

## SCHEDULE

### ACAS ARBITRATION SCHEME

## XV. OUTLINE OF PROCEDURE BEFORE THE HEARING

### *Written materials*

**83.** At least 14 days before the date of the hearing, each party shall send to the ACAS Arbitration Section (for forwarding to the arbitrator and the other party) one copy of a written statement of case, together with:

- (i) any supporting documentation or other material to be relied upon at the hearing; and where appropriate
- (ii) a list of the names and title/role of all those people who will accompany each party to the hearing or be called as a witness.

**84.** Written statements of case should briefly set out the main particulars of each party's case, which can then be expanded upon if necessary at the hearing itself. The statement should include an explanation of the events which led up to the dismissal, including an account of the sequence and outcome of any relevant meetings, interviews or discussions. The parties should come to the hearing prepared to address the practicability of reinstatement or re-engagement, in so far as the Employee seeks such remedies.

**85.** Supporting documentation or other material may include (without limitation) copies of:

- (i) contracts of employment;
- (ii) letters of appointment;
- (iii) written statement of particulars of employment;
- (iv) time sheets and attendance records;
- (v) performance appraisal reports;
- (vi) warning and dismissal letters;
- (vii) written reasons for dismissal, where these have been given;
- (viii) company handbooks, rules and procedures;
- (ix) any information which will help the arbitrator to assess compensation, including (without limitation):
  - (a) pay slips, P60s or wage records;
  - (b) details of benefits paid to the Employee such as travelling expenses and free or subsidised accommodation;
  - (c) guidance about, and (if available) actuarial assessments of, pension entitlements;
  - (d) details of any welfare benefits received;
  - (e) evidence of attempts to find other work, or otherwise mitigate the loss arising from the dismissal;
  - (x) signed statements of any witnesses or outlines of evidence to be given by witnesses at the hearing.

**86.** The parties must also supply details of any relevant awards of compensation that may have been made by any other tribunal or court in connection with the subject matter of the claim.

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**87.** Legible copies of documents must be supplied to ACAS even if they have already been supplied to an ACAS conciliator before the Arbitration Agreement was concluded.

**88.** No information on the conciliation process, if any, shall be disclosed by an ACAS conciliator to the arbitrator.