



**Birmingham Peoples
Centre**

Putting People First

The concept of natural justice

Both from both an employment law perspective and an employment contractual perspective the disciplinary procedure at work is subject to the principles of natural justice. The concept of natural justice is concerned with procedural fairness and a fair decision making process. Three law rules are important and are related to natural justice and to the disciplinary procedure at work:

The three law rules of natural justice

(1) The Hearing Rule: A person must be allowed the opportunity to present their case; this includes reviewing any evidence against them beforehand, the opportunity to prepare and present their own evidence and reply to any accusations before them.

(2) The Bias Rule: No one can be a judge in their own case; the decision maker in any case must be unbiased during the hearing and in making the decision. The decision maker must make the decision based on an assessment of the evidence without favouring one party over another. All parties involved in the case, including the investigators, must avoid any appearance of bias and all parties must ensure that there is no conflict of interest.

(3) The Evidence Rule: The administered decision must be logical and based on the proof and the investigator and decision maker must not base decisions on speculation or suspicion. Investigators and decision makers must be able to clarify the evidence on which the decision has been made, all the evidence; arguments, allegations, documents etc, must be disclosed to the other party.



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