

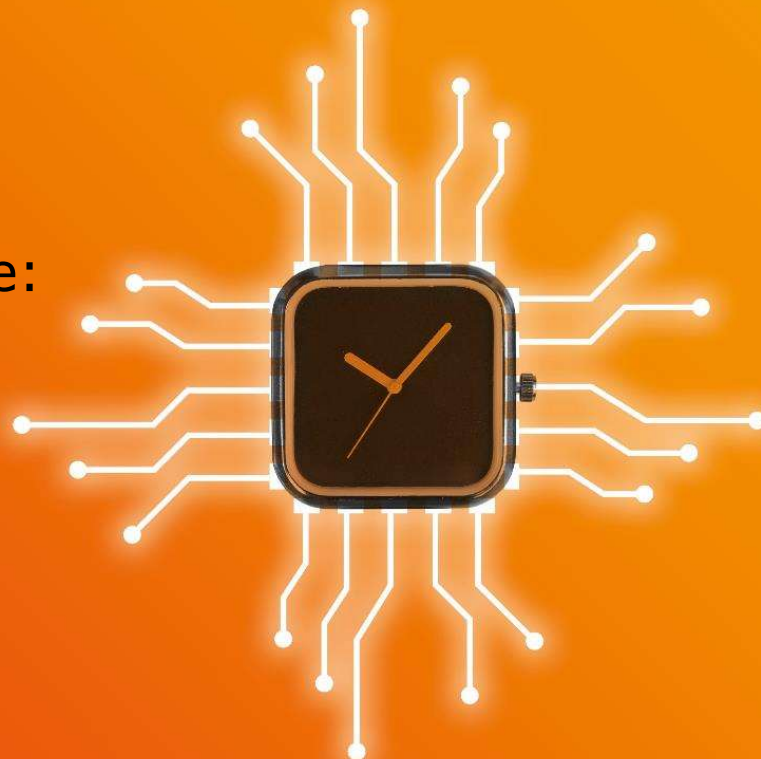
AI-generated grievances

Old Macdonald brought a grievance:
AI, AI, oh....

24 September 2026, Edinburgh



Euan Smith
Partner

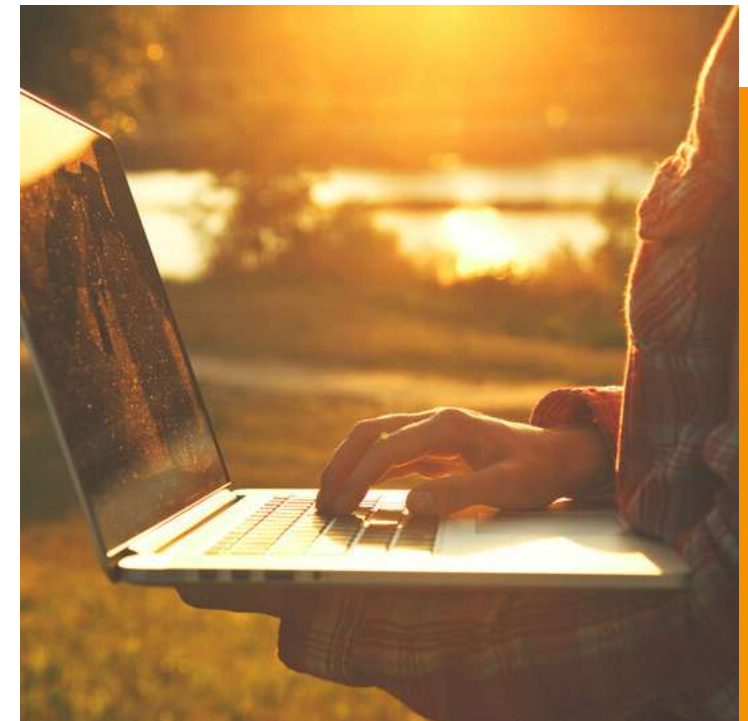


AI in grievances



What are employers seeing?

- Increasingly, employees are using AI to help them to draft grievances and DSARs
- Resulting in lengthy, verbose documents that frequently include incorrect/irrelevant legal citations and hallucinations
- Insistence on correspondence via writing, “hiding” behind AI
- Time consuming and difficult for employers to respond



Indicators of AI use



Lengthy and repetitive prose

Overly polished or generic language

Hallucinated case/legislative references

American English spellings

Em dashes (-) mid sentence

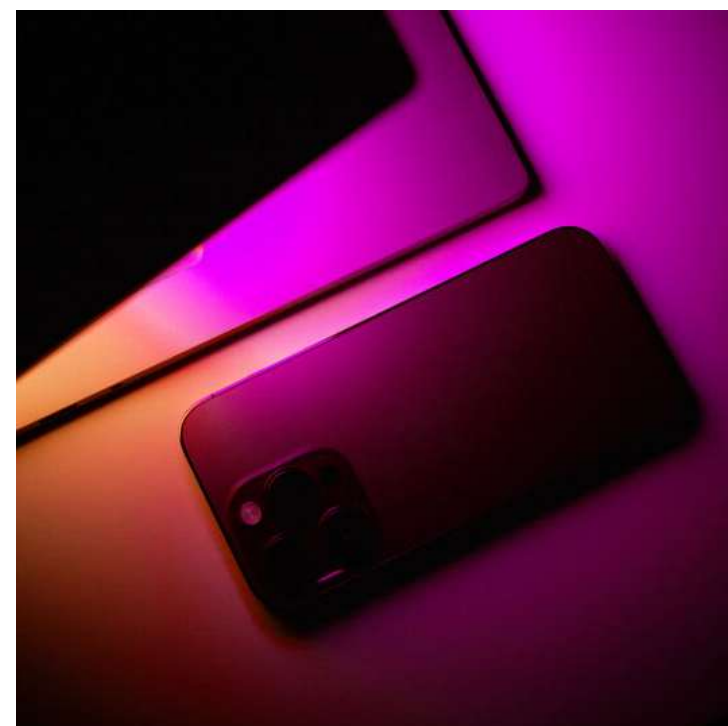
Overly formal or legalistic language

Inconsistency with employee's writing quality or style

Inconsistent formatting

Placeholders left incomplete

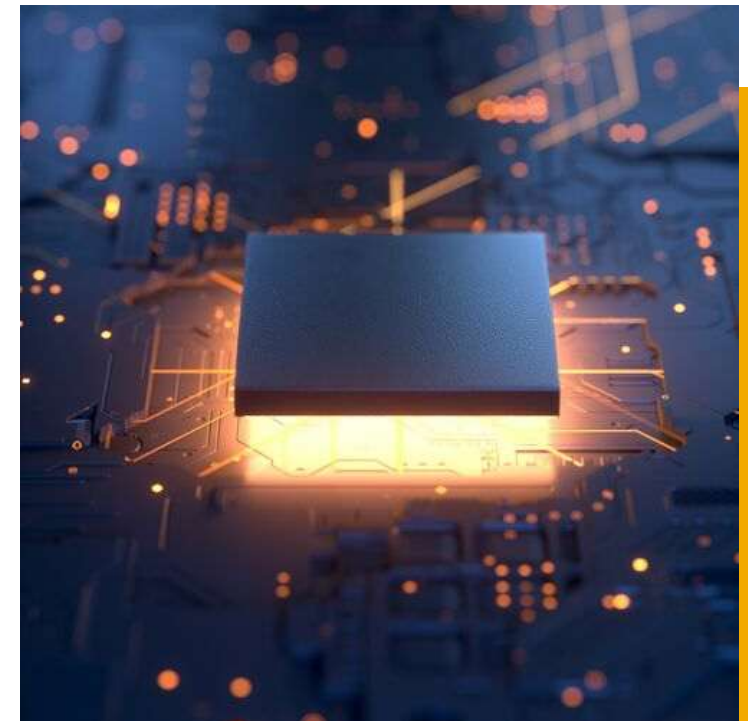
Documents created unusually quickly



Top tips for managing AI-generated grievances: Before it happens



- Create a culture where employees feel comfortable speaking up
- Train managers to spot issues early and encourage informal resolution. The revised draft of the ACAS statutory code of practice on disciplinary and grievance procedures puts greater emphasis on informal resolution
- Ultimately however, employees have the right to raise grievances and for these to be considered and responded to by their employer. Nothing at law that prevents an employee from using AI to draft a grievance
- Refusing to deal with an AI-drafted grievance risks breaching the ACAS code with potential 25% uplift in compensation



Does AI help?



What are we seeing?

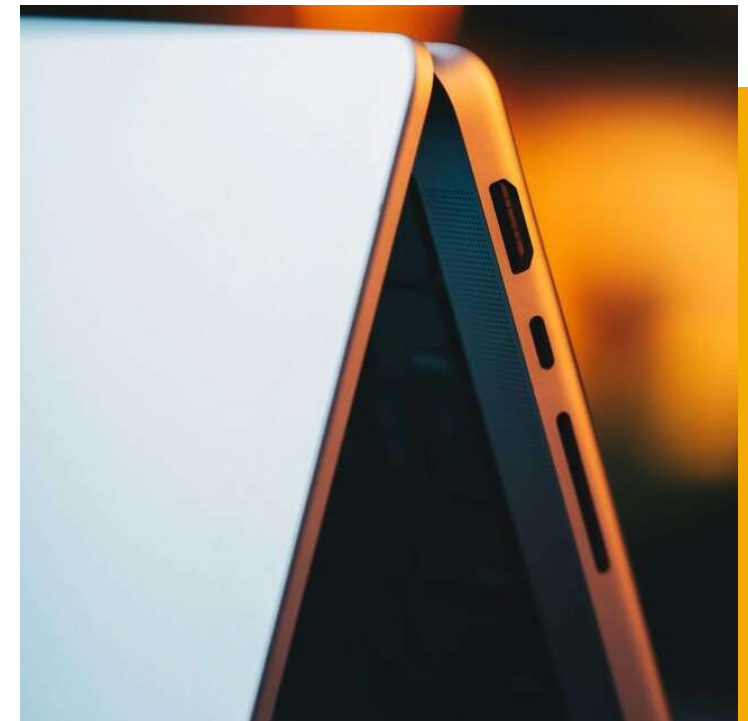
- Employers are intimidated
- Employees get confused
- A “battle” is created
- ...and it misses the point



Top tips for managing AI-generated grievances: Effective policies



- Look at your grievance policy
 - Explain the purpose of the policy?
 - Grievances should be clear, concise, accurate and should identify the outcome sought
 - Confirm employer may seek clarification where grievance is unclear
 - Discourage the use of AI?
- Update your disciplinary policy - misuse of AI should be misconduct





A new grievance policy?

In this box, please set out your grievance clearly and concisely. Your grievance should be no more than 250 words.

Think about:

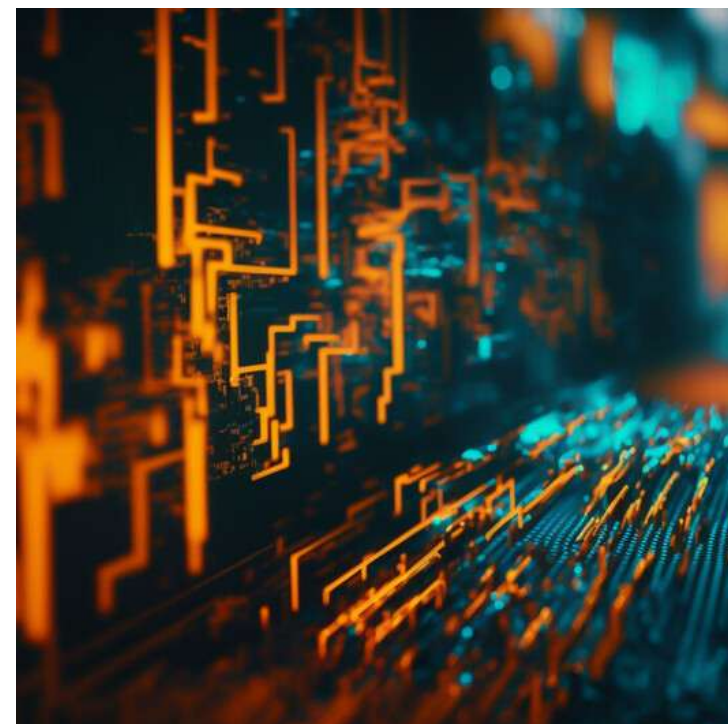
- What has happened which has led to this grievance?
- What are the facts?
- What has been the impact on you?
- How do you feel about it?

In this box, please set out, as specifically as you can, what you want to happen as a result of your grievance.

This should be no more than 100 words.

Think about:

- What do you want?
- Is there any alternative outcome that you would also consider to be satisfactory?



Top tips for managing AI-generated grievances: How to respond



- Don't delay
- Don't use AI
- Don't try to answer all the points
- Don't be scared of refusing to do so
- Consider summarising their complaint in your words
- Try to get to an in-person meeting as soon as you can – explain the benefits of discussing
- If employee insists on written communications only, reiterate need to be concise and brief



Top tips for managing AI-generated grievances: How to respond

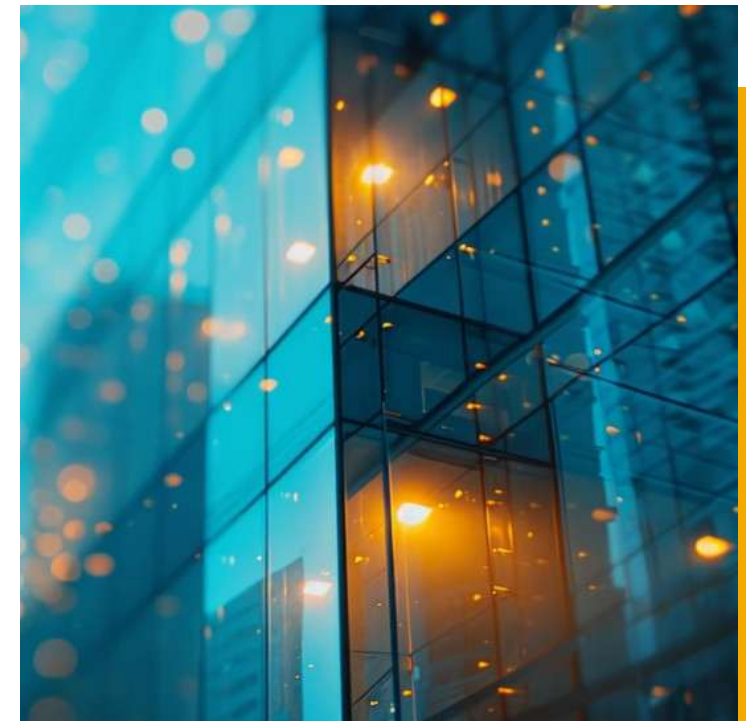


"If we meet and speak in person, the process will be quicker, because we'll get to the nub of the issue more quickly"

"You might think it is, but AI is not helping you in this process – it's making things unnecessarily complex"

"We're not going to respond to every single point and every single question – let's find out what your complaint is about, and we'll respond to that"

"We're not trying to stop you using AI – we're trying to help you use it appropriately. Tell your AI to summarise your complaint in 250 words."



...and finally

What could go wrong.....?



- A failure to comply with the ACAS Code of Practice?
 - 25% uplift on a compensatory award, if they are successful in the first place
- Resignation and constructive dismissal claim on the basis of a failure to deal properly with the grievance?
 - A bold move!



Questions?



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