Investigations for discipline and grievance: step by step

When there is a possible workplace disciplinary or grievance issue, the employer should find out all they reasonably can about the issue. This is known as an ‘investigation’.

An investigation is to:

- see if there is a case to answer
- make sure everyone is treated fairly
- gather evidence from all sides
- help the employer to see what should happen next

At any stage the employer can still look at whether:

- the formal procedure needs to carry on
- the issue can be resolved informally instead

1. Following a fair procedure

To protect everyone involved in a disciplinary or grievance case, the employer must make sure they follow a fair procedure. The investigation is an important part of this.

If the employer does not carry out a reasonable investigation, any decisions they make in the disciplinary or grievance case are likely to be unfair. This could risk legal action.

Investigations are covered by the Acas Code of Practice on disciplinary and grievance procedures, which is the minimum a workplace must follow. Your workplace might have its own policy or procedure.

If a disciplinary or grievance case reaches an employment tribunal, judges will look at whether the employer has followed the Acas Code of Practice in a fair way.