILL FOR ANSWER 1: IF Q1 = 1 [I was] OF Q1=2,3,4 [We were].*
* *TEXTFILL FOR ANSWERS 4 AND 5: IF Q1=1 USE FIRST TEXTFILL IN EACH PAIR; IF Q1=2 USE SECOND TEXTFILL IN EACH PAIR*
* *TEXTFILL FOR ANSWER 7: IF Q1=1,2 [employer]; IF Q1=3,4 [claimant]*

**Q53. And why did your previous experience of Acas conciliation affect your decision to not take part in further Acas conciliation?**

ASK IF Q52 = 13. OPEN END.

**Q54. And after you put in your application, did anyone help you with the day-to-day handling of the case? Please do not include any assistance you may have received from Acas.**

PROMPT IF NECESSARY: **This may have been the person who was nominated on the application form. They may have helped with things like handling paperwork, answering letters, dealing with the Employment Tribunal Service, dealing with {employer} and so on**

ASK IF Q1 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q55. And thinking about after {employee} put in his/her Employment Tribunal application, did anyone help you with the day-to-day handling of the case? Please do not include any assistance you may have received from Acas.**PROMPT IF NECESSARY: **This may have been the person nominated on the response form. They may have helped with things like handling paperwork, answering letters, dealing with the Employment Tribunal Service, dealing with {employee} and so on**

ASK IF Q1 = 3. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q56. You mentioned earlier that the case went to an Employment Tribunal hearing. Why was it that the case was not settled by Acas and proceeded all the way to a hearing?**

ASK IF Q1 = 1 AND Q26 = 3. MULTI CODE. CODE TO LIST.

1. Acas did not contact me to talk about settling
2. I talked to Acas about settling but I did not hear from them further
3. I was not willing to negotiate - I wanted my case to be heard by the tribunal
4. I was not willing to negotiate - my case was too strong to compromise
5. Employer was not willing to negotiate
6. Employer made an offer of settlement which was less than I would accept
7. Negotiations were in progress, but we were unable to reach agreement before the hearing
8. Other (specify)
9. Don’t know

**Q57. You mentioned earlier that the case went to an Employment Tribunal hearing. Why was it that the case was not settled by Acas and proceeded all the way to a hearing?**

ASK IF Q1 = 3 AND Q26 = 3. MULTI CODE. CODE TO LIST

1. Acas did not contact us to talk about settling
2. We talked to Acas about settling but we did not hear from them further
3. We were not willing to negotiate–We never settle employment tribunal claims
4. We were not willing to negotiate– We believed that we had done nothing wrong
5. The claimant was not willing to negotiate
6. We offered a settlement, but the claimant was not willing to accept
7. Negotiations were in progress, but we were unable to reach agreement before the hearing
8. Our financial position precluded any offer acceptable to the claimant
9. Our insurers were not prepared to settle the claim
10. Other (specify)
11. Don’t know

**Q58. You mentioned earlier that the case went to an Employment Tribunal hearing. Why was it that the case was not settled by Acas and proceeded all the way to a hearing?**

ASK IF Q1 = 2 AND Q26 = 3. MULTI CODE. CODE TO LIST.

1. Acas did not contact me to talk about settling
2. I talked to Acas about settling but I did not hear from them further
3. The claimant was not willing to negotiate–they wanted the case to be heard by the tribunal
4. The claimant was not willing to negotiate–they believed that the case was too strong to compromise
5. Employer was not willing to negotiate
6. Employer made an offer of settlement which was less than the claimant would accept
7. Negotiations were in progress, but we were unable to reach agreement before the hearing
8. I advised the claimant to settle, but they were not prepared to do so
9. Other (specify)
10. Don’t know

**Q59. You mentioned earlier that the case went to an Employment Tribunal hearing. Why was it that the case was not settled by Acas and proceeded all the way to a hearing?**

ASK IF Q1 = 4 AND Q26 = 3. MULTI CODE. CODE TO LIST.

1. Acas did not contact me to talk about settling
2. I talked to Acas about settling but I did not hear from them further
3. The claimant was not willing to negotiate–they wanted the case to be heard by the tribunal
4. The claimant was not willing to negotiate–they believed that the case was too strong to compromise
5. Employer was not willing to negotiate
6. Employer made an offer of settlement which was less than the claimant would accept
7. Negotiations were in progress, but we were unable to reach agreement before the hearing
8. I advised the claimant to settle, but they were not prepared to do so
9. Other (specify)
10. Don’t know

**Q60. You mentioned earlier that the case was settled. What were the terms of the settlement?**

ASK IF Q26 = 1, 6. MULTICODE. CODE TO LIST.

1. Reinstatement (old job back)
2. Another job in the organisation i.e. re-engagement
3. Money
4. A reference
5. An apology
6. A letter of explanation
7. Other (specify)
8. Don't know

**Q61a. How much money was it agreed that {employer} would give [you]/{claimant} in total?**

ASK IF Q60 = 3. NUMERIC ENTRY | Max 10000000

INTERVIEWER: ROUND TO NEAREST WHOLE NUMBER

*Scripter notes: Please add 'don't know' option*

**Q61b.**

CLAIMANT: **Have you received the money yet?**
EMPLOYER or REPRESENTATIVE (ANY): **Has{CLAIMANT} been paid the money yet?**

ASK IF Q60 = 3. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q62. You mentioned earlier that the case was withdrawn. Why did [you/{claimant}] decide to withdraw the claim rather than proceed to a hearing?**

ASK IF Q26 = 2**.** MULTI CODE. CODE TO LIST.

1. Didn't think [I/they] would win the case / thought it would be a waste of time
2. Thought [my/their] case would be thrown out by the tribunal / didn't think [I/they] had a case
3. It was too stressful to continue
4. [I /{claimant}] pursued /will pursue [my/their] case as a civil claim instead (e.g. in the County Courts)
5. [I /{claimant}] pursued /will pursue [my/their] case using some other kind of conflict resolution/enforcement instead (e.g. mediation or arbitration)
6. [I was/they were] never really intending to go all the way to Tribunal/[I was/they were] only testing the water to see if [my/their] employer would do a deal
7. Other (specify)
8. Don't know

*Scripter notes: IF Q1=1 USE FIRST TEXTFILL IN EACH PAIR
IF Q1=2,3,4 USE SECOND TEXTFILL IN EACH PAIR*

**Q63. And to what extent was Acas conciliation a factor in helping to reach this conclusion?**

ASK IF Q26 = 2. SINGLE CODE. READ OUT. REVERSE SCALE FOR 50% OF INTERVIEWS

1. **Completely**
2. **To a large extent**
3. **To some extent**
4. **Not at all**
5. Don't know (DO NOT READ OUT) (Position Fixed)

**Q65. You said earlier that the tribunal decided in [your/the claimant’s] favour. What did the tribunal order?**

ASK IF (Q15=1 OR Q23=4 AND (Q1=1,2)) OR (Q15=1 OR Q23=5 AND (Q1 = 3,4))

SINGLE CODE

PROMPT TO PRECODE

1. Re-instatement (old job back if previously employed)
2. Another job in the organisation i.e. re-engagement
3. Money
4. Other (Specify)
5. DK

*Scripter notes: The textfills are as follows:
IF Q1=1 [your]
IF Q1=2,3,4 [the claimant's]*

**Q66. How much money was {employer} ordered to pay in total?**

ASK IF Q65 = 3. NUMERIC ENTRY | Max 10000000

*Scripter notes: Please add 'don't know' option*

**Conciliator experience**

**Q67. I will now ask you some more questions around the involvement of Acas and your conciliator specifically during the Employment Tribunal Case. As mentioned earlier this is the service from Acas after the submission of the Employment Tribunal application. Please do not think about any Acas conciliator involvement you may have received prior to the ET claim being submitted.

And now thinking about your contact with the Acas conciliator specifically after the submission of the ET1 form, can I just check, did you have contact with just one conciliator or more than one?**

ASK IF Q48 < > 3. SINGLE CODE

1. One
2. Two
3. Three or more
4. Don't know (Position Fixed)

*SCRIPTER NOTE: IF Q67 = 1, text substitutions for Qs 68 – 71 and 74 – 80 should read “Acas conciliator”. If Q67 <>1, text substitutions for Qs 68 – 71 and 74 – 80 should read “Acas conciliators”*

**Q68. [Was the Acas conciliator/Were any of the Acas Conciliators] who gave assistance during the Employment Tribunal case the same [conciliator/conciliators] who carried out the early conciliation?
Early conciliation is the service that Acas may have provided earlier in the case before the ET claim was submitted.**

ASK IF Q48<>3. SINGLE CODE

1. Yes - the same
2. No - different
3. Don't know
4. N/A - did not take part in early conciliation

**Q70. And now thinking about the [Acas conciliator/Acas Conciliators], did you have any contact with them by...?**

ASK IF Q48<>3. MULTI CODE. READ OUT.

1. **Telephone**
2. **Email**
3. **Letter**
4. **Face to face**
5. No contact (DO NOT READ OUT)
6. Don’t know (DO NOT READ OUT)

**Q71. And which of these was the main way in which you contacted the [Acas conciliator/Acas Conciliators]?**

ASK IF Q70 = MORE THAN ONE ANSWER. SHOW ONLY ANSWERS SELECTED AT Q70. SINGLE CODE. READ OUT.

1. **Telephone**
2. **Email**
3. **Letter**
4. **Face to face**
5. Don’t know (DO NOT READ OUT)

**Q73. Still thinking only about your dealings with Acas AFTER the submission of the ET claim…. During the conciliation, did Acas contact you most of the time or did you contact Acas most of the time?**

ASK IF Q48<>3. SINGLE CODE.

1. Acas contacted me most of the time
2. I contacted Acas most of the time
3. Contacted each other equally
4. Don't know

**Q74. Would you have preferred more contact with the [Acas conciliator/Acas conciliators], less contact or about the same?**

ASK IF Q48<>3. SINGLE CODE

1. More
2. The same
3. Less
4. Don't know

**Q75. Still thinking about AFTER the ET claim was submitted, how would you rate the [Acas conciliator/Acas Conciliators] in terms of:**

ASK IF Q48<>3. SINGLE CODE PER STATEMENTS. READ OUT. ROTATE STATEMENTS. REVERSE SCALE FOR 50% OF INTERVIEWS

INTERVIEWER: IF THE RESPONDENT REPORTS THAT A STATEMENT IS NOT APPLICABLE BECAUSE THE CONCILIATOR DID NOT DO THIS BECAUSE IT WASN’T NECESSARY PLEASE CODE THIS AS ‘DID NOT DO THIS’.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Very good | Fairly good | Neither good nor poor | Fairly poor | Very poor | Did not do this (DO NOT READ OUT) |
|  **Outlining the law as it applied to your case** |  |  |  |  |  |  |
|  **Explaining the tribunal process** |  |  |  |  |  |  |
|  **Helping you understand the strengths and weaknesses of this potential claim** |  |  |  |  |  |  |
|  **Relaying proposals and offers to and from [employer/ claimant]** |  |  |  |  |  |  |
|  **Helping you to consider the pros and cons of resolving the problem [without going to hearing]** |  |  |  |  |  |  |

*Scripter notes: Statement 4: [employer] if q1=1,2; [claimant] if q1=3,4
Statement 5: textfill if q26=NOT 3*

**Q76. To what extent do you agree or disagree that the [Acas conciliator/Acas Conciliators]…**

ASK IF Q48<>3. SINGLE CODE PER STATEMENTS. READ OUT. ROTATE STATEMENTS. REVERSE SCALE FOR 50% OF INTERVIEWS

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  Strongly agree |  Tend to agree |  Neither agree nor disagree |  Tend to disagree |  Strongly disagree | Don't know (DO NOT READ OUT) |
|  **Was knowledgeable** |  |  |  |  |  |  |
|  **Understood how you felt about the case** |  |  |  |  |  |  |
|  **Understood the circumstances of the case** |  |  |  |  |  |  |
|  **Was trustworthy** |  |  |  |  |  |  |
|  **Listened carefully to what you had to say** |  |  |  |  |  |  |
|  **Was actively involved in seeking an agreement to settle** |  |  |  |  |  |  |
|  **Helped you to decide whether or not to settle your case, without undue influence** |  |  |  |  |  |  |

**Q77. Overall, did you feel that the Acas conciliator /Acas Conciliators was more on your side, more on [{claimant}/{employer}]’s side or even handed between you?**

ASK IF Q48<>3. SINGLE CODE. CODE TO LIST.

1. More on your side
2. More on [employer/claimant]'s side
3. Even handed
4. Don't know

*Scripter notes: IF Q1=1,2 [employer]
IF Q1=3,4 [claimant]*

**Q78. [Was the Acas conciliator/Were the Acas Conciliators] available when needed?**

ASK IF Q48<>3. SINGLE CODE. READ OUT. REVERSE SCALE FOR 50% OF INTERVIEWS

1. **Always**
2. **Usually**
3. **Sometimes**
4. **Rarely**
5. **Never**
6. Did not need to contact the conciliator as they always contacted me (DO NOT READ OUT)
7. Don’t know (DO NOT READ OUT)

**Q80. How important was Acas’s involvement in helping move parties closer towards resolving the case? Was it...?**

ASK IF Q48<>3. SINGLE CODE. READ OUT. ROTATE CODES 1-4. REVERSE SCALE FOR 50% OF INTERVIEWS

1. **Very important**
2. **Quite important**
3. **Not very important**
4. **Not at all important**
5. Don't know (DO NOT READ OUT)

**Q81. Looking back, how much do you agree or disagree that Acas involvement was a factor in the decision to resolve the case?**

ASK IF Q48<>3 AND Q26=1,6. SINGLE CODE. READ OUT. ROTATE CODES 1-5. REVERSE SCALE FOR 50% OF INTERVIEWS

1. **Strongly agree**
2. **Agree**
3. **Neither agree nor disagree**
4. **Disagree**
5. **Strongly disagree**
6. Don't know (DO NOT READ OUT) (Position Fixed)

**Satisfaction**

**Q82. Putting Acas’ service to one side and focusing just on the outcome, how satisfied or dissatisfied were you with the outcome of your case?**

ASK ALL. SINGLE CODE. READ OUT. ROTATE STATEMENTS 1-7. REVERSE SCALE FOR 50% OF INTERVIEWS

1. **Extremely satisfied**
2. **Very satisfied**
3. **Satisfied**
4. **Neither satisfied nor dissatisfied**
5. **Dissatisfied**
6. **Very Dissatisfied**
7. **Extremely dissatisfied**
8. Don't know (DO NOT READ OUT)

**Q84. How satisfied or dissatisfied are you with the service you received from Acas in this case after the tribunal claim was submitted? Would you say you were...**

ASK ALL. SINGLE CODE. READ OUT. ROTATE STATEMENTS 1-7. REVERSE SCALE FOR 50% OF INTERVIEWS

1. **Extremely satisfied**
2. **Very satisfied**
3. **Satisfied**
4. **Neither satisfied nor dissatisfied**
5. **Dissatisfied**
6. **Very Dissatisfied**
7. **Extremely dissatisfied**
8. Don't know (DO NOT READ OUT)

**Q85. And why do you say you were dissatisfied?**

ASK IF Q84 = 5-7. CODE TO LIST. MULTICODE. DO NOT READ OUT.

Didn’t/ couldn’t help

Received no contact

No/minimal input from Acas

Poor communication

Poor service

Acas not neutral

Unhappy with the outcome

Other (SPECIFY)

1. Don’t know (EXCLUSIVE CODE)

**Q86. Did the Acas conciliators provide you with any information or advice which you believe will help you avoid having to deal with another case of this type in the future?**

ASK IF Q1 = 3. SINGLE CODE.

1. Yes
2. No
3. Don’t know

**Q87. Have you updated or implemented any new policies, procedures or practices as a consequence of guidance you received from the conciliator?**

ASK IF Q1 = 3. SINGLE CODE.

1. Yes
2. No
3. Don’t know

**Q91. I would now like to ask you a few questions about your use of Acas conciliation as a whole, including your experiences with Acas Early Conciliation; this is the conciliation you received from Acas up until the ET application was submitted on [ET1 Date].

To what extent do you agree or disagree with the following...?**

ASK IF Q1 = 1,3 OR Q11 = 1 OR Q12 = 1. SINGLE CODE PER STATEMENT. READ OUT. ROTATE STATEMENTS. REVERSE SCALE FOR 50% OF INTERVIEWS

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  Strongly agree |  Tend to agree |  Neither agree nor disagree |  Tend to disagree |  Strongly disagree |  Don't know (DO NOT READ OUT) |
|  **The service I received from Acas before [I/{claimant}] submitted an ET application helped me feel prepared for the process after submission [STATEMENT ONLY ASKED TO CLAIMANTS AND EMPLOYERS]** |  |  |  |  |  |  |
|  **The service I received from Acas before [I/{claimant}] submitted an ET application made it quicker to resolve my case once the claim was submitted** |  |  |  |  |  |  |

*Scripter notes: Code date from sample info
'I' if q1=1;{claimant} if q1=2,3,4*

**Q92. Thinking about your use of Acas conciliation as a whole, including any dealings that took place with Acas before and after [you submitted the ET claim/the ET claim was submitted], did the [employer/claimant] make you any settlement [offers/proposals] at any point which you turned down?**

ASK IF Q48<>3 AND Q26<> 1,6. SINGLE CODE.

1. Yes
2. No
3. Don’t know (Position Fixed)

*Scripter notes:*

*FOR FIRST TEXT FILL: IF Q1 = 1, USE 1ST TEXT FILL IN PAIR. IF Q1=2,3,4 USE SECOND TEXTFILL IN PAIR.*

*FOR SECOND AND THIRD TEXT FILL: IF Q1=1,2 USE 1ST TEXTFILL IN EACH PAIR. IF Q1=3,4 USE 2ND TEXTFILL IN EACH PAIR*

**Q93. If you were involved in a similar situation in the future, would you make use of conciliation services from Acas?**

ASK IF Q48<>3 AND Q26<>1,6. SINGLE CODE. CODE TO LIST.

IF NECESSARY: REMIND THE RESPONDENT THAT THIS CAN BE ANY OF ACAS’ CONCILIATION SERVICES, INCLUDING BOTH EARLY CONCILIATION AND CONCILIATION FOLLOWING THE SUBMISSION OF AN ET CLAIM.

1. Definitely yes
2. Probably yes
3. Probably no
4. Definitely no
5. Don’t know (Position Fixed)

**Demographics**

CLAIMANT (Q1=1): **I’d now like to ask you some more classification questions about yourself and {employer} at the time of the dispute. This helps us get a better understanding of what the benefits of offering Conciliation are**.

EMPLOYER (Q1 = 3**): I’d now like to ask you some more classification questions about you, your organisation and {claimant} at the time of the dispute. This helps us get a better understanding of what the benefits of offering Conciliation are**.

REPRESENTATIVE (Q1 = 2,4) **I’d now like to ask you a few classification questions about [IF Q1 = 4: {claimants},{organisation} and] yourself. This helps us get a better understanding of what the benefits of offering Conciliation are.**

*Textfill within REPRESENTATIVE (ANY) will only appear if EMPLOYER representative.*

**Q95. Has your organisation ever had an Employment Tribunal claim made against it, before this problem arose?**

ASK IF Q1 = 3. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q96. Is {employer} a private sector organisation, a public sector body or a non-profit or voluntary organisation?**

ASK IF Q1 = 3. SINGLE CODE

INTERVIEWER IF RESPONDENT IS NOT SURE PROMPT WITH EXAMPLES IF NECESSARY:
Private sector: such as a limited company or PLC
Public sector: such as central government, civil service, NHS, police
Non-profit: such as a charity or something in the voluntary sector

1. Private sector
2. Public sector
3. Non-profit/voluntary sector
4. Don’t know

**Q97. And what does the organisation mainly make or do at the workplace {claimant} [worked at / applied to work at]?**

ASK IF Q1 = 3,4. OPEN END

*Scripter notes: If Q28 = 1 or DK text fill = ‘worked at’. If Q28 = 2 ‘applied to work at’.*

**Q98. Does the organisation have a single workplace in the UK or more than one workplace in the UK?**

ASK IF Q1 = 3,4. SINGLE CODE.

1. Single workplace in UK
2. More than one workplace in UK
3. Don’t know

**Q99. To the best of your knowledge how many people were working at or from the workplace {claimant} [worked at / applied to work at’].**

ASK IF Q1 = 3,4. SINGLE CODE. CODE TO LIST.

NOTE: PROBE FOR BEST GUESS, BELOW 25 OR BELOW 50 WORKERS
IF CLAIMANT DID NOT WORK FROM ONE MAIN SITE THEN PROBE FOR THE NUMBER OF PEOPLE WORKING AT THE SITE CLAIMANT MAINLY REPORTED TO.

1. 1-9
2. 10-19
3. 20-24
4. 25-49
5. 50-99
6. 100-249
7. 250-499
8. 500 or more
9. Don't know but less than 25
10. Don't know but between 25 and 49
11. Don't know but 50 or more
12. Don’t know (Position Fixed)

*Scripter notes: If Q28 = 1 or DK text fill = ‘worked at’. If Q28 = 2 ‘applied to work at’.*

**Q100. And how many people worked for the whole organisation in the UK? Please include all contracted, non-contracted, agency, freelance and temporary workers.**

ASK IF Q1 = 3,4 AND Q98 = 2. SINGLE CODE. CODE TO LIST.

NOTE: PROBE FOR BEST GUESS, BELOW 25 OR BELOW 50 WORKERS

1. 1-9
2. 10-19
3. 20-24
4. 25-49
5. 50-99
6. 100-249
7. 250-499
8. 500 or more
9. Don't know but less than 25
10. Don't know but between 25 and 49
11. Don't know but 50 or more
12. Don’t know

**Q101. Does the organisation have an internal Human Resources or Personnel Department that deals with personnel issues?**

ASK IF Q1 = 3,4. SINGLE CODE.

1. Yes
2. No
3. Don’t know

**Q102. Does the organisation have an internal legal department that deals with any personnel or employment issues, for example relating to employment tribunal claims?**

ASK IF Q1 = 3,4. SINGLE CODE.

NOTE: IF YES, PROBE TO MAKE SURE THAT THIS IS AN INTERNAL LEGAL DEPARTMENT, BASED AT THE ORGANISATION, RATHER THAN AN EXTERNAL SOLICITOR THAT THE EMPLOYER USES.

1. Yes
2. No
3. Don’t know

**Q103. Are there any trade unions or staff-associations active in the workplace?**

ASK IF Q1 = 3,4. SINGLE CODE.

1. Yes
2. No
3. Don’t know

**Q104. Is the organisation a member of an Employer’s or Trade Association which gives advice on personnel or employment relations matters?**

ASK IF Q1 = 3,4. SINGLE CODE.

1. Yes
2. No
3. Don’t know (Position Fixed)

**Q105.And can I just check, are you responsible for dealing with employment disputes in this organisation?**

ASK IF Q1 = 3. SINGLE CODE

1. Yes
2. No
3. Don’t know

**Q106. What is your job title?**

ASK IF Q1 = 3. OPEN END

INTERVIEWER: RECORD FULL JOB TITLE.

**Q109. What was [[your/{claimant}’s] job title / the title of the job [you/{claimant}] was applying for, which is the title of the job related to the workplace problem that Acas assisted with?**

ASK IF Q1 = 1,2. OPEN END

*Scripter notes: If Q28 = 1 or 3 text fill = ‘your/{claimant}'s job title’. If Q28 = 2 ‘the title of the job you/{claimant} were applying for’.

If Q1=1 'your'/'you'. If Q1=2 {claimant}*

**Q111. How long had [you/{claimant}] worked for {employer} at the time of contact with Acas about the workplace problem?**

ASK IF Q1 = 1,2 AND Q28 = 1. SINGLE CODE

INTERVIEWER NOTE: RECORD IN YEARS / MONTHS (IF LESS THAN 5 YEARS) / WEEKS (IF LESS THAN 1 MONTH

1. Record in years
2. Record in months
3. Record in weeks
4. Don’t know (Position Fixed)

*Scripter notes: When they select which to record in, go to a numerical box
Years limit = 1-70
Months limit = 1-60
Weeks limit = 0-3*
*'You' if Q1=1; {claimant} if Q1=2*

**Q112. Was this job...**

ASK IF Q1 = 1,2 and Q28 = 1. SINGLE CODE. READ OUT.

1. **Full-time, that is 30 or more contracted hours per week**
2. **Part-time, that is less than 30 contracted hours per week**
3. **Or did the hours depend on the availability of work or whether you were contacted by the employer?**
4. Don’t know (DO NOT READ OUT)

**Q113. [Are you/Is {claimant}] currently in paid employment?**

ASK IF Q1 = 1,2 AND Q28 = 2 OR Q29 = 2. SINGLE CODE

1. Yes
2. No
3. Don’t know (Position Fixed)
4. No answer (Position Fixed)

*Scripter notes: 'are you' if q1=1; 'is {claimant}' if q1=2*

**Q114. Can I check, [have you/has {claimant}] had a paid job since leaving {employer}?**

ASK IF Q113 = 2. SINGLE CODE

1. Yes
2. No
3. Don’t know
4. No answer (Position Fixed)

*Scripter notes: 'have you' if q1=1; 'has {claimant}' if q1=2*

**Q115. At the time [you were/{claimant} was] in contact with Acas [were you/was {claimant}] a member of a trade union or staff association?**

ASK IF Q1 = 1,2 AND Q28 = 1. SINGLE CODE.

1. Yes
2. No
3. Don’t know (Position Fixed)
4. Prefer not to say (Position Fixed)

*Scripter notes: 'you were' and 'were you' if q1=1; '(was) {claimant}' if q1=2*

**Claimant demographics**

**Q116. I would like now to ask some questions about you and your background. Answering these questions is not mandatory, but they will help Acas to understand more about the different types people who use their services.**

**Have you ever made an Employment Tribunal claim, at any workplace, before this problem arose?
Please don’t count any past EC notifications you may have made; think purely about Employment Tribunal claims.**

ASK IF Q1 = 1. SINGLE CODE.

1. Yes
2. No
3. Don’t know (Position Fixed)

**Q117. What is your ethnic group? I will read out the options; choose one option that best describes your ethnic group or background**

ASK IF Q1 = 1. SINGLE CODE. READ OUT.

1. **White**
2. **Mixed/Multiple ethnic groups**
3. **Asian/Asian British**
4. **Black/African/Caribbean/Black British**
5. **Chinese**
6. **Arab**
7. **Other ethnic group**
8. Prefer not to say

**Q118. What is your religion?**

ASK IF Q1 = 1. SINGLE CODE. CODE TO LIST.

1. No religion
2. Christian (including Church of England, Church of Scotland, Catholic, Protestant and all other Christian denominations)
3. Buddhist
4. Hindu
5. Jewish
6. Muslim
7. Sikh
8. Any other religion
9. Don't know
10. Prefer not to say

**Q119. Do you speak English as your first language?**

ASK IF Q1 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know
4. Refused

**Q121. Do you have a long-term illness, health problem or disability? By long-term we mean that it can be expected to last for more than one year.**

ASK IF Q1 = 1. SINGLE CODE

1. Yes
2. No
3. Don’t know
4. Prefer not to say

**Q122. How old are you?**

ASK IF Q1=1. NUMERIC ENTRY (Min 16 | Max 100)

1. Prefer not to say

**Q123. Can you please tell us in what age group you would place yourself...**

ASK IF Q122 = REFUSED. SINGLE CODE. READ OUT.

1. 16 to 19
2. 20 to 24
3. 25 to 34
4. 35 to 44
5. 45 to 54
6. 55 to 64
7. 65 and over
8. Prefer not to say (DO NOT READ OUT)

**Q124. Which of the following best describes how you think of yourself?**

ASK IF Q1=1. SINGLE CODE. READ OUT.

1. Male
2. Female
3. In another way
4. Prefer not to say

Scripter notes: SELECT TEXT AS BASED ON Q1

**Q126. I will now read out a list of terms people sometimes use to describe how
they think of themselves.
 As I read the list again please say ‘yes’ when you hear the option that best
describes how you think of yourself.**

ASK IF Q1 = 1. SINGLE CODE. READ OUT.

INTERVIEWER: read list to end without pausing. Note that ‘Heterosexual or Straight’ is one option; ‘Gay or Lesbian’ is one option.

1. **Heterosexual or Straight**
2. **Gay or Lesbian**
3. **Bisexual**
4. **Other**
5. Don't know (DO NOT READ OUT)
6. Refused (DO NOT READ OUT)

**Q127. I would also like to know about your household’s income from all sources during the 12 months before you made your application. This includes earnings from employment or self-employment, income from benefits and pensions, and income from other sources such as interest from savings. Could you please tell me if your household income before any deductions such as income tax or National Insurance was more than £30,000?**

INTERVIEWER NOTE: IF RESPONDENT DOES NOT HAVE A PARTNER THEN THEY SHOULD JUST ANSWER ABOUT THEIR INCOME.

INTERVIEWER: IF ASKED FOR CLARIFICATION OF SHOULD BE CONSIDERED AS A PARTNER, THIS SHOULD ONLY INCLUDE A PARTNER THAT THEY LIVE WITH (AND SHOULD NOT INCLUDE A PARTNER WHO THEY DO NOT LIVE WITH).

ASK IF Q1 = 1. SINGLE CODE.

1. Yes
2. No
3. Nothing/no work or scheme (Spontaneous only)
4. Don't know (Position Fixed)
5. No answer (Position Fixed)

**Q128 : And would you say it was more than £15,000?**

ASK IF Q127 = 2. SINGLE CODE

1. Yes
2. No
3. Don’t know
4. No answer

**Q129. Could you please tell me which of the following categories best describes your household ANNUAL income before any deductions such as income tax or National Insurance?**

ASK IF Q128 = 2. SINGLE CODE

1. Under £5,000
2. £5,000 - £9,999
3. £10,000 - £12,999
4. £13,000 - £14,999
5. Don't know (Position Fixed)
6. No answer (Position Fixed)

**Q130. Could you please tell me which of the following categories best describes your household ANNUAL income before any deductions such as income tax or National Insurance?**

ASK IF Q128 = 1. SINGLE CODE

1. £15,000 - £17,999
2. £18,000 - £19,999
3. £20,000 - £24,999
4. £25,000 - £29,999
5. Don't know
6. No answer

**Q131. How long have you been dealing with employment tribunal claims?**

ASK IF Q1 – 2,4. SINGLE CODE. READ OUT

1. **Less than a year**
2. **1-5 years**
3. **More than 5 years**
4. **Never dealt with an employment tribunal claim before**
5. Don't know (DO NOT READ OUT)

**Q132. Which of these parties do you usually represent?**

ASK IF Q1 – 2,4. SINGLE CODE. READ OUT

1. **The employer**
2. **The claimant**
3. **Either**
4. **Never represented either before**

**Q133. Which of the following best describes you?**

ASK IF Q1 – 2,4. SINGLE CODE. READ OUT

1. **Solicitor, Barrister or some other kind of lawyer**
2. **Trade union / Worker representative at workplace**
3. **Citizens Advice Bureau**
4. **Neighbourhood Local Law Centre or other voluntary advice agency (not CAB)**
5. **Employers’ association / Trade Association**
6. **Equal Opportunities Commission, the Commission for Racial Equality and Human Rights Commission**
7. **Friend/Neighbour/Spouse/Partner (**TO ONLY APPEAR FOR CLAIMANT REPRESENTATIVES**)**
8. **Owner / Senior Manager / General Manager (**TO ONLY APPEAR FOR EMPLOYER REPRESENTATIVES
9. **Personnel or human resources specialist**
10. **Legal specialist in company / Company lawyer**
11. **External Consultant/Insurance company advisor**
12. **Othe**r, namely... (\*Open \*Position Fixed)
13. Don’t know (DO NOT READ OUT) (Position Fixed)
14. No answer (DO NOT READ OUT) (Position Fixed)

**THANK AND CLOSE**

**Thank you for your help and assistance in completing this survey. As I mentioned earlier everything that you have said will be treated in the strictest confidence, and no organisations or individuals will be identifiable in the results of the survey.**

**ENDNOTES**

1. The closing of an individual’s EC window is marked by the drawing up of a COT3 settlement or, where a settlement is not reached, the issuing of a Certificate entitling the claimant to make a tribunal claim. [↑](#endnote-ref-1)
2. The closing of an individual’s EC window is marked by the drawing up of a COT3 settlement or, where a settlement is not reached, the issuing of a Certificate entitling the claimant to make a tribunal claim. [↑](#endnote-ref-2)