

Investigator name: Job title:

Investigation title:

Investigation description:

ACTION		✓	INITIALS
Prior to commencement of investigation			
1	The 'Investigating Manager' confirms that they have the knowledge and skills required to carry out the investigation in a timely, professional and unbiased manner.		
2	Review appropriate business policies and procedures e.g. Health and Safety, Responsible Recruitment, Disciplinary, Grievance, Worker Handbooks etc. to determine whether they offer guidance or direction to the investigation. Consult with HR specialist if required.		
3	Identify what evidence might need to be gathered and how to get it e.g. CCTV footage or recordings, emails or other documents and witness statements.		
5	Identify the 'Deciding Manager' who will receive the Investigation Report and who will determine the outcome and remediation based upon the findings.		
5	Identify all witnesses and others (such as technical experts, who are not directly involved but can add insights) who will need to be interviewed and in which order and prepare an outline of questions to ask each individual.		
6	Map out a timetable for the investigation and report writing to ensure that the process is conducted in a timely manner that best serves the particular circumstances of the matter.		
7	If an individual is under investigation, inform them of the issue they are under investigation for, the date on which the investigatory meeting will take place, their right to be accompanied and ensure they have a copy of the relevant procedures.		
Handling an investigation meeting			
8	Arrange interpretation to support communication, where necessary. Any interpreter should have the knowledge and skills and/or have received training to provide accurate interpretation (relaying only what has been said by each party) and remain independent (in no way influencing conversation).		
9	Invite HR staff member, or other manager to the meeting to take notes and assist with investigation.		
10	Prepare a set of questions based on evidence and information available.		
11	Interview individuals in a location free from interruptions, e.g. phone calls, where the interview will be kept confidential and where individuals feel comfortable.		
12	Introduce those present and outline their roles.		
13	Inform the interviewee of the incident under investigation for which the investigation is necessary.		
14	Confirm that copies of the statement and/or notes will be issued to the other parties involved in the case.		
15	Where appropriate, offer the witness the opportunity to write a statement of events (or write on their behalf) using the Investigation Statement/Notes form (see appendix). Ensure completion is in ink, that amendments are initialled (do not use correction fluid), draw a line through unused parts of the form and ensure each page is signed and dated.		
16	Where a statement of events is not appropriate, conduct the meeting asking relevant questions and noting answers.		
17	If necessary, adjourn the meeting. Review the evidence highlighting any issues that are vague or incomplete. Update the prepared list of questions and reconvene the meeting. Repeat this step until you are satisfied that you have all the relevant information from the interviewee.		
18	Ask any final questions and allow the interviewee to add any other comments to the investigation.		
19	Summarise the discussion, gain agreement to this and conclude the investigation meeting.		

20	Prepare the witness statement/notes and ensure they are read and signed by the interviewee to signify that they are accurate. Ensure the interviewee has a copy.		
Concluding the investigation			
21	Collect and review witness statements and interview records.		
22	Collect and review any relevant written records and documents e.g. timesheets, meeting notes, maintenance records, accident reports.		
23	Collect and review any relevant and lawfully gained physical evidence such as CCTV, telephone records or results of searches.		
24	Consider what the evidence reveals. Determine whether there is a need to gather further evidence, conduct additional interviews or whether the investigation can be concluded.		
Writing an investigation report			
25	Determine whether the report is to be written only to present the investigation evidence and findings or whether it will also include recommendation on proposed outcomes, actions and remediation.		
26	Collate all the evidence collected into a structured report. Findings and conclusions should be evidence based and balanced showing all sides of the arguments.		
27	Recommendations should be proportionate and consistent and in accordance with the established procedures. Specify in making decisions based on evidence whether the burden of proof is “on the balance of probabilities” or “beyond reasonable doubt”. Explain how the evidence leads to the recommendations and any mitigating circumstances which have been taken into account.		
28	Decide on your recommendation (action) based upon the evidence. This could be no action necessary, changes to policies or procedure, staff training (or retraining), communication (or re-communication) of requirements, further investigation, disciplinary action. Decide on your remediation (i.e. putting right the wrongs for any victims or individuals adversely affected) such as an apology or compensation. Determine actions to prevent a reoccurrence.		
Acting on the investigation report			
29	On receiving and reviewing the Investigation Report, the ‘Deciding Manager’ decides whether to accept the report; to ask further questions of the ‘Investigating Manager’; to require the Investigating Manager to conduct further interviews and evidence collection and submit the additional findings; to reject the Investigation Report and require a new Investigating Manager to be appointed to conduct a fresh investigation.		
30	Having accepted the Investigation Report as concluded, the Deciding Manager decides whether to accept the recommendations (action); the remediation; and actions to prevent a reoccurrence or to modify or add to them.		
31	The Deciding Manager informs all relevant parties of the recommendations (action); the remediation; and actions to prevent a reoccurrence.		
32	On request, make the Investigation Report and all evidence available to the complainants who may determine that they wish to appeal the decision; propose additional or alternative actions, remediation and steps to prevent a reoccurrence.		
33	If appealed, give the appellant the opportunity to present their case to a new and unbiased ‘Deciding Manager’. The new ‘Deciding Manager’ determines whether further investigation, interviews and evidence gathering are required. The new ‘Deciding Manager’ decides whether to uphold the original decision and recommendations (action); the remediation; and actions to prevent a reoccurrence or to reverse them, modify or add to them. The new ‘Deciding Manager’ informs all relevant parties as required.		
34	Internal procedures will determine whether there is a further right of appeal.		

APPENDIX - INVESTIGATION STATEMENT/NOTES FORM

DESCRIPTION OF CASE UNDER INVESTIGATION:			
INTERVIEWEE'S NAME:	INCIDENT DATE AND TIME:	MEETING DATE:	MEETING TIME:
OTHERS PRESENT AT THE MEETING:			

If making a statement of events, please relate the incident step by step and state in your own words what happened, what you saw and heard including names of any people who were there. Include dates and times.

<small>To the best of my knowledge this statement is a full, accurate and true account in all respects. I understand that knowingly making a deliberately false or misleading statement will render me liable to disciplinary action.</small>	
SIGNED:	DATE: