

Research Paper

Evaluation of the Introduction of a Conciliation Support Team for the Pre-Claim Conciliation Service

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TNS BMRB

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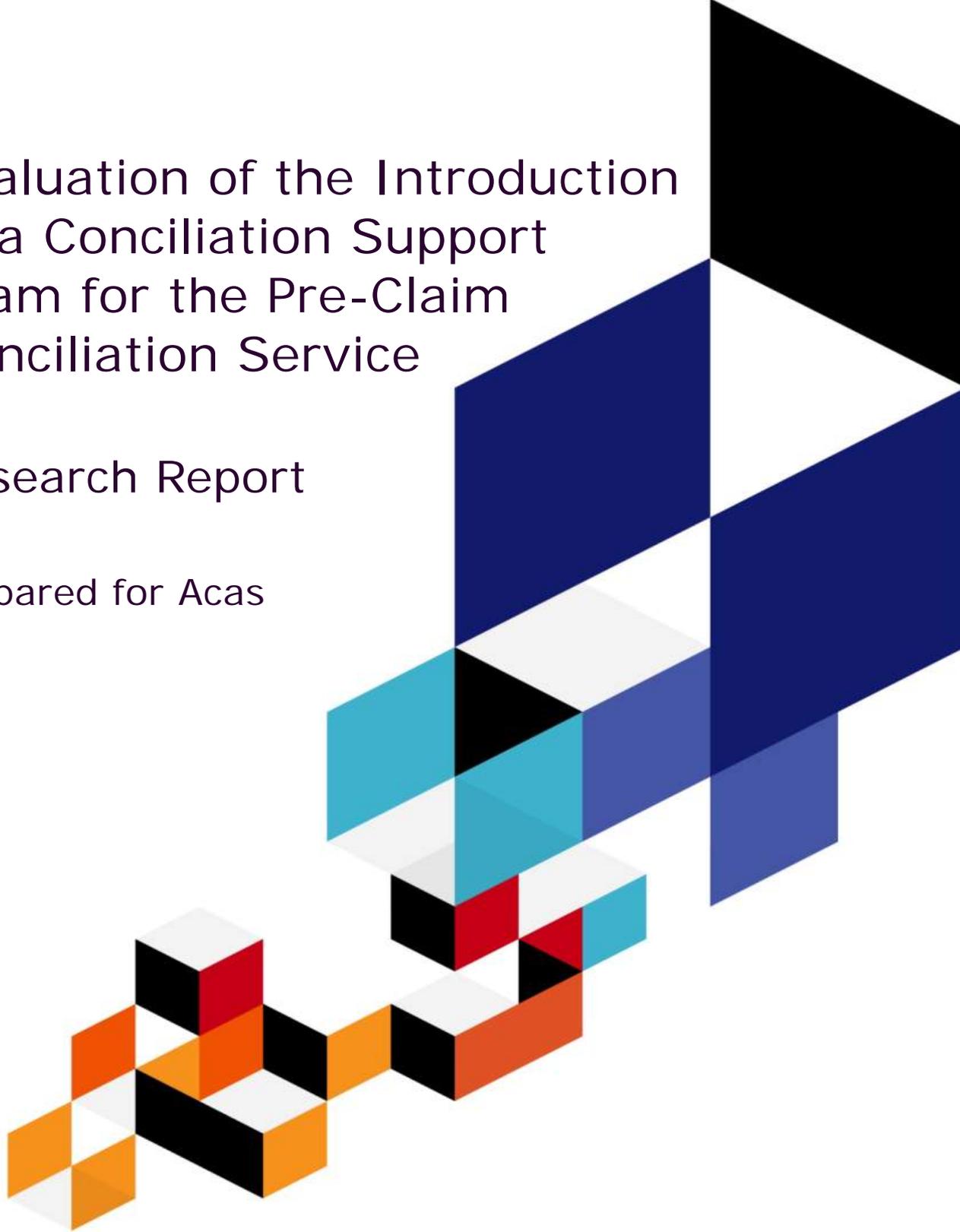
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Evaluation of the Introduction of a Conciliation Support Team for the Pre-Claim Conciliation Service

Research Report

Prepared for Acas



TNS BMRB

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Preface

The authors would like to acknowledge the support and advice provided during the course of the project from Barbara Davey at Acas.

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CONTENTS

EXECUTIVE SUMMARY	3
1. INTRODUCTION AND METHODOLOGY	6
2. THE ECSO INTERVENTION, AND ITS IMPACT ON PROGRESSION TO PCC	13
3. THE IMPACT OF ECSO INTERVENTION ON THE PCC PROCESS	20
4. KEY FINDINGS AND CONCLUSIONS.....	25
APPENDIX 1 - QUESTIONNAIRE.....	28
APPENDIX 2 – QUANTITATIVE SURVEY FIELDWORK AND WEIGHTING	62

EXECUTIVE SUMMARY

Introduction

This research follows the recent Resolving Workplace Disputes consultation and government response.^{1 2} From early 2014, it is proposed that employees intending to lodge an Employment Tribunal (ET) claim will first have to contact Acas to see if the dispute could be resolved through Early Conciliation (EC).

Early Conciliation has evolved from the success of the Acas Pre-Claim Conciliation (PCC) Service, which was rolled out in April 2009. TNS BMRB was commissioned to undertake a piece of research to help inform the design of Early Conciliation. An experiment was put into place which involved a team of Early Conciliation Support Officers (ECSOs) in three offices, to whom disputes were referred to in the first instance, before being referred on to the conciliator. The ECSO role was to make contact with a claimant and gather information to pass onto conciliators.

The research set out to explore whether the intervention of ECSOs facilitated Pre-Claim Conciliation (PCC) by providing a basis of factual information for conciliators to commence their discussions.

A telephone survey was conducted to seek the views and experiences of claimants in the three 'experiment' offices (where ECSOs had been introduced) and in three 'control' offices (where they had not been). In addition, this was supplemented with analysis of the Acas' Management Information (MI) data of all cleared PCC cases received in the six offices over the experiment period.

The ECSO intervention, and its impact on progression to PCC

The claimant experience and perception of the ECSO (as reported in the survey) was largely positive. Amongst claimants who contacted Acas via the helpline, seven in ten were contacted by the ECSO within two working days. Virtually all claimants (95 per cent) reported that the ECSO explained who they were and why they were calling and nine in ten felt they were 'very' or 'fairly' good at explaining the PCC process. The perception of the suitability of PCC was high; with 86 per cent of claimants feeling PCC was 'very' or 'fairly' suitable.

As recorded in the MI data, on average ECSOs spent 29 minutes working on each case. This time included time spent carrying out administration, making telephone calls, writing emails and any other activities. Out of all activity types the largest proportion of time was spent on the telephone (16 minutes on average across all cases). On average each case involved 3.4 instances of work by the ECSO.

¹ Resolving Workplace Disputes: a consultation January 2011 BIS

² Resolving Workplace Disputes: Government response to the consultation November 2011 BIS

When comparing the proportion of 'inappropriate' cases that were passed on for PCC (either because they should have not have been referred in the first place because they did not meet the essential criteria or because additional information emerged during the discussion with the conciliator) as recorded in the MI data, within experiment offices only three per cent of cases which reached the conciliator were inappropriate, compared to eight per cent in control offices. It was also evident from the MI data that ECSOs closed one in nine cases.

When exploring the uptake of PCC following ECSO intervention (as recorded in the MI data), uptake was slightly lower in experiment offices than in control offices (62 per cent of 'eligible' cases progressed in experiment offices, compared with 68 per cent in control offices). However, claimants expressed positive views around the role of the ECSO in encouraging them to take part in PCC, with 74 per cent of those who took part reporting that the ECSO was 'very' important in the decision to do so, and 19 per cent 'quite' important.

The impact of ECSO intervention on the PCC process

The MI data suggests that in experiment offices, the median length of PCC (from the date the referral progressed to a case, until the settlement/impasse date) was seven days. In control offices where there was no ECSO this was longer; a median length of 14 days.

Within the quantitative survey there were, however, few differences in the time claimants reported spending on the workplace problem (from when they received the offer of Acas assistance, until the assistance ended) between control and experiment offices (53 hours versus 55 hours).

When the outcomes of cases that progressed to PCC were examined, the MI data suggested that more disputes were resolved in experiment offices (63 per cent) compared with control offices (58 per cent). This is an encouraging finding, suggesting that whilst it seems apparent that the proportion of disputes that progress to PCC is lower in experiment offices (in comparison to control offices), where there has been ECSO intervention cases are more likely to be resolved.

Whilst it is not possible to explore from the MI data the proportion of cases that have progressed to an Employment Tribunal (ET), it is possible to do this within the survey data. This data suggested there were no differences in submission rates between cases in experiment and those in control offices (42 per cent versus 38 per cent).

Claimant's reported experience of the PCC process (as recorded in the quantitative survey) were largely consistent between experiment and control offices, suggesting that ECSO intervention does not impact upon the PCC experience for claimants.

Key Findings and Conclusions

The research sought to answer a number of objectives. The key findings around these were:

What is the impact of ECSOs on numbers of 'inappropriate' cases passed to conciliators? From the MI data analysis there was a reduction in the number of 'inappropriate' cases that were passed to conciliators between control and experiment offices.

How many cases are closed by ECSOs and under what outcome categories? The MI data suggests that of those cases deemed 'appropriate' for PCC, one in nine were closed by the ECSOs. These were closed under a range of categories.

Are claimants more or less likely to agree to take part in PCC when there is an ECSO intervention? Findings on this were mixed. The MI analysis suggests that progression to PCC amongst 'appropriate' cases was slightly lower in experiment offices compared with control offices. Claimants were, however, very positive about the ECSO intervention and their role in their decision to take part in PCC.

Where both parties agree to take part, do ECSOs have an impact on PCC case duration (i.e. the length of time between date of PCC referral and date PCC is closed, taking into account other relevant factors)? At an overall level, analysis of the MI data suggested that the median length of PCC in cases where there had been ECSO intervention was shorter; the median length of PCC was eight days, compared to 14 days in control offices.

Where both parties agree to take part, what is the impact of ECSOs on each of the outcomes e.g. are there more unresolved cases in ECSO offices, are there more or fewer cases that go on to become ET claims? The MI data analysis suggested that amongst cases that progressed to PCC, more were resolved when there had been ECSO intervention than when there had not been. The survey data (as reported by claimants) suggests ECSOs do not have an impact on ET submission rates.

Claimant perceptions of ECSOs Claimant perceptions of the ECSO role as recorded in the survey were very positive. Ratings around the discussion of PCC were very favourable, with very strong ratings of the ECSO explaining the PCC process, and the perception of the suitability of PCC for the dispute.

Are there differences between claimant perceptions of the PCC conciliator, the PCC process and outcomes between experiment and control offices? The claimant experiences of PCC were similar between control and experiment offices.

1. INTRODUCTION AND METHODOLOGY

1.1 Introduction

The Advisory, Conciliation and Arbitration Service (Acas) commissioned TNS BMRB to undertake a piece of research to help inform the design of Early Conciliation, a revised Pre-Employment claim conciliation process, which will be implemented in early 2014. An experiment was put into place which involved a team of Early Conciliation Support Officers (ECSOs) in three offices, to whom disputes were referred to from the Acas Helpline in the first instance, before being referred on to the conciliator who would attempt to resolve the issue. The ECSO role was to make contact with a claimant and gather information to pass onto conciliators.

The research set out to explore whether the intervention of ECSOs facilitated Pre-Claim Conciliation (PCC) by providing a basis of factual information for conciliators to commence their discussions.

1.2 Background

This research follows the recent Resolving Workplace Disputes consultation and government response.^{3 4} From early 2014, it is proposed that employees intending to lodge an Employment Tribunal (ET) claim will first have to contact Acas to see if the dispute could be resolved through Early Conciliation (EC).

Early Conciliation has evolved from the success of the Acas Pre-Claim Conciliation (PCC) Service, which was rolled out in April 2009. TNS BMRB recently conducted an evaluation of why PCC referrals become ET claims (Acas, 2012). The research highlighted a number of areas that could hinder early resolution and that could feed into the design of the early conciliation service. Drawing the findings together, these have been presented as five key service improvement recommendations. They focus on early diagnosis (and tailoring); engaging employers; ease of contact and responsiveness of conciliators; clarity around PCC and IC and consistent information provision on the ET process. Our research has also provided baseline data which can be used for comparison with the new EC service.

EC has evolved from PCC, but there are important differences between the two. In PCC, referrals are made mainly through calls to the Acas Helpline. Helpline advisors evaluate from the call whether a PCC referral would be suitable and if it is, collect contact information. In EC, it is proposed that all potential ET claimants will be offered conciliation before submission of an ET claim. Unlike in PCC, there will be no helpline 'filter'. The offer will therefore be 'universal' (at the point before ET claims are lodged).

³ Resolving Workplace Disputes: a consultation January 2011 BIS

⁴ Resolving Workplace Disputes: Government response to the consultation November 2011 BIS

Acas is therefore considering the establishment of a centralised team of EC Support officers (ECSOs) for the new service. ECSOs will make initial contact with the claimant and gather information to pass on to the conciliators. Their input may speed the start of the conciliation process and allow more efficient use of conciliators' time.

To test whether or not this is the case, a pilot was put into place in three Acas offices: Cardiff, Glasgow and London. A team of ECSOs were recruited from the Acas helpline and the team was operational over a four month period starting in June 2012 based in the Newcastle office. During that period, helpline advisors referred all PCC referrals for Cardiff, Glasgow and London to ECSOs in Newcastle. These offices were designated the 'experiment' group. The referrals for three other Acas offices: Bristol, Newcastle and the North West, served as a 'control' group, with PCC operating in line with the standard model. The three control offices were chosen as the closest comparison to the experiment offices in terms of size, way of working, and numbers and types of PCC referrals.

1.3 Project aims and objectives

The overarching aim of the research was to explore whether the intervention of ECSOs facilitated PCC to allow a more efficient use of conciliator's time.

More specifically, the research sought to answer the following questions:

1. How much time do ECSOs spend on cases by track (fast, standard and open), and on different tasks?
2. What is the impact of ECSOs on numbers of 'inappropriate' cases passed to conciliators?
3. How many cases are closed by ECSOs and under what outcome categories?
4. Are claimants more or less likely to agree to take part in PCC when there is an ECSO intervention?
5. Where both parties agree to take part, do ECSOs have an impact on PCC case duration (i.e. the length of time between date of PCC referral and date PCC is closed, taking into account other relevant factors)?
6. Where both parties agree to take part, what is the impact of ECSOs on each of the outcomes listed above e.g. are there more unresolved cases in ECSO offices, are there more or fewer cases that go on to become ET claims?
7. What are claimant perceptions of ECSOs?
8. Are there differences between claimant perceptions of the PCC conciliator, the PCC process and outcomes between experiment and control offices?

1.4 Research design

A telephone survey was conducted to seek the views and experiences of claimants. In addition this was supplemented with analysis of the Acas' Management Information (MI) data of all cleared PCC cases received in the six offices over the experiment period.

1.4.1 Survey Design

It firstly should be noted that this research was carried out along side the PCC evaluation. Both quantitative surveys shared the same questionnaires, and the same sampling frames and periods.

The quantitative strand of the research involved a telephone survey of claimants (or their representatives)⁵ involved in PCC referrals cleared within the six Acas offices over the experiment period which started in June 2012 and ran for a 4 month period.

The sample frame for the survey was derived from Acas' Management Information (MI) data held for all PCC referrals which had been cleared within this period. The extract also included PCC referrals which were deemed 'inappropriate' for PCC; however, these were ineligible for the survey. The sample was received and issued (for telephone interviewing) on a monthly basis as the PCC case referrals were closed.

The sampling approach differed between the experiment and control groups:

- For referrals which were dealt with in experiment offices, all (where sufficient contact details were received) were issued to the survey for an interview.
- For referrals which were dealt with in control offices, the approach differed. This was because in addition to this piece of research, Acas were also carrying out a separate evaluation of the current PCC service. The sample for this evaluation was drawn from PCC referrals cleared within the same period, but only those dealt with in control offices.

Therefore, in order to balance the requirements of both pieces of research and the practicalities of carrying out the surveys, in control offices, all referrals which had an unprogressed⁶ outcome (where sufficient contact details were received) were issued for a claimant interview. However, for cases with a progressed outcome, only half were selected and issued for a claimant interview. The other half were selected and issued for an employer interview

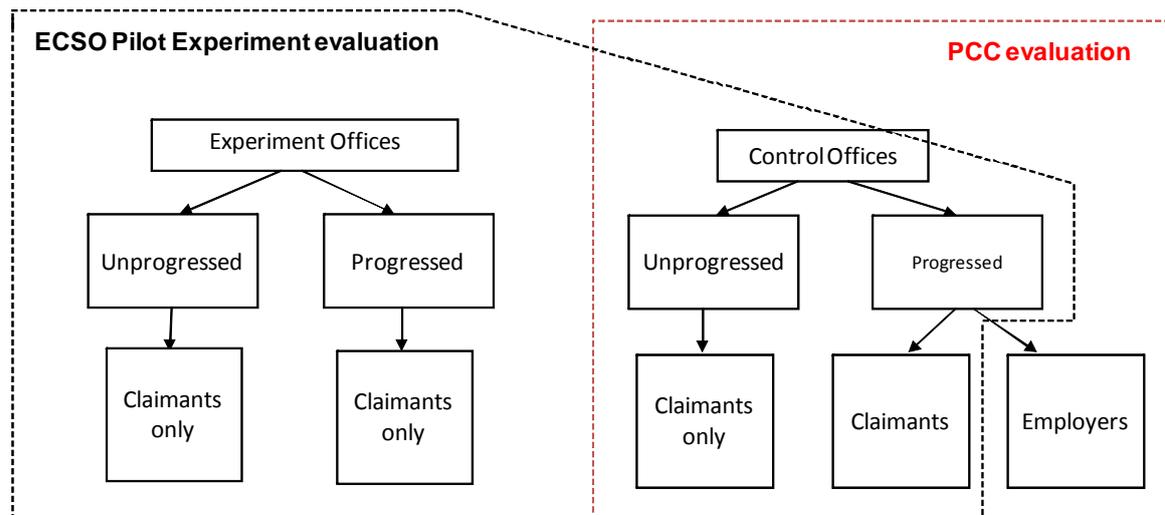
⁵ On the sample extract received a small number of representative details were received. In these cases the representative was approached to carry out the interview on the claimant's behalf.

⁶ Unprogressed cases are those where either the Claimant or the Employer indicates that they no longer wish to pursue the option of Pre Claim Conciliation. Progressed cases are those where both parties indicate a willingness to explore options for resolution.

for the separate PCC evaluation survey. This selection was made at random for the first two batches of sample received. However, it should be noted that in the last monthly batch of sample received, all progressed referrals were issued for an employer interview in the separate PCC evaluation. This was carried out to boost the number of employer interviews in this research.

Figure 1.1 illustrates the sampling approach between this evaluation and the separate PCC evaluation.

Figure 1.1 Sampling approach between the two evaluations



1.4.2 Questionnaire

The questionnaire included the following topics:

- Profile of the claimant
- The workplace problem
- The route to PCC
- The ECSO experience (*experiment offices only*)
- The PCC experience
- The PCC outcome
- Satisfaction with the PCC outcome and the PCC service
- Future use of Acas

The questionnaire utilised questions largely sourced from Acas' evaluation of the first year of PCC (2010). A number of bespoke questions were also included focusing on the ECSO experience. The full questionnaire can be found in Appendix 1.

1.4.3 *Cognitive Testing and Piloting*

As part of the questionnaire development phase for the project, TNS BMRB undertook a small number of cognitive interviews. The main aim of the testing was to explore the new questions focusing on the ECSOs.

Interviews took place over the telephone, and were conducted from Monday 12th to Wednesday 14th November. In total six cognitive interviews were carried with claimants from experiment offices.

Following this, TNS BMRB conducted a pilot stage from 22nd November to 28th November 2012. Interviews were conducted via CATI at TNS BMRB's interviewing centre in Hull and interviewers were briefed by the Research Team. Twelve interviews were conducted; five from experiment offices, and seven from control offices. The aim of the pilot was to test contact protocols, along with collecting information about the questionnaire content, flow and length.

1.4.4 *Fieldwork*

Main stage fieldwork took place from the 21st November 2011 to the 8th February 2013. Further details about fieldwork management and response are included in Appendix 2.

1.4.5 *Weighting*

Final data were weighted separately for control and experiment offices. (This is because analysis is by the two office types and not by combining them). Each final sample was weighted to be representative of PCC outcome, PCC track and whether a claim was progressed or not. Full details are included in the Appendix 2.

1.4.6 *Sample profile*

The weighted profile of the achieved interviews on key characteristics is shown in Table 1.2.

Table 1.2 Profile of achieved cases

	Experiment Group %	Control Group %
Party Interviewed		
Claimant / Claimant Representative ⁷	100	100
Unweighted	463	320
PCC Track		
Fast	55	53
Standard	37	38
Open	8	9
Unweighted	463	320
Progressed to PCC (as recorded in interview)		
Unprogressed	34	29
Progressed to PCC	59	66
Unknown ⁸	7	5
Unweighted	463	320
PCC outcome		
Unprogressed – Resolved in initial discussions	10	17
Unprogressed – Other (including where it was not possible to make contact)	24	12
Progressed – Resolved via COT3	18	16
Progressed – Resolved other	19	22
Progressed – Impasse as no resolution brokered	18	21
Progressed – Impasse as ran out of time	4	7
Unknown	7	5
Unweighted	463	320

Base: All interviews

1.5 Management Information (MI) analysis

In addition analysis of the MI data has been carried out to inform the evaluation of the pilot experiment. The MI data (which was used as a sampling frame for the quantitative telephone survey) contained all cleared PCC referrals for all outcome types⁹ that had started since the beginning of the experiment in both experiment and control offices. It included both 'appropriate' referrals (which were eligible for the quantitative survey), and 'inappropriate' referrals (which were not eligible for the survey).

⁷ In experiment offices 12 claimant interviews were carried out with a claimant representative. In control offices 15 interviews were carried out with a claimant representative.

⁸ In a small number cases the progression to PCC and the PCC outcome could not be established in the interview.

⁹ Included those recorded as 'inappropriate' for PCC, which were ineligible for the quantitative telephone survey.

During the experiment, ECSOs were required to keep a record of every activity they carried out for each case they dealt with. Per case they kept a record of each activity, the type of activity (telephone calls, administration tasks, writing emails and anything else), along with the time spent on the activity. For all cases where this information was received it was appended to the MI data (where it could be matched).

Table 1.3 shows a breakdown of the cases received in the MI data.

Table 1.3 Breakdown of cases included the MI data extract

	All	Experiment	Control group
	n	n	n
ALL CASES RECEIVED	3267	1729	1538
Inappropriate / appropriate for PCC			
'Inappropriate' for PCC	421	298	123
'Appropriate' for PCC	2846	1431	1415
Progression to PCC			
'Inappropriate' for PCC	421	298	123
Unprogressed	1002	549	453
Progressed	1844	882	962
PCC Track			
Fast	1768	952	816
Standard	1206	628	578
Open	921	147	144
None	2	2	-
Cases where ECSO activity records could be matched	1512	1512	-

Base: All cases received in the MI data

1.6 Report structure

Following this introductory chapter, the report comprises four sections, as follows:

- Section 2: The first part of the section explores what happened during the ECSO intervention and the second part goes on to explore what impact the ECSO intervention had on the types of cases that go on to PCC
- Section 3: Examines the impact of the ECSO intervention on the PCC process by making comparisons of the PCC process between experiment and control offices
- Section 4: is a short conclusion drawing together the key findings for all elements of the research, including recommendations for the future use of ECSOs within the new Early Conciliation service

Please note, for the quantitative survey data analysis that has been included in this report, significance testing has been carried out at the five per cent confidence level unless otherwise stated.

2. THE ECSO INTERVENTION, AND ITS IMPACT ON PROGRESSION TO PCC

2.1 What happened during the ECSO intervention

In the first part of this section, what happened during the ECSO intervention is explored. Firstly, the ECSO intervention is examined from the claimants' perspective, discussing contact with the ECSO and their involvement in resolving and progressing the dispute. The second part then looks at the activities carried out by the ECSO themselves and the time that they spent on the dispute.

2.1.1 *Claimant experience of ECSOs*

Within the telephone survey, claimants in experiment offices were asked about their contact and experience with dealing with the ECSO. Claimants who made initial contact with Acas were initially asked a short set of questions about their experience of speaking with the ECSO. Firstly, those claimants who contacted Acas through the Acas helpline were asked how long it took to be contacted by the ECSO. Seven in ten (69 per cent) reported being contacted by Acas within two working days. This breaks down to: a fifth being contacted on the same day (20 per cent), a further fifth on the next day (19 per cent), and 29 per cent on the second working day.

Virtually all claimants (95 per cent) who made the first contact with Acas (either via the helpline or by other means) reported that the ECSO explained who they were and why they were calling. They were also prompted as to whether the telephone conversation covered a number of areas. Affirmative responses are shown below:

- Asked claimant to explain the employment issue/dispute (95 per cent);
- Advised that a conciliator would be in contact within the next two working days (90 per cent);
- Checked contact details (90 per cent);
- Explained the conciliation process and the possible outcomes (88 per cent);
- Explained the time limits for presenting the case at tribunal (86 per cent);
- Explained the tribunal procedures (71 per cent);
- Checked for when it would not be suitable for the conciliator to call (64 per cent).

Focusing on the discussion of PCC, nine in ten (89 per cent) claimants reported that the ECSO was either very good or fairly good at explaining the PCC process to them (with 66 per cent reporting that they were very good). As illustrated in Table 2.1 this varied by track, with ratings highest amongst fast track cases (93 per cent), followed by standard track cases (85 per cent). Ratings were lowest amongst open track cases

(76 per cent). However, the small base size of this group needs to be borne in mind.¹⁰

Perceptions of the suitability of PCC were also very positive, with 86 per cent of claimants feeling it was 'very' or 'fairly' suitable (with 50 per cent reporting it was 'very suitable')¹¹. This varied by track in the same pattern, with claimants in fast track most likely to perceive it as suitable (91 per cent), falling to 83 per cent amongst claimants in standard track cases, and 68 per cent in open track cases.

Table 2.1 Ratings of the explanation of PCC and perception of suitability of PCC by track

	Case track			
	All	Fast	Standard	Open
Rating of the ECSO at explaining PCC				
Very good	66	70	63	50
Fairly good	23	23	22	26
Neither good nor poor	5	2	8	11
Fairly poor	2	1	2	-
Very poor	2	2	2	8
Did not do this	1	1	1	3
Don't know	1	1	1	3
Unweighted	456	243	173	40
Perception of the suitability of PCC				
Very suitable	50	55	44	39
Fairly suitable	36	36	39	29
Neither suitable nor unsuitable	4	3	5	3
Fairly unsuitable	4	3	4	11
Very unsuitable	3	2	3	8
Did not describe PCC	1	*	1	8
Don't know	3	1	5	3
Unweighted	456	243	173	40

Base: All claimants who made initial contact with Acas

Twenty nine claimants (six per cent) felt PCC would be unsuitable for their case. The two most frequent reasons cited were; that claimants did not think the employer would be willing to negotiate (mentioned by 10 claimants), and that the Acas ECSO was not helpful (mentioned by nine claimants).

Finally, the survey findings suggest that claimants found the ECSO informative, with nine in ten (89 per cent) reporting that the ECSO answered all of their questions around the dispute.

¹⁰ n=40.

¹¹ Includes 'inappropriates' and cases closed after discussion with the ECSO

2.1.2 Time spent by the ECSOs

As discussed in Section 1.7, all ECSOs were required to keep a record of the time they spent dealing with each of their cases, along with what tasks/activities they had carried out and when. The activities recorded were: administration, being on the telephone, writing emails and any other activities were recorded as 'other'. Data were collected and analysed for 1512 cases.¹²

Firstly, looking across all activities, the average (mean) time spent per case by an ECSO was 29 minutes (rounded to the nearest minute). As illustrated in Table 3.2, as might be expected this varied by track, with the most time being spent on open period cases (on average 35 minutes) and the least on fast track cases (on average 27 minutes).

When exploring time spent by activity type, the largest proportion of time was spent on telephone calls with the claimant. On average across all cases, 16 minutes was spent on the phone which represents 55 per cent of the average time spent. Considerable time was also spent on administration, with an average of 12 minutes being spent (representing 41 per cent of the overall average time spent). This pattern was reflected across track types (see Table 2.2).

Very little time was spent on writing emails and other activities. On average, less than 30 seconds was spent on each of these activities. This is because very few cases actually involved these types of activities; of the 1512 cases examined, only 29 cases involved email contact, and 12 cases involved some sort of 'other' activity.

Table 2.2 Average time spent per case overall and by activity type

Average Total Time Spent (mins) ¹³	Average time spent on administration (mins)	Average time spent on phone calls (mins)	Average time spent on emails (mins)	Average time spent on other activities (mins)
All Cases				
29	12	16	*	*
Fast Track cases				
27	12	15	*	*
Standard Track Cases				
31	13	18	*	*
Open Track Cases				
35	15	20	*	*

Base: All cases where time estimates were collected and full sample details were provided. All cases (1512), Fast track cases (842), Standard Period cases (544) Open Period cases (126)

¹² Note, this is all cases where time data were collected by ECSOs which could be matched to the main MI extract.

¹³ Note, all figures are rounded to the nearest minute.

Table 2.3 displays the number of times an ECSO carried out a task/activity on a case. On average, each case involved 3.4 instances of work by the ECSO. This was split very evenly between administration (on average each case involved 1.6 administration tasks) and phone calls (on average case involved 1.7 phone calls). This is interesting as it suggests whilst the number of phone calls and instances of administration are very similar, the average total time spent overall on phone calls is greater. Table 2.3 also shows this split out by track, and as can be seen there is little variation in the number of activities carried out across the three track types.

Table 2.3 Average number of activities spent per case overall and by activity type

Average number of actions	Average number of administrative tasks	Average number of phone calls	Average number of emails	Average number of additional other activities
All Cases				
3.4	1.7	1.6	*	*
Fast Track cases				
3.4	1.7	1.6	*	*
Standard Track Cases				
3.5	1.7	1.7	*	*
Open Track Cases				
3.5	1.8	1.7	*	*

Base: All cases where time estimates were collected and full sample details were provided. All cases (1512), Fast track cases (842), Standard period cases (544), Open period cases (126)

2.2 The impact of the ECSO intervention on further referral and use of PCC

The second part of this section explores the impact of the ECSO on the progression of the referrals; exploring those that were deemed 'inappropriate' for PCC; and amongst those that were 'appropriate' the proportions that go on to PCC. Comparisons are made between referrals in the experiment and the control offices.

2.2.1 The impact on 'inappropriate' referrals to PCC conciliators

As mentioned in Section 1.3, one of the objectives of this research was to explore the intervention of ECSOs on the number of 'inappropriate' cases that are passed on for PCC. Analysis of this was possible by exploring the MI data for these cases between the experiment and control offices.

In control offices, of the 1538 cases included, 123 cases were deemed 'inappropriate' for PCC either because they should have not been referred in the first place (30

cases, 24 per cent) or because additional information emerged during the discussion with the conciliator (92 cases, 75 per cent).¹⁴ This represents eight per cent of all cases in control offices.

In experiment offices, of the 1729 cases included, 298 cases were deemed 'inappropriate' for PCC either because they should have not been referred in the first place (132 cases, 44 per cent) or because additional information emerged during the discussion with the conciliator (166 cases, 56 per cent). This represents 17 per cent of all cases in experiment offices.

However, eight in ten of these cases in experiment offices (80 per cent, 239 cases) were not referred on to a PCC conciliator, with the last contact with Acas being with an ECSO. Only one fifth (20 per cent, 59 cases) were actually passed on to a PCC conciliator, and at an overall level, this represents three per cent of all cases in experiment offices. This is a very encouraging finding as it is less than the eight per cent of inappropriate cases found in control offices.

2.2.2 Cases 'closed' by ECSOs

Within the MI data it is possible to examine the proportion of cases which are 'closed' by an ECSO. A case 'closed' by an ECSO has been defined as a case where the last contact was with an ECSO and it had not been referred on to a PCC conciliator.

Within the experiment offices, of the 1721 cases dealt with, 1431 were deemed 'appropriate' for PCC. Of these cases, one in nine (11 per cent) were closed by the ECSO without the need for any further involvement by a conciliator. These were closed with the following outcomes:

- Unprogressed – Other (including where it was not possible to make contact) (53 per cent);
- Unprogressed - claimant unwilling to take part in PCC (29 per cent);
- Dispute resolved in initial discussions (17 per cent);
- Unprogressed - respondent unwilling to take part in PCC (one per cent).

There was very little variation by track, with ECSOs closing 12 per cent of fast track cases, 11 per cent of open track cases and 10 per cent of standard track cases.

2.2.3 Progression and uptake of PCC

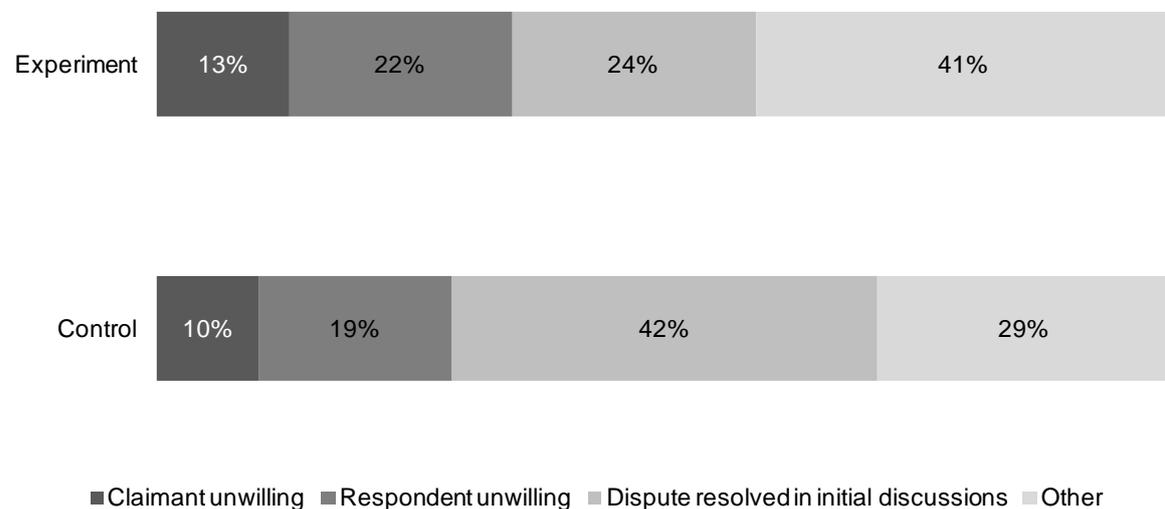
Within the MI data it was possible to examine the proportion of cases which progressed to PCC in control and experiment offices, to explore whether the progression to and uptake of PCC was higher when there had been ECSO intervention.

¹⁴ Note, there was one further case, flagged as inappropriate with the outcome 'Other'.

Amongst all cases in control offices which were 'eligible' for PCC (i.e. excluding those which were 'inappropriate' for PCC) 32 per cent had not progressed to PCC and 68 per cent had progressed. In experiment offices, progression to PCC was slightly lower; with 38 per cent not progressing, and 62 per cent progressing. This is interesting and suggests that the ECSO intervention does not appear to increase the progression of cases to PCC. The same pattern was evident amongst all case tracks, with the difference largest in open track cases, with 58 per cent progressing to PCC in experiment offices, compared to 70 per cent in control offices.

When comparing the breakdown of the reasons recorded for a case not progressing to PCC; differences were evident between the control and experiment groups. These are illustrated in Figure 2.1 below. Between the two groups the biggest differences were in the proportion of cases which were recorded as being resolved in initial discussions, and the proportion of cases which were recorded with the unprogressed outcome of 'Other (including where it was not possible to make contact)'. There were also some small differences in the proportions where the outcome was recorded as the claimant or the employer was not willing to take part. In experiment offices, 35 per cent of the unprogressed cases had a recorded outcome of the claimant or the employer was not willing to take part, compared to the control offices where this was slightly lower, at 29 per cent.

Figure 2.1 Outcome of unprogressed PCC cases in experiment and control offices



Base: All unprogressed cases in experiment offices (549), All unprogressed cases in control offices (453)

However, it should be borne in mind that these outcomes were recorded by the ECSOs and conciliators themselves, and therefore these variations may be explained by differences in how ECSOs and conciliators record such outcomes.

Despite these findings from the MI data, claimants in the survey were very positive about the ECSO intervention. Amongst claimants who had spoken to an ECSO and then taken part in PCC, three quarters (74 per cent) reported that their discussion with the ECSO was 'very' important in deciding to take part in PCC, and a further 19 per cent said it was 'quite' important in deciding to take part. Ratings were consistent between the three case tracks.

Amongst claimants who had discussed PCC with an ECSO but for whom PCC did not take place, 13 per cent said that more support or help from the ECSO would have encouraged them to take part in PCC. Other answers given included that the PCC was not required (5 per cent), the employer was unwilling (5 per cent), and that they weren't contacted further by Acas (5 per cent). However, the most commonly given answer was that nothing would have encouraged them to take part (45 per cent).

3. THE IMPACT OF ECSO INTERVENTION ON THE PCC PROCESS

This section explores the PCC experience and process when there had been ECSO intervention. Between control and experiment offices it examines whether there are differences in: the PCC duration, the outcome of the PCC, progression to an Employment Tribunal (ET) and claimant experience and overall satisfaction with Acas.

3.1 PCC duration

The mean and median length of PCC was calculated for all progressed cases in the control and experiment offices recorded within the MI data. It was calculated from the date the referral progressed to a case (the employee and the employer both agreed to take part in PCC), to the settlement/impasse date of the case.

The median length of PCC of progressed cases in experiment offices was seven days (rounded to the nearest day). This was shorter than in control offices, where the median length was 14 days.

When the median length of PCC between experiment and control offices is analysed by case track, some interesting differences emerge, which are shown in Table 3.1. For fast track and standard track cases the median number of days was shorter in experiment offices than control offices. For open track cases the opposite pattern is evident, however, this finding must be treated with caution due to the small base size of the open track group.

Table 3.1 PCC case duration in days¹⁵

	All	Case track		
		Fast	Standard	Open
CONTROL GROUP				
Median	14	14	14	7
Inter-quartile range	30	30	29	40
Base	962	507	362	93
EXPERIMENT GROUP				
Median	7	6	7	13
Inter-quartile range	27	25	30	26
Base	882	487	326	68

Base: All progressed cases in control offices and all progressed cases in experiment offices.

¹⁵ Note. All figures are rounded to the nearest day. Additionally, due to outliers in the data, the reliability of the estimates of the maximum number of days spent must be treated with caution. Therefore, analysis focuses on the median and inter-quartile ranges. For reference, in control offices, the mean number of days spent was 20 days (with a minimum of 1 day and a maximum of 122 days). In experiment offices, the mean number of days spent was 18 days (with a minimum of 1 day and a maximum of 200 days).

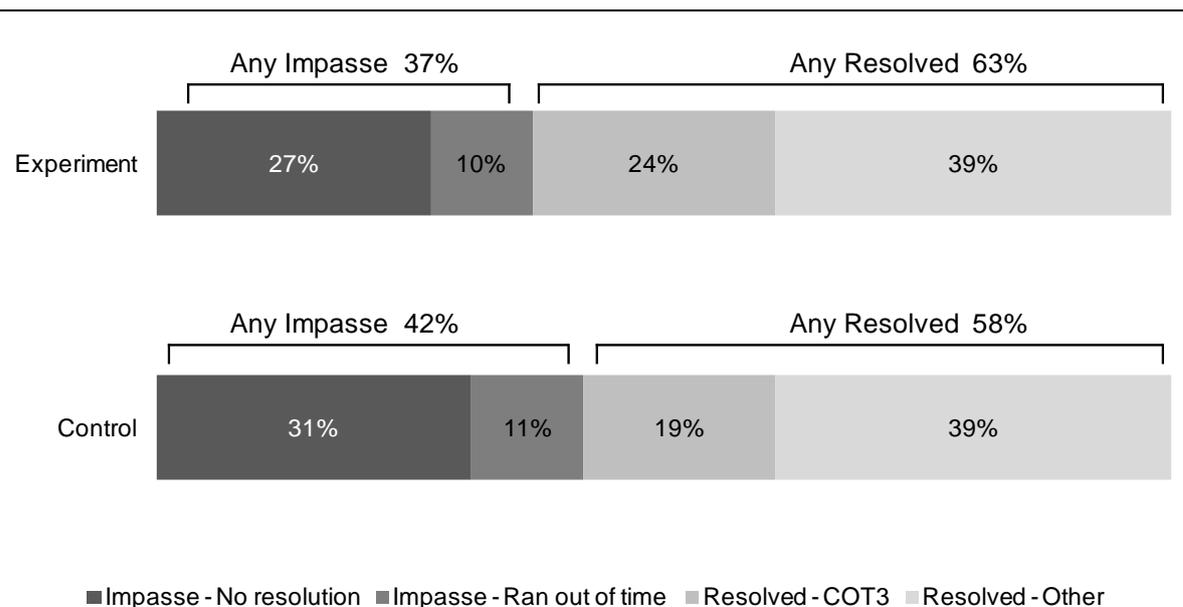
Further information about time spent can be derived from the survey, as claimants involved in progressed cases (those with an impasse or resolved outcome) were asked how much time they spent on the workplace problem, from the time they received the offer of Acas assistance until the assistance ended. In experiment offices the average number of hours spent was 55. The time spent in control offices was very much in line with an average of 53 hours being spent. When this is explored within track no significant differences were evident between the two groups.

3.2 ECSO intervention and the relationship with PCC case outcome

From the MI data it is possible to compare the PCC outcomes as recorded by the PCC conciliators between experiment and control offices. The breakdown is illustrated in Figure 4.1 below. Very positively, more disputes were resolved in experiment offices (63 per cent), than in the control offices (58 per cent). This is an encouraging finding because whilst earlier it was apparent the proportion of disputes which progress to PCC in experiment offices is lower than in control office; this finding suggests that once cases do progress they are more likely to be resolved when there has been intervention by an ECSO.

When looking at the more detailed outcomes, it is apparent that the differences between the two groups at the overall impasse and resolved level are largely driven by a smaller proportion of cases being 'impasse – unresolved' in experiment offices (27 per cent versus 31 per cent in control offices), and a higher proportion being resolved using a COT3 (24 per cent versus 19 per cent in control offices).

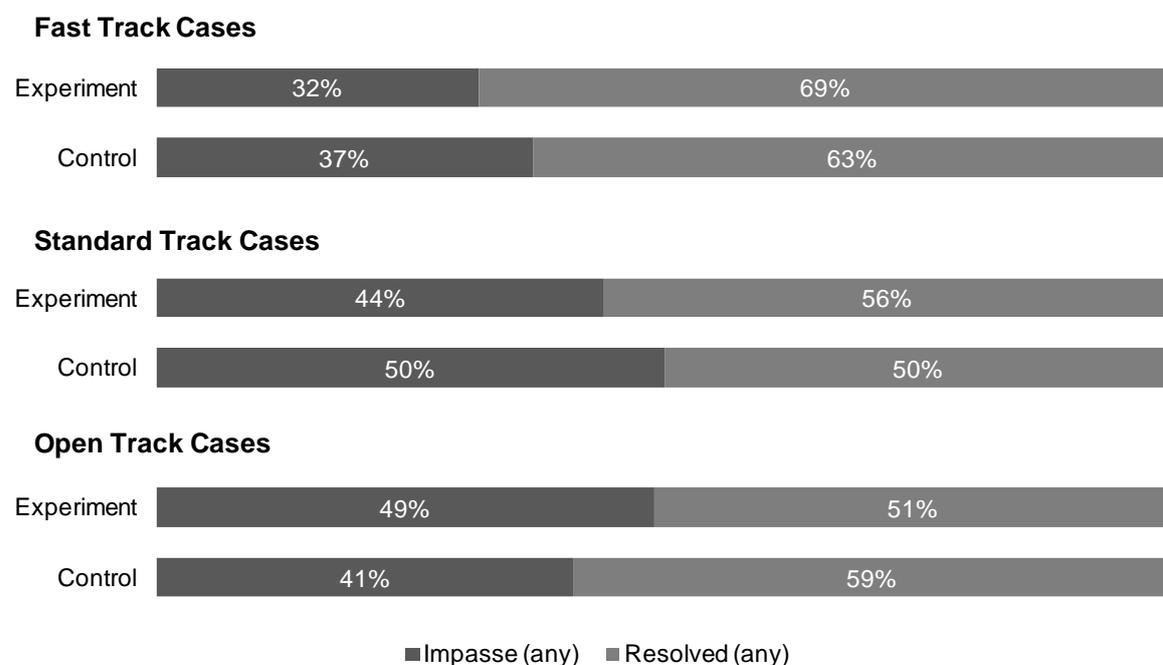
Figure 3.1 Outcome of progressed PCC cases in experiment and control offices



Base: All progressed cases in experiment offices (882), All progressed cases in control offices (962)

Case track had an impact here. When comparing the proportion of cases which reached a resolution versus the proportion which reached an impasse within case track, the higher proportion of resolved cases in experiment offices is limited to fast track and standard track cases. In open track cases, a higher proportion reached a resolution in control offices. This is illustrated in Figure 3.2.

Figure 3.2 Outcome of progressed PCC cases in experiment and control offices by track



Base: All progressed cases in experiment offices (882), All progressed cases in control offices (962)

The findings are encouraging and suggest that ECSOs may be successful in filtering cases that were most suitable for PCC to refer on to the conciliator. However, it must be borne in mind that there are many reasons why cases are resolved or not, including the complexity of the case and the willingness of the parties to come to an agreement. It could be that there were differences in the types of cases received in the control and experiment offices, which we are unable to measure.

3.2.1 ECSO intervention and the progression to an Employment Tribunal

Whilst it is not possible in the MI data to explore the progression of cases to an Employment Tribunal (ET), it is possible to examine this within the survey data. All claimants surveyed in both control and experiment offices were asked (irrespective of the PCC outcome), whether they had submitted an ET application about the dispute. The proportion of claimants who reported doing so was consistent between the two groups at around two fifths (38 per cent in control offices and 42 in experiment offices).

3.3 Claimant perceptions and experience of PCC

Within the survey, all claimants in both the experiment and control groups who had contact with a conciliator were asked about their experience with them and with the PCC process.¹⁶ This allows comparisons to be made between the two groups to see if there were any differences in experiences or perceptions of PCC and the conciliator.

Claimants were asked about their contact with the conciliator and asked to give ratings of the quality of the conciliator/conciliation. The experiences reported between the groups were largely consistent. Claimants were also asked their views about the influence Acas had on helping decide how to proceed with the case and the impact on resolving the dispute. Again, views between claimants in each of the groups were in line, with no significant differences emerging. When the attitudes were compared between the two groups within track, again views were largely consistent. There was one difference which was apparent amongst fast track cases, with claimants in these cases in the experiment group more likely to feel that the Acas involvement was 'very' important in helping them decide how to proceed with the dispute (65 per cent versus 54 per cent in control offices). Attitudes did not vary by case outcome.

The use of representation did not vary between the two groups with representatives used in one fifth of cases in each group (21 per cent in experiment offices and 20 per cent in control offices).¹⁷

All claimants who reported that they took part in PCC (and had an impasse or resolved outcome) were asked their satisfaction levels with the outcome itself and the service they received from Acas. There were no differences in the satisfaction levels reported within the two groups on either measure. When examined within track, one notable difference emerged. This was again within fast track cases, with two fifths (40 per cent) of claimants involved in such cases in experiment offices reporting that they were 'extremely satisfied' with the service they received from Acas, compared with 27 per cent of such claimants in control offices.

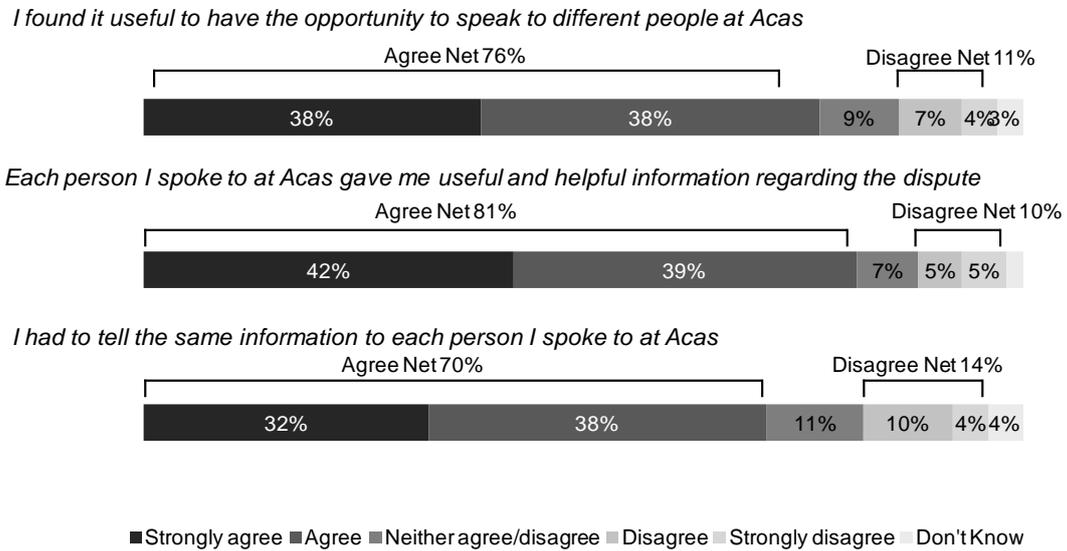
Finally, claimants in experiment offices were asked some questions about the different people they spoke to at Acas who helped with the dispute. These were included to try to get a measure of whether claimants felt there was duplication with speaking to an ECSO and a conciliator. The results are displayed in Figure 3.2 below. Seven in ten (70 per cent) of claimants agreed that they had to divulge the same information to each person they spoke to at Acas, which suggests some repetition was evident. However, the high levels of agreement with the remaining to statements ('I found it useful to have the opportunity to speak to different people at Acas' and 'Each person I spoke to gave me useful and helpful information regarding

¹⁶ In control offices, this will be all claimants. In experiment offices, if the claimant only spoke to an ECSO and did not progress to speak to a conciliator they were not asked these questions.

¹⁷ Whether used a representative was derived from whether the interview was carried out with a representative directly, and in cases where it was not claimants were asked if they had a representative.

the dispute') suggests that claimants were generally positive about speaking to both an ECSO and a conciliator.

Figure 3.2 Agreement with statements around contact with Acas



Base: All claimants interviewed in experiment offices (463)

4. KEY FINDINGS AND CONCLUSIONS

The overarching aim of the research was to explore whether the intervention of ECSOs facilitated PCC to allow a more efficient use of conciliator's time. More specifically, the research sought to answer a number of other research questions. The key findings around each of these objectives are summarised below.

How much time do ECSOs spend on cases by track (fast, standard and open), and on different tasks?

From the activity and time records recorded by ECSOs, the average time spent per case was 29 minutes, and this varied by track, with the most time being spent on open track cases, and the least on fast track cases. On average just over half of the time was spent on telephone calls, and two fifths on administration. Overall, an average of 3.4 instances of work/actions were carried out per case.

What is the impact of ECSOs on numbers of 'inappropriate' cases passed to conciliators?

From the MI data analysis there was a reduction in the number of 'inappropriate' cases that were passed to conciliators. In control offices, eight per cent of cases were 'inappropriate'. In experiment offices, 17 per cent of all cases were inappropriate, but only one fifth of these were passed to a conciliator – this represents three per cent of all cases in experiment offices.

How many cases are closed by ECSOs and under what outcome categories?

Analysis of the MI data suggests that of those cases deemed 'appropriate' for PCC, one in nine were closed by the ECSOs without the need for involvement of a conciliator. These were closed under the following categories:

- Unprogressed – Other (including where it was not possible to make contact) (53 per cent);
- Unprogressed - claimant unwilling to take part in PCC (29 per cent);
- Dispute resolved in initial discussions (17 per cent);
- Unprogressed - respondent unwilling to take part in PCC (one per cent).

Are claimants more or less likely to agree to take part in PCC when there is an ECSO intervention?

Findings on this were mixed, with slightly varying pictures emerging from the different data sources. The MI analysis suggests that progression to PCC amongst 'appropriate' cases was slightly lower (62 per cent), compared to control offices (68 per cent). The reasons recorded for not progressing with the case varied between where there had, and had not, been ECSO intervention. In control offices, 42 per cent of unprogressed cases were recorded with the outcome 'Dispute resolved in

initial discussion with the conciliator', and 29 per cent of cases were recorded with the outcome 'Other including where it was not possible to make contact'. However, in experiment offices these proportions were almost reversed, with 41 per cent of cases which had not progressed recorded with an outcome of 'Other including where it was not possible to make contact', and 24 per cent where the 'Dispute was resolved in initial discussions with the conciliator'. However, these variations may reflect differences in the recording of outcomes between conciliators and ECSOs.

However, claimants were very positive about the ECSO intervention and three quarters of those who had taken part in PCC felt the ECSO was 'very' important in deciding to take part in conciliation.

Where both parties agree to take part, do ECSOs have an impact on PCC case duration (i.e. the length of time between date of PCC referral and date PCC is closed, taking into account other relevant factors)?

At an overall level, analysis of the MI data suggested that the median length of PCC in cases where there had been PCC was seven days, which was shorter than in control offices where the median length was 14 days. This finding was reflected within, the qualitative research where both ECSOs and conciliators indicated that ECSOs had helped to enable the conciliator to have a shorter, more focused conversation with the claimant and / or to reduce the number of conversations they needed to have with the claimant.

Where both parties agree to take part, what is the impact of ECSOs on each of the outcomes e.g. are there more unresolved cases in ECSO offices, are there more or fewer cases that go on to become ET claims?

The MI data analysis suggested that amongst cases that progressed to PCC, more were resolved when there had been ECSO intervention than when there had not been (63 per cent versus 58 per cent). This appears largely attributable to a reduction in the proportion of cases with a final outcome of 'impasse – unresolved' in experiment offices, and a higher proportion being resolved by an Acas COT3 settlement. When looking by case track, this increase in resolved cases is limited to fast and standard track cases.

The survey data suggests ECSOs do not have an impact on ET submission rates, as these (as reported by claimants) were similar between control and experiment offices with around two fifths reporting that an ET application had been submitted.

Claimant perceptions of ECSOs

Claimant perceptions of the ECSO role as recorded in the survey were very positive. There were high levels of recall of all points prompted about in the initial phone call. Ratings around the discussion of PCC were also very favourable, with very strong ratings of the ECSO explaining the PCC process, and the perception of the suitability of PCC for the dispute.

Are there differences between claimant perceptions of the PCC conciliator, the PCC process and outcomes between experiment and control offices?

The claimant experiences of PCC were similar between control and experiment offices. Within the survey, claimants in both offices were asked a range of questions around the PCC conciliator, satisfaction with the outcome of their case and the service they received from Acas. Attitudes were largely consistent between both offices.

Overall, these findings suggest that the ECSO role in this pilot experiment had some clear benefits on the facilitation of PCC, and led to more efficient use of conciliators' time. It was apparent that there was a small decrease in the proportion of 'inappropriate' cases that reached conciliators, which suggests that conciliators would have more time to deal with 'appropriate' cases. Whilst the data suggests that the proportion of cases that progressed to PCC did not increase when there had been ECSO involvement, claimants were very positive about the importance of the ECSO in their decision to take part in PCC. It is, however, encouraging that there was a slightly higher resolution rate in cases where there had been ECSO intervention, and additionally a small reduction in the average PCC duration of resolved cases.

APPENDIX 1 - QUESTIONNAIRE

Acas ECSO Evaluation and PCC Evaluation

Thank you for agreeing to participate in this study. Everything you say will be treated in the strictest confidence and no individuals or organisations will be identifiable in the results of this study.

Whether submitted an tribunal claim

ASK ALL

B13a

[EMPLOYEE: Can I check, before we start the interview have you submitted a tribunal claim regarding this issue? /

EMPLOYER / REPRESENTATIVE (ANY): Can I check has {employee} submitted a tribunal claim regarding this issue? /

INTERVIEWER IF NECESSARY:

[EMPLOYEES: IF AN EMPLOYMENT TRIBUNAL CLAIM HAS BEEN SUBMITTED THE EMPLOYEE WOULD HAVE SUBMITTED A FORM CALLED AN ET1 /

EMPLOYERS: IF AN EMPLOYMENT TRIBUNAL CLAIM HAS BEEN SUBMITTED THE EMPLOYER WOULD HAVE SUBMITTED A FORM CALLED AN ET3]¹⁸

INTERVIEWER: IF RESPONDENT QUERIES THIS ISSUE EXPLAIN: The workplace dispute in which they may have taken part in Pre-Claim Conciliation with Acas.

Yes 1

No 2

Don't Know

IF ET CLAIM HAS BEEN SUBMITTED AT B13A [IF B13A = YES]

For the rest of the interview today, I want you to think about everything that happened before {you / employee}¹⁹ submitted the ET claim. This will be everything that happened before [you submitted a form called the ET1 form / the organisation submitted a form called the ET3 form]²⁰. Please do not think about any assistance or conciliation that you may have received from Acas after the employment tribunal claim was submitted.

¹⁸ Text fill for employee and employers as indicated.

¹⁹ If employee text fill = 'you'. If employer or representative (any) text fill = '{employee}'.

²⁰ If employee or employee representative text fill = 'you submitted a form called the ET1 form'. If employer or employer representative text fill = 'the organisation submitted a form called the ET3 from'

IF HAS NOT YET SUBMITTED A TRIBUNAL CLAIM at B13a [IF B13a = 2]
B13b. [EMPLOYEE: Do you intend to submit a tribunal claim regarding this issue? /
EMPLOYER / REPRESENTATIVE (ANY): Do you know, does {employee} intend to
submit a tribunal claim regarding this issue?

Yes 1
No 2
(Spontaneous only) No – time limit passed 3
Don't know

Section A: Employment details

ASK ALL

To start with, we would like to ask a few questions around the background to the
dispute.

[EMPLOYEE: 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 {employee}.
REPRESENTATIVE (ANY): So first of all, I would like to ask you a few questions about
the dispute.]

Employment status

ASK ALL

A1. [EMPLOYEE: 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 {employee} work for
{employer} or was he/she applying for a job with {employer}??]

Worked for them 1
Job Applicant 2
Don't know

IF NOT JOB APPLICANT AT A1 [A1=1]
A2. [EMPLOYEE: And do you work for them now /
EMPLOYER or REPRESENTATIVE (ANY): And does {employee} work for {employer}
now?]

Yes 1
No 2
Don't Know

Details of job separation

IF FORMER WORKER AT A2 [A2=2]

A3. [EMPLOYEE: How did your employment with {employer} come to an end? 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 {employee}'s employment with
{employer} come to an end? Were they dismissed or made redundant, did they
resign or leave without resigning or did they leave for some other reason?]

- Dismissed 1
- Made redundant / 'Laid off' 2
- Resigned 3
- Left of own accord/without resigning 4
- Retired 5
- Some other reason 6
- Don't Know
- Refused

IF FORMER WORKER AT A2 [A2=2]

A4. [EMPLOYEE: Did you stop working for {employer} before, after or during the period of Acas assistance? /

EMPLOYER or REPRESENTATIVE (ANY): Did {employee} stop working for {employer} before, after or during the period of Acas assistance?]

- Before 1
- During 2
- After 3
- Don't know

IF LEFT AFTER ACAS ASSISTANCE AT A4 [A4=3]

A6. [EMPLOYEE: And, did you stop working for {employer} because of the problem you had at work? /

EMPLOYER / EMPLOYEE REPRESENTATIVE:

And, did {employee} stop working for {employer} because of the problem they had at work?]

- Yes 1
- No 2
- Don't know

Section B: The workplace problem

ASK ALL

[EMPLOYEE: I would now like to ask you about the problem you had. /
EMPLOYER/REPRESENTATIVE (ANY): I would now like to ask you about the dispute
with {employee}.]

Nature of the workplace problem

ASK ALL

B1. [EMPLOYEE: 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 {employee} had with the organisation? /

IF NECESSARY: I only need a brief summary; how would you sum it up in one
sentence?

OPEN ENDED
Don't know

ASK EMPLOYEE AND EMPLOYEE REPRESENTATIVES ONLY

B2. Could you estimate over what length of time this problem had been going on?

Less than 1 month 1
1 month – less than 3 months 2
3 months – less than 6 months 3
6 months – less than 1 year 4
1 year or more 5
Don't know

Conciliation outcome

ASK ALL

READ OUT

[EMPLOYEE: Just to remind you, this survey is about your experiences of, and views
on, Acas assistance with a recent dispute in your workplace. [Please answer the
questions in this survey in relation to any conciliation or assistance that was provided
by Acas before you submitted the tribunal claim and not about any conciliation that
you may have taken part in after the tribunal claim was submitted. The assistance
provided before an employment tribunal claim is submitted is called pre-claim
conciliation / This assistance is known as Pre-Claim Conciliation, and occurs before a
tribunal claim is submitted]²¹.

EMPLOYER: Just to remind you, this survey is about your experiences of, and views
on, Acas assistance with a recent dispute with {employee}. [Please answer the
questions in this survey in relation to any conciliation or assistance that was provided
by Acas before the tribunal claim was submitted and not about any conciliation that

²¹ The first part of the text fill will appear if B13a = Yes (i.e. submitted at tribunal claim). The
second part of the text fill will appear otherwise.

may have taken place after the tribunal claim was submitted. The assistance provided before an employment tribunal claim is submitted is called pre-claim conciliation] / This assistance is known as Pre-Claim Conciliation, and occurs before a tribunal claim is submitted]²².

REPRESENTATIVE (ANY): Just to remind you, this survey is about your experiences of, and views on, Acas assistance with a recent dispute where you acted on behalf of another party. [Please answer the questions in this survey in relation to any conciliation or assistance that was provided by Acas before the tribunal claim was submitted and not about any conciliation that may have taken place after the tribunal claim was submitted. The assistance provided before an employment tribunal claim is submitted is called pre-claim conciliation / This assistance is known as Pre-Claim Conciliation, and occurs before a tribunal claim is submitted]²³.

IF RESULT = 'RESOLVED COT3' ON SAMPLE

B4. [EMPLOYEE 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?]

Yes 1
No 2
Don't know

IF RESULT = 'RESOLVED OTHER' ON SAMPLE

B7. EMPLOYEE: Our records show that you and {employer} resolved the problem between you without a written agreement drawn up by Acas. Is this correct? /

EMPLOYER: Our records show that you and {employee} resolved the problem between you without a written agreement drawn up by Acas. Is this correct? /

REPRESENTATIVE: Our records show that the problem was resolved between you and the other party without a written agreement drawn up by Acas. Is this correct?]

Yes 1
No 2
Don't Know

²² As previous text fill.

²³ As previous text fill.

IF B7 = No or DK

B7b. During the conciliation did {you/employee}²⁴ decide not to pursue the issue or case any further?

Yes 1
No 2
Don't Know

IF RESULT = 'UNPROGRESSED CLAIMANT UNWILLING', OR 'UNPROGRESSED EMPLOYER UNWILLING' OR 'UNPROGRESSED – OTHER' ON SAMPLE

B8a. EMPLOYEE: Our records show you and {employer} did not use the assistance of Acas to try and resolve the matter. Is this correct? /

EMPLOYEE REPRESENTATIVE: Our records show {employee} did not use the assistance of Acas to try and resolve the matter. Is this correct?]²⁵

Yes 1
No 2
Don't know

IF RESULT = 'UNPROGRESSED RESOLVED IN INITIAL DISCUSSIONS' ON SAMPLE

B9a. [EMPLOYEE: Our records show that after you spoke to the Helpline adviser, someone else spoke to you and you decided not to take the dispute any further. Is this correct? /

EMPLOYEE REPRESENTATIVE: Our records show that an Acas conciliator spoke to you or the employee and it was decided not to take the dispute any further. Is this correct?]²⁶

Yes 1
No 2
Don't know

IF RESULT = 'IMPASSE NO RESOLUTION BROKERED' ON SAMPLE

B10. [EMPLOYEE: Our records show that an Acas conciliator spoke to you and {employer} but that you did not reach a resolution or settlement. Is this correct? / EMPLOYER: Our records show that an Acas conciliator spoke to you and {employee} but that you did not reach a resolution or settlement. 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 resolution or settlement. Is this correct?]

Yes 1
No 2
Don't know

IF RESULT = 'IMPASSE – RAN OUT OF TIME' ON SAMPLE

B12. Our records show that Acas assistance could not be continued because the time limit for presenting a tribunal claim was close? Is this correct?

²⁴ If employee text fill = 'you'. If employer or representative (any) text fill = '{employee}'

²⁵ Note. Only claimants involved in unprogressed cases will be included in the survey. Employers in unprogressed cases will not be included therefore alternative question text for employers is not needed.

²⁶ As previous footnote.

Yes 1
No 2
Don't know

IF EMPLOYEE OR EMPLOYEE REPRESENTATIVE AND SAMPLE OUTCOME CHECKED AND RESPONDENT DID NOT AGREE WITH SAMPLED OUTCOME AT B4, B7, B8a, B9a, B10, B12 [IF (EMPLOYEE OR EMPLOYEE REPRESENTATIVE) AND ((B4=2 or DK) OR (B7b=2 or DK) OR (B8a=2 or DK) OR (B9a=2 or DK) OR (B10=2 or DK) OR (B12=2 or DK))]²⁷

B18. [EMPLOYEE: When you were offered Acas conciliation, could you tell me which of the following happened? /

EMPLOYEE REPRESENTATIVE: When {employee} was offered Acas conciliation, could you tell me which of the following happened?

IF NECESSARY: This is known as Pre-Claim Conciliation.

[You were / {employee} was]²⁸ offered Acas conciliation but decided not take part in it and pursue the dispute in another way 1

[You / {employee}]²⁹ accepted the offer of Acas assistance and took part in the conciliation 2

After [you / {employee}]³⁰ spoke to the Acas conciliator [you / {employee}] decided not to take the dispute any further 3
Don't know

If EMPLOYEE OR EMPLOYEE REPRESENTATIVE AND ACCEPTED THE OFFER OF CONCILIATION AT B18 [IF EMPLOYEE OR EMPLOYEE REPRESENTATIVE AND B18 = 2] OR

IF EMPLOYER OR EMPLOYER REPRESENTATIVE AND SAMPLE OUTCOME CHECKED AND RESPONDENT DID NOT AGREE WITH SAMPLED OUTCOME AT B4, B7, B8a, B9a, B10, B12 [IF (EMPLOYER OR EMPLOYER REPRESENTATIVE) AND ((B4=2 or DK) OR (B7b=2 or DK) OR (B8a=2 or DK) OR (B9a=2 or DK) OR (B10=2 or DK) OR (B12=2 or DK))].

B19. What was the outcome of the Acas conciliation?

IF NECESSARY: This is known as Pre-Claim Conciliation.

The issue was resolved during the conciliation and an Acas settlement was drawn up 1

The issue was resolved during the conciliation, however without a written agreement being drawn up by Acas 2

There was some negotiation with both you and the other party, but the Acas assistance could not be continued because the time limit for presenting an employment tribunal claim was too close 3

²⁷ All employers who took part in the survey took part in PCC so are not routed to B13, so route straight to B19.

²⁸ If employee text fill = 'you were', If employee representative text fill = '{employee} was'.

²⁹ As previous footnote.

³⁰ As previous footnote.

There was some negotiation between both you and the other party but the issue was not able to be resolved because a settlement could not be agreed on 4

Or did something else happen (specify) 5

Don't know

DERIVED VARIABLE OF OUTCOME AT PCC (PCCOUT)

To be used for the filtering of outcome in the rest of the questionnaire

1. RESOLVED – ACAS SETTLEMENT

[B4 = 1 OR B19 = 1]

2. RESOLVED - OTHER

[B7 = 1 OR B7b = 1 OR B19 = 2]

3. IMPASSE – NO RESOLUTION BROKERED

[B10 = 1 OR B19 = 4]

4. IMPASSE – RAN OUT OF TIME

[B12 = 1 OR B19 = 3]

5. UNPROGRESSED - OTHER³¹

[B8a = 1 OR B18 = 1]

6. UNPROGRESSED – RESOLVED IN INITIAL DISCUSSIONS

[B9a = 1 or B18 = 3]

7. SOMETHING ELSE / NOT KNOWN

[B18 = DK or B19 = DK]

IF RESOLVED THROUGH ACAS SETTLEMENT AT PCCOUT [PCCOUT = 1]

B5. What were the terms of this settlement?

Reinstatement (old job back) 1

Another job in the organisation i.e. re-engagement 2

Money 3

A reference 4

An apology 5

A letter of explanation 6

Other (RECORD) 7

Don't know

IF SETTLEMENT INCLUDED MONEY AT B5 [B5=3]

B6. [EMPLOYEE: And, how much money did you receive? /

EMPLOYER OR REPRESENTATIVE (ANY): And, how much money did {employee} receive?]

³¹ (This will include a mixture of claimant unwilling, employer unwilling and other).

RECORD AMOUNT

Numeric range 0-999999
Don't know

IF UNPROGRESSED OTHER AT PCCOUT [PCC = 5]

B8b. Why didn't [you / {employee}]³² use Acas assistance to try and resolve the matter?³³

PROMPT TO PRE-CODES

- [I / {employee}] was not willing to negotiate 1
- Acas could not contact the employer 2
- The employer was not willing to negotiate 2
- [I / {employee}] felt that conciliation would not resolve the issue / would be a waste of time 4
- [I / {employee}] felt that conciliation was too complicated 5
- When [I / {employee}] spoke to the Acas advisor [I / {employee}] felt [I/they] did not have a case 6
- The issue was resolved by the time Acas assistance was offered 7
- Other (specify)
- Don't know

IF UNPROGRESSED – RESOLVED IN INITIAL DISCUSSIONS AT PCCOUT [PCCOUT = 6]

B9b. Why did you and/or {employee} decide not to take the matter further?³⁴

OPEN-ENDED
Don't know

IF IMPASSE – NO RESOLUTION BROKERED A PCCOUT [PCCOUT = 3]

B11. What was the reason for not reaching a resolution of settlement?

PROMPT TO PRECODES

- The employer did not wish to take part in the conciliation / was not interested in talking (*To appear only if employee/employee representative*) 1
- The offer the employer made was not good enough (*To appear only if employee/employee representative*) 2
- The employee wanted money and we were not willing to pay (*To appear only if employer/employer representative*) 3
- We were not willing to talk further to the employee (*To appear only if employer/employer representative*) 4
- We felt we had no case to answer to (*To appear only if employer/employer representative*) 5

³² If employee text fill = 'you', if employee representative text fill = '{employee}'.

³³ Note. Only claimants involved in unprogressed cases will be included in the survey. Employers in unprogressed cases will not be included therefore alternative question text for employers is not needed.

³⁴ As previous footnote.

We offered a settlement but the employee was not willing to accept it (*To appear only if employer/employer representative*) 6
We were unable to reach an agreement before the time limits for submitting a tribunal claim were reached 7
Other (specify)
Don't know

ASK ALL

B14a.

Before you were offered Acas assistance, did {employer} have written policies or procedures for dealing with cases like this?

INTERVIEWER IF NECESSARY: Such as a written grievance procedure.

Yes 1
No 2
Don't know

IF THERE ARE WRITTEN PROCEDURES AT B14a [IF B14a = 1]

B14b. Were the policies and procedures used in this case?

Yes 1
No 2
Don't know

Section C: The route to PCC

Awareness of PCC

IF TOOK PART IN PCC [IF PCCOUT = 1 OR 2 OR 3 OR 4]

Before we talk further about your experiences of the Acas conciliator I want to ask you some questions about your very initial contact with Acas about this issue.

IF EMPLOYEE OR EMPLOYEE REPRESENTATIVE:

C8. Thinking back can I just check, did [you/ {employee}]³⁵ initially get in touch with Acas about this issue by calling the Acas helpline?

Yes 1
No 2
Don't know

IF EMPLOYEE OR EMPLOYEE REPRESENTATIVE AND DID NOT GET IN TOUCH VIA THE HELPLINE [IF EMPLOYEE OR EMPLOYEE REPRESENTATIVE AND C8 = 2 OR DK]

C8b. And did you make the first contact with Acas about the dispute or did {employer}?

Employee made initial contact with Acas 1
Organisation made initial contact with Acas 2
Don't know

IF EMPLOYEE OR EMPLOYEE REPRESENTATIVE AND CONTACTED ACAS ABOUT THE ISSUE AT C8 or C8b [IF (EMPLOYEE OR EMPLOYEE REPRESENTATIVE) AND (C8 = 1 or C8b = 1)]

C2a. [EMPLOYEE: Before you contacted Acas about this issue, were you considering making a claim to an employment tribunal? /

EMPLOYEE REPRESENTATIVE: Before your client contacted Acas about this issue, were they considering making a claim to an employment tribunal?]

Yes 1
No 2
Was undecided 3
Other (RECORD) 4
Don't know/can't remember

³⁵ If Employee text fill will read 'you'. If Employee representative text fill will read '{employee}'.

ASK ALL

C2b. [EMPLOYEE: Before your first contact with Acas, did you inform your employer that you were considering submitting a tribunal claim?

EMPLOYER: Before your first contact with Acas, did {employee} inform you that they were considering submitting a tribunal claim?

REPRESENTATIVE (ANY): Before their first contact with Acas, did {employee} inform their employer that they were considering submitting a tribunal claim?]

Yes 1
No 2
Don't know

ASK ALL

C7. And had you heard of the Acas Pre-Claim Conciliation service before you were offered it by Acas in this dispute?

Yes 1
No 2
Don't know

IF EMPLOYEE OR REPRESENTATIVE (ANY) AND IF HAD HEARD OF ACAS PCC BEFORE THIS DISPUTE [IF (EMPLOYEE OR REPRESENTATIVE (ANY)) AND C7 = 1]

C1. How did you first hear about the Acas pre-claim conciliation service?

CODE AS MANY AS APPLY

PROMPT TO PRECODES

Had taken part in it / been offered it previously by Acas (in a different employment dispute) 1
Trade union 2
Citizens Advice Bureau 3
Legal representative (e.g. Neighbourhood solicitor) 4
Equality and Human Rights Commission 5
Acas Website 6
Acas publication 7
Acas newsletter 8
Advertisement 9
Media 10
Peninsula *(TO ONLY APPEAR FOR EMPLOYERS AND EMPLOYER REPRESENTATIVES)* 13
Business Link *(TO ONLY APPEAR FOR EMPLOYERS AND EMPLOYER REPRESENTATIVES)* 14
Gov.uk15
Employment Tribunal Websites 16
Other (RECORD) 17

Section CC Views on ECSOs

(NOTE – This section is only asked of respondents in experiment offices)

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH ACAS VIA THE HELPLINE AT C8 [EXPERIMENT OFFICE AND (C8 = 1)]
CC1. After your call to the helpline, how soon after were you contacted by someone at Acas?

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

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH ACAS AT C8 OR C8a [EXPERIMENT OFFICE AND (C8 = 1 or C8b = 1)]
CC2. Thinking about the first person that contacted you from Acas about the dispute [after your initial call to the Acas helpline]³⁶, did they explain who they were and why they were calling?

- Yes 1
- No 2
- Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH ACAS AT C8 OR C8a [EXPERIMENT OFFICE AND (C8 = 1 or C8b = 1)]
CC3. Could you tell me whether they did any of the following. Did they...

READ OUT, AND CODE EACH THAT THE RESPONDENT RECALLS

- Check your contact details 1
- Ask you to explain the employment issue / dispute 2
- Explain the conciliation process and the possible outcomes of it 3
- Advise you that a conciliator would contact you within the next two working days 4
- Check whether there were any days or times when it would not be suitable for the conciliator to call 5
- Explain the Employment Tribunal procedures to you 6
- Other (RECORD)
- None of these

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH ACAS AT C8 OR C8a [EXPERIMENT OFFICE AND (C8 = 1 or C8b = 1)]
CC4. How would you rate this Acas advisor in explaining the Pre-Claim Conciliation service that Acas offer?

³⁶ Text fill will only appear if C8 = 1.

READ OUT

INTERVIEWER IF NECESSARY REMIND THE RESPONDENT THAT THIS IS THE CONCILIATION THAT HAPPENS BEFORE THE TRIBUNAL CLAIM IS SUBMITTED

Very good 1
Fairly good 2
Neither good nor poor 3
Fairly poor 4
Very poor 5
(Spontaneous only) Did not do this
Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH ACAS AT C8 OR C8a [EXPERIMENT OFFICE AND (C8 = 1 or C8b = 1)]
CC5. When they discussed the Pre-Claim Conciliation with to you, how suitable did it sound to [your/this]³⁷ case?
READ OUT

Very suitable 1
Fairly suitable 2
Neither suitable nor suitable 3
Fairly unsuitable 4
Very unsuitable 5
(Spontaneous only) Did not to describe PCC
Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND PCC DID NOT SOUND SUITABLE FOR CASE AT CC5 [EXPERIMENT OFFICE AND CC5 = 4 OR 5]
CC6. Why did it not sound suitable for [your/this]³⁸ case?

OPEN ENDED
Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH ACAS AT C8 OR C8a[EXPERIMENT OFFICE AND (C8 = 1 or C8b = 1)]
CC7. Did the Acas advisor tell you the time limits for presenting a tribunal claim?

Yes 1
No 2
Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND DID EXPLAIN TIME LIMITS FOR PRESENTING A TRIBUNAL CLAIM AT CC7 [IF CC7 = YES]
CC13. What do you understand the time limits for presenting a tribunal claim to be?

INTERVIEW: IF THE RESPONDENT DOES NOT KNOW CODE 'DON'T KNOW'

³⁷ If Employee or Employer respondent text fill = 'your'. If representative (any) respondent text fill = 'this'.

³⁸ As previous footnote.

OPEN ENDED
Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH
ACAS AT C8 OR C8a [EXPERIMENT OFFICE AND (C8 = 1 or C8b = 1)]
CC8. Did they answer all of your questions around the dispute?

Yes 1
No 2
Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND DID NOT ANSWER ALL QUESTIONS
AT CC8 [EXPERIMENT OFFICE AND CC8 = 2]
CC9. Can you briefly tell me what questions they didn't answer?

OPEN ENDED
Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH
ACAS AT C8 OR C8a AND TOOK PART IN PCC [EXPERIMENT OFFICE AND (C8 = 1 or
C8b = 1)AND (PCCOUT = 1 OR 2 OR 3 OR 4)]
CC10. How important was your discussion with this person at Acas in deciding to take
part in the Pre-Claim Conciliation? Was it...

READ OUT

Very important 1
Quite important 2
Not very important 3
Not at all important 4
Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH ACAS AT C8 OR C8a AND DID NOT TAKE PART IN PCC BUT PCC WAS DISCUSSED WITH THEM [EXPERIMENT OFFICE AND (C8 = 1 or C8b = 1) AND (PCCOUT = 5 OR 6) AND CC4 <> DID NOT DO THIS]

CC11. Is there anything that would have encouraged you [and your client]³⁹ to take part in the Pre-Claim Conciliation?

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.

OPEN-ENDED

No – nothing would have encouraged respondent to take part

Don't know

IF IN EXPERIMENT OFFICE (FROM SAMPLE) AND MADE INITIAL CONTACT WITH ACAS AT C8 OR C8a C8 AND UNPROGRESSED AT PCCOUT OR SOMETHING ELSE AT PCCOUT [EXPERIMENT OFFICE AND (C8 = 1 or C8b = 1) AND (PCCOUT = 5 OR 6 or 7)]

CC12. After you spoke to this person, did you speak to an Acas Conciliator?

Yes 1

No 2

Don't know

³⁹ Text fill will appear is representative (any) respondent.

Section D: The PCC process

ASK ALL EMPLOYEES AND EMPLOYERS EXCEPT THOSE WHO DID NOT HAVE CONTACT WITH ACAS CONCILIATOR AT CC12 [IF (EMPLOYEE OR EMPLOYER) AND CC12 <> 2]⁴⁰

D15. Can I just check did [you / the organisation]⁴¹ use a representative to deal with Acas [from this the point forward]⁴²? 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.

INTERVIEWER: IF THE RESPONDENT SOUGHT LEGAL ADVICE, BUT THE LEGAL ADVISOR DID NOT ACTUALLY DEAL WITH ACAS ON {employee / employer}⁴³'s BEHALF PLEASE CODE 'NO' HERE.

Yes 1
No 2
Don't know

ASK ALL EXCEPT THOSE WHO DID NOT HAVE CONTACT WITH ACAS CONCILIATOR AT CC12 AND THOSE EMPLOYEES AND EMPLOYERS WHO HAD A REPRESENTATIVE AT D15 [IF CC12 <> 2 AND D15 <> 1]

I would like now to ask your experiences of the Acas conciliation process and in particular about your views of the Acas conciliator. [This will be the next person you spoke to at Acas]⁴⁴

Personal contact with Acas

ASK ALL EXCEPT THOSE WHO DID NOT HAVE CONTACT WITH ACAS CONCILIATOR AT CC12 AND THOSE EMPLOYEES AND EMPLOYERS WHO HAD A REPRESENTATIVE AT D15 [IF CC12 <> 2 AND D15 <> 1]

D1. [EMPLOYEE / EMPLOYER: How soon after you accepted the offer to speak to an Acas conciliator were you contacted by one? /

REPRESENTATIVE: How soon after the offer of Acas assistance was accepted were you contacted by a conciliator?]

READ OUT

On the next working day 1
Within two working days 2
More than two working days 3
Cannot Remember

⁴⁰ All respondents except those in unprogressed cases in experiment offices will have had contact with the Acas conciliator. For those in unprogressed cases in the experiment offices some may have had contact with an Acas conciliator and this is established in CC12.

⁴¹ If employee, text fill = 'you'. If employer, textfill = 'the organisation'.

⁴² Text fill will only appear for respondents in experiment offices.

⁴³ If employee text fill = '{employee name}'. If employer text fill '{employer name}'.

⁴⁴ Text fill will only appear for respondents in experiment offices.

ASK ALL EXCEPT THOSE WHO DID NOT HAVE CONTACT WITH ACAS CONCILIATOR AT CC12 AND THOSE EMPLOYEES AND EMPLOYERS WHO HAD A REPRESENTATIVE AT D15 [IF CC12 <> 2 AND D15 <> 1]

D2. Was your contact with the Acas conciliator by...?

CODE ALL THAT APPLY

Telephone 1
Email 2
Letter 3
Fax 4
Face to face 5
No contact 6
Don't know⁴⁵

EMPLOYEES AND EMPLOYEE REPRESENTATIVES WHO DID NOT HAVE CONTACT WITH CONCILIATOR AT D2 [IF EMPLOYEE OR EMPLOYEE REPRESENTATIVE AND D2 = 1 or 2 or 3 or 3 or 4 or 5 or DK]

D3. How many times did you have contact with the Acas conciliator?

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

NUMERIC 1 – 25
Don't know

ASK ALL EXCEPT THOSE WHO DID NOT HAVE CONTACT WITH ACAS CONCILIATOR AT CC12 AND THOSE EMPLOYEES AND EMPLOYERS WHO HAD A REPRESENTATIVE AT D15 [IF CC12 <> 2 AND D15 <> 1]

D4. Would you have preferred more contact with the Acas conciliator, less contact or about the same?

More 1
The same 2
Less 3
Don't know

Quality of conciliation

ASK ALL EXCEPT THOSE WHO DID NOT HAVE CONTACT WITH ACAS CONCILIATOR AT CC12 AND THOSE EMPLOYEES AND EMPLOYERS WHO HAD A REPRESENTATIVE AT D15 [IF CC12 <> 2 AND D15 <> 1]

D5. How would you rate the Acas conciliator in terms of:

(Repeat for each of the following statements)

- Outlining the (employment) law as it applied to your problem
- Explaining the conciliation process
- Helping you understand the strengths and weaknesses of this potential claim
- Relaying proposals and offers to and from [employer/ employee]⁴⁶?

- Helping you to consider the pros and cons of resolving the problem [without submitting a tribunal claim / before the submission of a tribunal claim]⁴⁷.

Would you say they were... READ OUT

- Very Good 1
- Fairly Good 2
- Neither good nor poor 3
- Fairly Poor 4
- Very Poor 5
- Did not do this 6

ASK ALL EXCEPT THOSE WHO DID NOT HAVE CONTACT WITH ACAS CONCILIATOR AT CC12 AND THOSE EMPLOYEES AND EMPLOYERS WHO HAD A REPRESENTATIVE AT D15 [IF CC12 <> 2 AND D15 <> 1]

D6. [EMPLOYEE OR EMPLOYEE REPRESENTATIVE: Overall, did you feel that the Acas conciliator was 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 more on your side, more on the employee's side or even handed between you?]

- More on your side 1
- More on [employer / employee]⁴⁸'s side 2
- Even-handed 3
- Don't know

ASK ALL EXCEPT THOSE WHO DID NOT HAVE CONTACT WITH ACAS CONCILIATOR AT CC12 AND THOSE EMPLOYEES AND EMPLOYERS WHO HAD A REPRESENTATIVE AT D15 [IF CC12 <> 2 AND D15 <> 1]

D7. At the time how much did you trust the information given by the Acas conciliator...?

READ OUT

- Completely trusted him/her 1
- Trusted him/her up to a point 2
- Did not trust him/her 3
- Don't know

ASK ALL EXCEPT THOSE WHO DID NOT HAVE CONTACT WITH ACAS CONCILIATOR AT CC12 AND THOSE EMPLOYEES AND EMPLOYERS WHO HAD A REPRESENTATIVE AT D15 [IF CC2 <> 2 AND D15 <> 1]

D13. Was the Acas Conciliator available when needed?

READ OUT

⁴⁵ 'No contact' and 'Don't Know' can only be single coded.

⁴⁶ If Employee or employee representative text fill = 'employer'. If Employer or employer representative text fill = 'employee'.

⁴⁷ If Employee or employee representative text fill = 'without submitting a tribunal claim'. If Employer or employer representative text fill = 'before the submission of a tribunal claim'.

⁴⁸ If Employee or employee representative text fill = 'employer'. If Employer or employer representative text fill = 'employee'.

- Always 1
- Usually 2
- Sometimes 3
- Rarely 4
- Never 5
- (Spontaneous only) Did not need to contact the conciliator as they always contacted me 6
- Don't know

Impact on settling

ASK ALL

D8. How important was Acas involvement in helping you to decide on how to proceed with this dispute (for example to settle privately, settle through Acas or not settle)? Was it...

READ OUT

- Very important 1
- Quite important 2
- Not very important 3
- Not at all important 4
- Don't know

ASK ALL

D8b. How important was Acas's involvement in helping move parties closer towards resolving the case? Was it

READ OUT

- Very important 1
- Quite important 2
- Not very important 3
- Not at all important 4
- Don't know

IF PCCOUT = RESOLVED [PCCOUT = 1 OR 2]

D9. Looking back, how much do you agree or disagree that Acas involvement was a factor in the decision to resolve the case?

- Strongly agree 1
- Agree 2
- Neither agree nor disagree 3
- Disagree 4
- Strongly disagree 5
- Don't know

IF EMPLOYEE

D10. If a relative or friend were involved in a similar situation would you advise them to make use of the same service from Acas?

READ OUT

- Definitely yes 1
- Probably yes 2

Probably no 3
Definitely no 4
Don't know

IF EMPLOYER OR REPRESENTATIVE (ANY) AND PCCOUT = RESOLVED OR IMPASSE
[(IF EMPLOYER OR REPRESENTATIVE (ANY)) AND (PCCOUT = 1 OR 2 OR 3 OR 4)]
D12. Would you make use of the pre-claim conciliation services of Acas again?

Definitely yes 1
Probably yes 2
Probably no 3
Definitely no 4
Don't know

IF IN EXPERIMENT GROUP (FROM SAMPLE)]

D14. And thinking about all your contact with Acas [before you submitted the tribunal claim]⁴⁹, could you tell me how much you agree or disagree with the following statements

Repeat for the following statements

- I found it useful to have the opportunity to speak to different people at Acas.
- I had to tell the same information to each person I spoke to at Acas.
- Each person I spoke to at Acas gave me useful and helpful information regarding the employment issue or dispute.

Strongly agree 1
Agree 2
Neither agree nor disagree 3
Disagree 4
Strongly disagree 5
Don't know

⁴⁹ Text fill will only appear when B13a = Yes (i.e. submitted at tribunal claim).

Section E: The PCC experience

IF PCCOUT = RESOLVED OR IMPASSE (PCCOUT = 1 OR 2 OR 3 OR 4)
I would like now to ask some questions about your experience in general.

Costs

IF EMPLOYEE AND PCCOUT = RESOLVED OR IMPASSE [IF EMPLOYEE AND PCCOUT = 1 OR 2 OR 3 OR 4]

E1. How much of your time in total did you spend on the workplace problem from the time you received the offer of Acas assistance until that assistance ended? [Please do not include any time that you may have spent since submitting the tribunal claim.]⁵⁰

1 DAY = 8 HOURS.

ENTER TIME IN HOURS ONLY

INTERVIEWER: 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

Numeric 1 to 240

Don't know

IF PCCOUT = RESOLVED OR IMPASSE (PCCOUT = 1 OR 2 OR 3 OR 4)

E2. [EMPLOYEE OR EMPLOYER: What do you think were the main benefits, if any, from taking part in pre-claim conciliation rather than submitting an Employment Tribunal claim? /

REPRESENTATIVE (ANY): What do you think were the main benefits, if any, from taking part in pre-claim conciliation rather than an employment tribunal claim being submitted?]

PROMPT TO PRE-CODES

It resolves the issue more quickly 1
It can save going to a tribunal / court 2
It is less stressful / traumatic 3
It is easier / more convenient 4
It is cheaper 5
Other
None
Don't know

Satisfaction with outcome

IF PCCOUT = RESOLVED OR IMPASSE [PCCOUT = 1 OR 2 OR 3 OR 4]

E4. Putting Acas' service to one side and focusing just on the outcome, how satisfied or dissatisfied were you with the outcome of this conciliation? [Please just think about the Pre-Claim Conciliation that is the conciliation which took place before the tribunal claim was submitted.]⁵¹

⁵⁰ Text fill will only appear if B13a = Yes (i.e. submitted at tribunal claim).

⁵¹ Text fill will only appear if B13a = Yes (i.e. submitted at tribunal claim).

READ OUT, CODE ONLY ONE
NOTE: QUESTION IS ON OUTCOME NOT SERVICE

Extremely satisfied 1
Very satisfied 2
Satisfied 3
Neither satisfied nor dissatisfied 4
Dissatisfied 5
Very dissatisfied 6
Extremely dissatisfied 7
Don't know

Satisfaction with Acas

IF PCCOUT = RESOLVED OR IMPASSE [PCCOUT = 1 OR 2 OR 3 OR 4]

E5. Thinking about the process involved, and disregarding the actual outcome of your dispute, how satisfied or dissatisfied are you with the service you received from Acas in this case [before the tribunal claim was submitted⁵²]? Would you say you were...

READ OUT

Extremely satisfied 1
Very satisfied 2
Satisfied 3
Neither satisfied nor dissatisfied 4
Dissatisfied 5
Very dissatisfied 6
Extremely dissatisfied 7
Don't know

IF DISSATISFIED AT E5 [E5=5 OR 6 OR 7]

E6. And why do you say you were dissatisfied?

OPEN ENDED
Don't know

Employer Costs

IF EMPLOYER

I'd like to ask you how much time staff in the organisation spent on this case, from the time you received the offer of pre-claim conciliation until the time it ended. [Please do not include any time that you may have spent since submitted the tribunal claim.]⁵³

IF EMPLOYER

E9. In total, how many people were involved and spent time on this pre-claim conciliation 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.

ENTER NUMBER OF PEOPLE

⁵² Text fill will only appear if B13a = Yes (i.e. submitted at tribunal claim).

⁵³ Text fill will only appear if B13a = Yes (i.e. submitted at tribunal claim).

Numeric 1-20
Don't know

IF ONE PERSON SPENT TIME ON CASE AT E9 [E9=1]
E10. INTERVIEWER: CODE WHETHER THIS PERSON WHO SPENT TIME IS THE
RESPONDENT. ASK IF UNSURE.

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

IF ONE PERSON SPENT TIME ON CASE AT E9 [E9=1]
E11. And how much time in total did [you / this person]⁵⁴ spend on the PCC case?

1 DAY = 8 HOURS

ENTER TIME IN HOURS ONLY. ROUND UP TO THE NEAREST HOUR

Numeric 1 - 240
Don't know

IF ONE PERSON SPENT TIME ON CASE AT E9 [E9=1]
E12. Can I just check, [would you classify yourself as / was this person]⁵⁵ a Director
or Senior Manager within the organisation

Yes 1
No 2
Don't know

IF MORE THAN ONE PERSON SPENT TIME ON CASE AT E9 [E9 > 1]
E13. And how much time did you spend on this case?

1 DAY = 8 HOURS

ENTER TIME IN HOURS ONLY. ROUND UP TO THE NEAREST HOUR

Numeric 0 – 240
Don't know

IF MORE THAN ONE PERSON SPENT TIME ON CASE AT E9 [E9 > 1]
E14. Can I just check, would you classify yourself as a Director or Senior manager
within the organisation?

Yes 1

⁵⁴ If E10 = 1 text fill = 'you'. IF E10 = 2 text fill = 'this person'.

⁵⁵ If E10 = 1 text fill = 'would you classify yourself as'. IF E10 = 2 text fill = 'was this person'.

No 2
Don't know

IF MORE THAN ONE PERSON SPENT TIME ON CASE AT E9 [E9 > 1]
Now thinking of the different staff involved...

IF MORE THAN ONE PERSON SPENT TIME ON CASE AT E9 [E9 > 1]
E15. [Apart from yourself]⁵⁶ how much time in total did directors and senior management spend on this case?

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

Numeric 0 – 240
Don't know

IF MORE THAN ONE PERSON SPENT TIME ON CASE AT E9 [E9 > 1]
E16. How much time in total did other staff spend on this case?

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

Numeric 0 – 240
Don't know

IF MORE THAN ONE PERSON SPENT TIME ON CASE AT E9 [E9 > 1]
E17. Thinking about the time spent, from the start of the PCC case to the time PCC ended, by all people at the organisation, including yourself, can I just check the following is correct?:

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

IF HOURS MENTIONED E13: You spent {Hours at E13} hours 1
IF DAYS/HRS MENTIONED E15: Directors and Senior Management spent {Hours at E15} hours 2
IF DAYS/HRS MENTIONED E16: Other staff spent {Hours at E16} hours 3
All information correct (single coded) 4

Non-financial benefits to employer

IF EMPLOYER
E20. 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?
Yes 1
No 2
Don't know

⁵⁶ Text fill will appear if E14 = 1.

IF ACAS CONCILIATOR DID PROVIDE INFORMATION OR ADVICE AT E20 [E20=1]
E21. Did the information or advice given by the Acas conciliator result in the
organisation taking any of the following actions?

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

(Repeat for each of the following statements)

- Introduce or review formal disciplinary or grievance procedures
- Make sure procedures are followed
- Revise terms and conditions in employees' 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

Yes 1
No 2
Don't know

IF ANYTHING ELSE AT E21 ['Anything else' = Yes]

E21a. What other actions did your organisation take as a result of this information
and advice?

OPEN-ENDED
Don't know

F: Employer details / Employee Profile

IF EMPLOYER OR EMPLOYEE:

[EMPLOYEE: 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 PCC are. /

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

REPRESENTATIVE (ANY) I'd now like to ask you a few classification questions about [{organisation} and]⁵⁷ yourself. This helps us get a better understanding of what the benefits of offering PCC are.]

ASK ALL

F1. [EMPLOYEE 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?]

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

Private sector 1

Public sector 2

Non-profit/voluntary sector 3

Don't know

IF EMPLOYER

F2. EMPLOYER: And what does the organisation mainly make or do at the workplace {employee} [worked at / applied to work at]⁵⁸?

OPEN-ENDED

IF EMPLOYER

F3. Does the organisation have a single workplace in the UK or more than one workplace in the UK?

Single workplace in UK 1

More than one workplace in UK 2

Don't know

IF EMPLOYER OR EMPLOYER REPRESENTATIVE

F4a. To the best of your knowledge how many people were working at or from the workplace {employee} [worked at / was applying to]⁵⁹.

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

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

IF EMPLOYER

F4b. And how many people worked for the whole organisation in the UK? Please include all contracted, non-contracted, agency, freelance and temporary workers.

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

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

IF EMPLOYER

F4c. Does your organisation have an internal Human Resources or Personnel Department that deals with personnel issues?

- Yes 1
- No 2
- Don't know

IF EMPLOYER

F4f. Does the organisation have an internal legal department that deals with any personnel or employment issues, for example relating to employment tribunal applications?

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.

- Yes 1
- No 2

⁵⁷ Text fill will only appear if employer representative.

⁵⁸ If A1 = 1 text fill = 'worked at'. If A1 = 2 'applied to work at'.

⁵⁹ If A1 = 1 text fill = 'worked at'. If A1 = 2 'applied to work at'.

Don't know

IF EMPLOYER

F4g. Are there any trade unions or staff-associations active in the workplace?

Yes 1

No 2

Don't know

IF EMPLOYER

F4h. Is the organisation a member of an Employer's or Trade Association which gives advice on personnel or employment relations matters?

Yes 1

No 2

Don't know

IF EMPLOYER

S6. And can I just check, are you responsible for dealing with employment disputes in this organisation?

Yes 1

No 2

Don't know

IF EMPLOYER

S7. What is your job title?

INTERVIEWER: RECORD JOB TITLE.

OPEN-ENDED

Don't know

Job title/occupation

IF EMPLOYEE

F5. What was [your job title / the title of the job you were applying for]⁶⁰, which is the title of the job related to the workplace problem that Acas assisted with? /

OPEN-ENDED

IF EMPLOYEE AND CURRENT OR FORMER WORKER AT A1 [IF EMPLOYEE AND A1=1]

F6. Did you have any managerial duties, or were you supervising any other employees?

CODE ONE ONLY

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

IF EMPLOYEE AND CURRENT OR FORMER WORKER AT A1 [IF EMPLOYEE AND A1=1]

F7. How long had you worked for {employer} at the time of contact with Acas about your workplace problem?

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

RECORD IN YEARS (Numeric range permitted 1-70)
RECORD IN MONTHS (Numeric range permitted 1-60)
RECORD TIME IN WEEKS (Numeric range permitted 0-3)

⁶⁰ If A1 = 1 text fill = 'your job title'. If A1 = 2 'the title of the job you were applying for'.

Working time

IF EMPLOYEE AND CURRENT OR FORMER WORKER AT A1 [EMPLOYEE AND A1=1]

F8. Was this job...

READ OUT

Full-time, that is 30 or more contracted hours per week 1

Part-time, that is less than 30 contracted hours per week 2

Or did the hours depend on the availability of work or whether you were contacted by
the employer? 3

Don't know

IF EMPLOYEE AND FORMER WORKER OR JOB APPLICANT [EMPLOYEE AND (A1=2 OR
A2=2)].

F12. Are you currently in paid employment?

Yes 1

No 2

Don't know

IF EMPLOYEE AND FORMER WORKER AND NOT CURRENTLY WORKING [EMPLOYEE
AND A2=2 AND F12=2]

F14. Can I check, have you had a paid job since leaving {employer}?

Yes 1

No 2

Don't know

Trade union presence

IF EMPLOYEE AND CURRENT OR FORMER WORKER [EMPLOYEE AND A1=1]

F17. At the time you were in contact with Acas were you a member of a trade union
or staff association?

Yes 1

No 2

Don't know

Section G: Personal details

IF EMPLOYEE

I would like now to ask some questions about you and your background.

Previous applications

IF EMPLOYEE

G1. Have you ever made an application to an Employment Tribunal, at any workplace, before this problem arose?

Yes 1
No 2
Don't know

Ethnicity

IF EMPLOYEE

G3. To which of the following ethnic groups do you consider you belong?

READ OUT AND CODE ONLY ONE

White 1
Black 2
Asian 3
Mixed ethnic group 4
Don't know 5
Refused 6
Other (RECORD) 7

Language

IF EMPLOYEE

G4. Do you speak English as your first language?

Yes 1
No 2
Don't know
Refused

IF EMPLOYEE AND DOES NOT SPEAK ENGLISH AS A FIRST LANGUAGE [EMPLOYEE AND G4=2]

G5. What is your first language?

OPEN-ENDED
Don't know
Refused

Disability

IF EMPLOYEE

G6. At the time you spoke to Acas, did you have any long-standing physical or mental impairment, illness, or disability? By long-standing I mean something that had troubled you over a period of at least 12 months or that is likely to affect you over a period of at least 12 months? /

Yes 1
No 2

Don't know
Refused

Age

IF EMPLOYEE

G8. And how old are you?

Numeric 16-100
Refused

IF EMPLOYEE AND REFUSE TO GIVE AGE [EMPLOYEE AND G8=REF]

G9. Can you please tell us in what age group you would place yourself...

READ OUT

16 to 19 1
20 to 24 2
25 to 34 3
35 to 44 4
45 to 54 5
55 to 64 6
65 and over 7
Refused

IF EMPLOYER OR REPRESENTATIVE (ANY)

G10. Is {EMPLOYEE}...

READ OUT

Male 1
Female 2

IF EMPLOYEE

G11. INTERVIEWER CODE SEX OF RESPONDENT

Male 1
Female 2

IF REPRESENTATIVE (ANY)

H1. How many employment tribunal claims have you dealt with in the past year?

Numeric 1-50
Don't know

IF REPRESENTATIVE (ANY)

H2. How long have you been dealing with employment tribunal claims?

Less than a year 1
1-5 years 2

More than 5 years 3
Don't know

IF REPRESENTATIVE (ANY)

H3. Which of the following best describes you?

READ OUT

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

ASK ALL

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.

ASK ALL

I1. It is possible that we may want to contact you again for additional information. Would you be willing to be contacted again by TNS BMRB in relation to this survey?

Yes 1
No 2

IF AGREED TO BE RE-CONTACTED BY TNS-BMRB

I2. It is possible that Acas may undertake some further research to follow up on particular issues arising from this survey. Would you be willing to be re-contacted by Acas for this purpose? Acas will use your personal data for research purposes only.

Yes 1
No 2

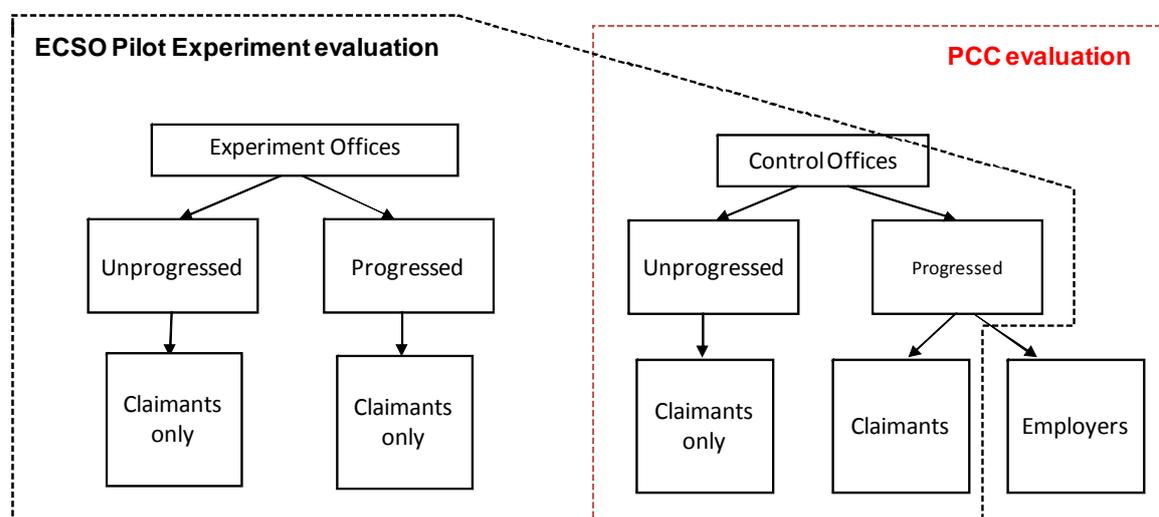
IF AGREED TO BE RE-CONTACTED BY TNS BMRB AND/OR ACAS
CONFIRM RESPONDENT NAME, TELEPHONE NUMBER AND ADDRESS.

APPENDIX 2 – QUANTITATIVE SURVEY FIELDWORK AND WEIGHTING

As noted in the introduction this research was carried out along side the PCC evaluation. Both quantitative surveys shared the same questionnaires, and the same sampling frames and periods. Additionally fieldwork was conducted and managed jointly across the two evaluations, and one combined survey data set was produced. Because of this, this appendix therefore details information about fieldwork, fieldwork response and weighting at a combined level across both evaluations.

Figure A2.1 below illustrates the sampling approaches used in the two evaluations

Figure A2.1 Sampling approach between the two evaluations



Main stage fieldwork took place from the 21st November 2011 to the 8th February 2013. All respondents were sent an advance letter prior to fieldwork commencing.

In terms of fieldwork management, all interviews with claimants were managed together, and separate to this all interviews with employers and representatives (both claimant and employer representatives) were managed together. The average interview length for the employer and representative interview was 18 minutes and for the claimant interview was 17 minutes.

Tables A2.1 and A2.2 display overall response for interviews with claimants, and interviews with employers and representatives. For the ECSO pilot experiment that is reported in this report, 320 interviews were conducted with claimants and claimant representatives from control offices, and 463 interviews with claimants and claimant representatives from experiment offices.

Table A2.1 Survey Response - Claimant Interview

	N
Advance letters sent	1650
Sample covered	1491
Sample with no final outcome at the end of fieldwork	159
Invalid Sample Data	
Invalid telephone number	156
Moved (no trace)	38
Unknown at number	45
Case details not confirmed / no recollection of case	7
Respondent incapable of interview	16
Signed confidentiality agreement / Case is confidential	1
Deceased	1
Opt-out/Refusal	
Refusal	158
Case too sensitive / traumatic	1
Abandoned interview	40
Unavailable during fieldwork	41
10+ unsuccessful calls (and contact made)	231
Full interviews	756
	305 from control offices / 451 from experiment offices
Productive of valid sample (%)	756

Table A2.2 Survey Response - Employer and Representative Interview

	N
Advance letters sent	443
Sample covered	434
Sample with no final outcome at the end of fieldwork	9
Invalid Sample Data	
Invalid telephone number	17
Case details not confirmed / no recollection of case	41
Signed confidentiality agreement / case is confidential	1
Contact left / unknown at company (and no referral)	28
Opt-out/Refusal	
Refusal	57
Abandoned interview	9
Unavailable during fieldwork	35
10+ unsuccessful calls (and contact made)	63
Full interviews	183
	156 with employers and employer representatives (all control offices) / 27 with claimants and claimant representatives (within this 12 from experiment offices and 15 from control offices)
Productive of valid sample (%)	53

Following fieldwork weighting was employed to ensure the survey respondents were representative of the population to which they were generalising. As reported earlier one combined survey data file was created from the two different evaluations.

Two different weights were created depending on the type of analysis required; one weight for the ECSO Pilot Experiment evaluation (reported on in this report), and the other for the separate PCC evaluation. The process for creating both weights was the same however, with design weighting conducted first followed by non-response weighting.

In general design weights take account of unequal selection probabilities at the sampling stage, while non-response weights account for differences in response and

match the profile of the completed interviews back to the population. For this report the applicable weight is the ECSO Pilot Experiment evaluation weight.

- PCC evaluation (the red dotted area in Figure A2.1).
Firstly, design weights take into account slight differences in selection probabilities between unprogressed claims and progressed claims, and within progressed claims between employers and claimants. They also account for instances where an employer had multiple cases. These employers are up-weighted by a factor depending on how many cases they were involved in (for practical reasons we could only select them for one case). Non-response weights were also applied to match the survey to the population. The variables used in the non-response weighting were Outcome, Track and whether a claim was progressed or not. For progressed claims the weight also gives employers and claimants equal weight.
- Comparing the experiment offices with the control offices for the ECSO Pilot Experiment evaluation (the black dotted area in Figure A2.1).
Again design weights account for slight differences in selection probabilities between unprogressed claims and progressed claims, as well as dealing with the issue of multiple employers (see above). Non-response weighting was applied to control offices and experiment offices separately, using Outcome, Track and whether a claim was progressed or not.

