

Investigations at work

Step 1: Deciding to investigate

When there is a possible [disciplinary](#) or [grievance](#) issue at work, the employer should carry out an 'investigation'. This is where they find out all they reasonably can about the issue.

An investigation is to:

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

At any stage the employer can still look at whether:

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

Following a fair procedure

In a disciplinary or grievance case, the employer should 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](#). If your organisation has its own policy or procedure for investigations, it should follow the Acas Code as a minimum.

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.

The Acas Code of Practice mainly applies to those with the [legal status of employee](#).

Someone is not likely to be an employee if they're:

- an agency worker
- a casual worker
- on a zero-hours contract

However, to keep good working relationships, employers should follow the same fair procedure for all workers. Also, there could be other legal risks if they fail to carry out a fair investigation – for example, discrimination.

Get more advice and support

If you have any questions about investigations at work, you can [contact the Acas helpline](#).

For employers and managers, Acas also provides:

- [training on conducting investigations](#)
- [tailored support for employers](#)
- [free webinars](#) – including on investigations and disciplinary procedures.