EQUITY

Acas consultation: draft Code of Practice on disciplinary and grievance procedures

September 2026

About

Equity is the largest creative industries trade union with 50,000 members united in the fight for fair terms and conditions across the performing arts and entertainment. Our members are actors, singers, dancers, designers, directors, models, stage managers, stunt performers, circus performers, puppeteers, comedians, voice artists, supporting artists and variety performers. They work on stage, on TV and film sets, on the catwalk, in film studios, in recording studios, in night clubs and in circus tents.

Contact

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Summary

Equity is writing to respond to question 23 relating to the adoption of the term "worker" rather than "employee" in much of the wording of the draft Code of Practice (CoP). Equity welcomes this change as an important step in the right direction, which clearly reflects Acas' intention that the CoP should apply to disciplinary and grievance procedures involving those with limb (b) worker status.

Equity's support for the change of terminology is rooted in the confusion that the use of "employee" currently causes, based on our experience of representing workers in the creative industries. Equity frequently encounters situations in which production companies state they cannot or need not follow the CoP. The justification provided is that the CoP need only be followed when issues concern employees, and does not apply to freelancers (whether they have worker status or not). The concern that appears to underpin this position is that following the CoP has implications for employment status classification.

This is a misguided justification that causes significant challenges for workers - both those raising concerns and those facing claims of wrongdoing. The disregard for the CoP is often accompanied by the absence of transparent policies or procedures detailing fair processes. This means that workers neither know how to raise an issue, nor how an issue will be handled if raised against them. This is a significant source of stress for workers, especially as they could ultimately have engagements terminated because of issues raised. The disregard for the CoP is particularly problematic when workers are engaged by the same employer for prolonged periods of time. The longevity of the engagement provides greater scope for grievances and disciplinary issues to arise. Equity believes that the misguided disregard for the CoP is also problematic for employers, as there is a sense that they lack a blueprint to guide their handling of disciplinary and grievance procedures.

The change in terminology is therefore welcome because it clearly communicates to employers that Acas has designed the CoP to be applied to both workers and employees. However,

the CoP is ultimately applied on a two-tiered basis workforce, as the compensation uplift for the failure to follow the CoP only applies to employees under section 207A of the Trade Union and Labour Relations Consolidation Act 1992. As such, Equity believes that the government should consider amending the statutory uplift framework, so that, where relevant claims are brought by workers, employment tribunals to have the same power to adjust awards for non-compliance.