

INVESTIGATIONS, ACTIVE LISTENING AND INTERVIEW TECHNIQUE TRAINING



Speaker and Host
JOLYON BERRY
Director, Solicitor
Thompson Smith and Puxon

Jolyon Berry is a solicitor in the Thompson Smith and Puxon Staff and Employee Relations Team. Jolyon advises clients on all aspects of the workplace, where the management of staff meets Employment Law, by delivering solutions-based advice. By approaching HR matters confidently, mindful of the legal situation, employees will be able to manage change with fewer challenges and less risk.

AIMS OF TRAINING

- To reconfirm when an investigation is required
- To introduce to your Managers the importance of being able to carry out an investigation the outcome of which can, on the one hand, be relied upon when managing staff and, on the other, stand up to legal scrutiny
- To highlight the difficulties of and identify barriers to effective, “active listening” and explore techniques to improve the power of effective communication
- To remind your Managers of the risks inherent in the interview part of the recruitment process
- To help your business to continue to be a good place to work



The issues discussed and techniques considered in this training are transferable into other areas of work and ordinary life. For example by improving an individual’s investigatory, listening and interview techniques, they necessarily become a better negotiator. By implementing the guidance offered in this training, your organisation will reduce commercial risk, improve the efficiency of procedures, which will be more robust to legal challenge, and you will be more confident that your Managers will arrive at the correct conclusions when faced with an HR problem.

COURSE OUTLINE

The aims of the training, detailed above, will be achieved with the following course outline:

Investigations:

- **When are they required?** Your Managers will examine the ACAS Code of Practice vis-à-vis disciplinary and grievances
- **Case study:** “The difficult conversation” a look at a real case in which the quality of an investigation had a huge impact on what happened next
- **What are the rights of the investigator and the investigatee?** Delegates will consider what “reasonable” means in the context of the parties’ rights to privacy, the right to be accompanied etc.
- **How to present the conclusions of an investigation...** and consider what happens next?

INVESTIGATIONS, ACTIVE LISTENING AND INTERVIEW TECHNIQUE TRAINING

Active Listening:

- **Demonstration:** A short exercise to demonstrate how difficult effective listening can be
- **Tips and Techniques:** to help individuals improve the efficiency of “Q&A” by looking at open and closed questioning techniques and “cross examination”



Interview Technique:

- **To remind Managers** of the risks inherent in the interview part of the recruitment process and a review of the rules on discrimination and Data Protection in the context of recruitment interviews to ensure your managers and your business are not exposed unnecessarily to legal risks
- **Considering** the many ways in which interviews can be held
- **Preparing for an interview to improve the chance of selecting the best candidate:** delegates will consider the aims of the business and explore different interview techniques

“*Good training helps managers achieve positive outcomes, reducing the need for further disciplinary action. Those responsible for using and operating the disciplinary rules [which incorporates a reasonable investigation] should be trained for the task...*”

ACAS Discipline and Grievances at work. The ACAS guide.

LEGAL 500

The Thompson Smith and Puxon Employment Law team is ranked Top Tier in Essex and Team Leader, Richard Porter, is singled out as a Leading Individual in its guide to outstanding lawyers nationwide. In the UK 2018/19 edition the Legal 500 said “Thompson Smith and Puxon’s employment team impresses with its ‘realistic advice, an understanding of clients’ needs and communication that is delivered to a high standard’. Focus areas regarding employer matters include strategic advice and risk assessment, contracts and policies, disciplinary procedures, TUPE, restrictive covenants, dismissals and redundancies, disputes, tribunals and settlement agreements, while individuals are being represented in their equal pay, maternity/paternity rights, TUPE, unfair or wrongful dismissal and whistle-blowing claims. During 2017, partner Richard Porter, who ‘listens carefully and then provides clear and concise advice’, and solicitor Sam Welham acted for local and international clients from the media, printing, retail, financial, care, sports, construction, farming, education, engineering, hospitality and professional sectors.”

