

Employment rights, Acas and tribunal routes

Protect employment rights and external deadlines while clinical, disciplinary or regulatory proceedings continue.

- ✓ 18 min reading
- ✓ Full teaching, practical next steps and reflection
- ✓ Six practice questions with answers and explanations
- ✓ Complete source list and jurisdiction notes

Prepared for SAS, locally employed and other UK doctors

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Using this module

Independent education

This is general professional information, not individual clinical, legal, employment, immigration, regulatory, tax or pensions advice. Current official instructions and the circumstances of the individual case remain controlling. Practice scores do not establish professional competence or accreditation.

The short answer

A GMC process does not decide employment rights, and an internal grievance or appeal usually does not stop an employment limitation period. In Great Britain, Acas early conciliation is normally the gateway before a tribunal claim; Northern Ireland uses separate Industrial Tribunal and Labour Relations Agency arrangements.

Three next actions

- Ask your union or employment lawyer to identify possible claims and exact limitation dates.
- Notify Acas or the Northern Ireland route in time where advised, even if internal procedures continue.
- Keep settlement, regulatory disclosure and immigration consequences under coordinated advice.

Learning objectives

- Separate regulatory and employment decisions.
- Understand Acas early conciliation and changing 2026 time limits.
- Recognise settlement, whistleblowing and immigration interfaces.

Separate jurisdictions

An employer decides contractual action under policy and law. The GMC controls registration. An employment tribunal decides statutory employment claims. Acas conciliates but does not judge merits or represent either side. A successful or failed route may be evidence elsewhere but is not automatically binding on every decision-maker.

Keep a matrix of allegation, legal issue, remedy and deadline. Do not ask the GMC to resolve bullying, unpaid wages or unfair dismissal.

- Know the decision-maker.
- Match remedy to route.
- Coordinate evidence.

Time limits: dated warning

As at 7 September 2026, most Great Britain employment claims generally require Acas notification within three months minus one day of the relevant event, with longer limits for some claims. From 1 October 2026, the announced general limit becomes six months minus one day for claims whose time starts on or after that date. Specific transitional and Scottish contract provisions differ.

Internal grievances, disciplinary processes and appeals do not stop time. Early conciliation can pause the clock only under statutory rules. Obtain calculation from an adviser; this programme deliberately does not calculate dates.

- Current rule is date-sensitive.
- Internal steps do not stop time.
- Advice must calculate the deadline.

Acas early conciliation

A person normally notifies Acas before presenting an employment tribunal claim. A conciliator may explore resolution but does not give legal representation, decide strength or prepare the case. A COT3 agreement is legally binding and can close the claim.

Give the conciliator accurate contact details and tell your representative. Do not agree final wording without understanding tax, confidentiality, reference, regulatory notification, indemnity and future employment effects.

- Acas is impartial.
- COT3 is binding.
- Settlement needs full advice.

Protected disclosures and detriment

Speaking up about patient safety may engage whistleblowing law if statutory conditions are met. Not every grievance is a protected disclosure, and the label used is not conclusive. Detriment or dismissal claims can have especially urgent remedies and deadlines, including a possible seven-day interim-relief route in some dismissal cases.

Seek specialist advice immediately. Keep the information disclosed, recipient, reasonable belief, public-interest basis, response and any detriment in a factual chronology.

- Legal conditions matter.

- Record disclosure and response.
- Urgent remedies may exist.

Settlement and regulatory duties

Employment settlement cannot lawfully prevent protected disclosures or override duties to patients, courts or regulators. Wording about confidentiality, references, termination, allegations, tax and contribution to legal fees should be reviewed. A settlement does not automatically end a GMC investigation.

Doctors with sponsored immigration status should also obtain regulated immigration advice before agreeing an end date or prolonged unpaid period.

- No agreement overrides professional duties.
- Regulatory and employment outcomes differ.
- Check immigration impact.

Northern Ireland

Northern Ireland has separate employment and equality legislation, Industrial Tribunals and the Labour Relations Agency. Great Britain Acas pages and Equality Act explanations should not be transplanted automatically. Local HSC policies and MHPS also apply.

Use Northern Ireland advisers and current LRA or tribunal guidance. UK-wide defence and regulatory support can still be relevant, but employment procedure and remedies are jurisdiction-specific.

- Use NI-specific routes.
- Do not assume Equality Act coverage.
- Coordinate UK regulatory and NI employment advice.

Worked example: grievance and limitation period

A generic doctor raises a grievance about discrimination while a disciplinary process continues. The internal grievance may investigate and remedy workplace issues, but it does not itself preserve an employment tribunal claim. The adviser identifies the alleged acts, claim types and time limits, then determines whether and when Acas notification is required.

The doctor can continue the internal route while protecting the external position. Communications should avoid overstating that a legal claim is proved, but should identify the protected characteristic, treatment, comparator or disadvantage, dates, evidence and remedy sought.

- Internal and external tracks.
- Date each alleged act.
- Get legal classification and calculation.

Before agreeing settlement

Check employment end date, notice, pay, leave, pension, tax, reference, agreed announcement, confidentiality, non-derogatory terms, property, records, contribution to legal fees, claims waived and enforcement. For doctors, also check appraisal, responsible officer, GMC notification, indemnity, clinical

handover and any continuing investigation.

Sponsored doctors need regulated immigration advice. A quick agreement may reduce stress, but signature without understanding can create irreversible professional, financial and immigration consequences.

- Employment terms.
- Professional interfaces.
- Immigration and tax advice.

Common mistake

Avoid this

Waiting for an internal process to finish before checking an external limitation date can extinguish a claim regardless of its merits.

Pause and reflect

Which outcome do you need—continued employment, a fair process, compensation, regulatory protection or patient-safety action—and which route can provide it?

Takeaways

- Regulatory and employment jurisdiction are separate.
- External time limits need immediate dated advice.
- Settlement must preserve legal and professional duties.

Knowledge check

Choose one best answer. These practice questions support reflection; they do not assess a real case or confer accreditation. Answer positions match the browser edition.

1. A doctor wants compensation for discrimination. Which body can adjudicate an employment claim?

- A. The SAS Advocate
- B. The employment tribunal or, in Northern Ireland, the appropriate industrial tribunal route
- C. The health-service ombudsman through the patient-complaint process
- D. The GMC

2. An event occurred in September 2026. Should the doctor assume the new six-month limit applies?

- A. Yes, in every case
- B. No; obtain advice because the transition depends on when time starts and the claim type
- C. Only the GMC decides
- D. The internal appeal sets the deadline

3. What can an Acas conciliator do?

- A. Explain conciliation and explore agreement without deciding the case
- B. Represent the doctor
- C. Determine GMC impairment
- D. Determine the claim's legal merits and impose the requested compensation

4. A doctor is dismissed after raising safety concerns. What is safest?

- A. Ask the GMC for compensation
- B. Post confidential evidence online
- C. Seek urgent specialist advice immediately because some remedies have very short limits
- D. Wait for every internal appeal

5. An employer offers settlement if the doctor agrees never to contact a regulator. What should the doctor do?

- A. Ask a colleague to sign
- B. Obtain urgent legal advice; an agreement cannot properly override protected or professional disclosures
- C. Destroy the evidence
- D. Sign immediately

6. A Northern Ireland doctor has a workplace claim. Which starting point is appropriate?

- A. The trade union or NI employment adviser and Labour Relations Agency route
- B. The Scottish tribunal
- C. The GMC only
- D. Use the Great Britain Acas route without checking Northern Ireland procedures

Answers and explanations

1. B — The employment tribunal or, in Northern Ireland, the appropriate industrial tribunal route

The employment tribunal or, in Northern Ireland, the appropriate industrial tribunal route This reflects the safer principle explained in “Separate jurisdictions”.

Re-read “Separate jurisdictions” and identify the action, adviser or evidence needed before proceeding.

2. B — No; obtain advice because the transition depends on when time starts and the claim type

No; obtain advice because the transition depends on when time starts and the claim type This reflects the safer principle explained in “Time limits: dated warning”.

Re-read “Time limits: dated warning” and identify the action, adviser or evidence needed before proceeding.

3. A — Explain conciliation and explore agreement without deciding the case

Explain conciliation and explore agreement without deciding the case This reflects the safer principle explained in “Acas early conciliation”.

Re-read “Acas early conciliation” and identify the action, adviser or evidence needed before proceeding.

4. C — Seek urgent specialist advice immediately because some remedies have very short limits

Seek urgent specialist advice immediately because some remedies have very short limits This reflects the safer principle explained in “Protected disclosures and detriment”.

Re-read “Protected disclosures and detriment” and identify the action, adviser or evidence needed before proceeding.

5. B — Obtain urgent legal advice; an agreement cannot properly override protected or professional disclosures

Obtain urgent legal advice; an agreement cannot properly override protected or professional disclosures This reflects the safer principle explained in “Settlement and regulatory duties”.

Re-read “Settlement and regulatory duties” and identify the action, adviser or evidence needed before proceeding.

6. A — The trade union or NI employment adviser and Labour Relations Agency route

The trade union or NI employment adviser and Labour Relations Agency route This reflects the safer principle explained in “Northern Ireland”.

Re-read “Northern Ireland” and identify the action, adviser or evidence needed before proceeding.

Official and professional sources

Confirm the current source version and applicable nation, contract, scheme or specialty. A source list is not a statement that every rule applies to every reader.

Acas: Employment tribunal time limits

Great Britain · <https://www.acas.org.uk/employment-tribunal-time-limits>

Acas: How early conciliation works

Great Britain · <https://www.acas.org.uk/early-conciliation/how-early-conciliation-works>

GOV.UK: Making a claim to an employment tribunal

Great Britain · <https://www.gov.uk/government/publications/making-a-claim-to-an-employment-tribunal-t420/making-a-claim-to-an-employment-tribunal-t420>

Acas Code of Practice on disciplinary and grievance procedures

Great Britain · <https://www.acas.org.uk/acas-code-of-practice-on-disciplinary-and-grievance-procedures/html>

Labour Relations Agency

Northern Ireland · <https://www.lra.org.uk/>

Edition and verification

Editorial edition: 9 September 2026. The page source-review date is 2026-09-07. A publication date, editorial edit and substantive source check have different meanings. See sasdoctors.com/corrections for material corrections and the scope of review.

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