



Conducting an Investigation Meeting **Guidelines for Investigating Officers**

1. Introduction

From time to time, managers may be required to undertake an investigation, either in relation to the conduct of one of their team members, or in response to a complaint raised by a team member.

These guidelines are intended to give managers, or other appointed officers, the framework to conduct fair, consistent and transparent investigations in accordance with the Council's Disciplinary, Grievance or Bullying & Harassment Policies.

2. Application of the Guidelines

The purpose of an investigation meeting is to establish the facts surrounding an allegation or complaint. This can involve interviewing the employee concerned, interviewing witnesses to the event and gathering secondary evidence. A summary of the findings is prepared based on the evidence gathered for consideration as to whether there is a case to answer.

Most investigations will be conducted by the employee's line manager, although where this is not appropriate, another manager may be appointed by the Human Resources Manager. Where the case warrants it, a member of Audit or ICT may be appointed to either undertake, or assist another manager in the investigation.

The Human Resources Section should be notified immediately that an issue arises that may require investigation.

1.1 Preparation for the interview

- (a) Familiarise yourself with the Council's Disciplinary, Grievance or Bullying & Harassment Policies
- (b) Discuss the issue with a member of the Human Resources Section
- (c) HR will contact the employee and make arrangements for the interview, confirming this to them in writing. The employee will be informed of the purpose and status of the interview (i.e. that it does not constitute a disciplinary meeting), and that they have the right to be accompanied by a work colleague or union representative
- (d) Make arrangements to ensure that you will not be disturbed during the interview, the room is private and tissues and water are available
- (e) Plan the questions you may need to ask and consider what evidence you will need to gather

2.2 The Interview

- (a) Introduce those present and confirm the role of each person
- (b) If the employee has been suspended, refer to the letter of suspension and confirm the reasons why the suspension has taken place

- (c) State that the purpose of the meeting is to establish the facts surrounding the alleged misconduct or complaint. Ensure each allegation or complaint is clearly outlined
- (d) Advise the employee of their right to be accompanied. If they have *not* brought a work colleague or union representative with them, confirm that they are happy to proceed without a companion
- (e) Where a complaint by another employee gives rise to the grievance or disciplinary investigation, advise both the complainant and the respondent that their statements and supporting evidence will be disclosed to the other party
- (f) Explain that an adjournment can be requested by the employee or representative or can be called by the Chair at any time
- (g) Establish the facts surrounding each allegation or complaint (intranet link to 'funnelling' technique)
- (h) The HR representative will also be able to ask questions and will make notes throughout. You should also take notes and ensure you arrange for these to be typed up within three working days of the meeting
- (i) When you feel you have established the facts, ensure the employee is given opportunity to add anything further.

2.3 Concluding the Interview

- (a) Confirm to the employee that following the interview you will continue to gather evidence, where appropriate, and that you will prepare a summary for consideration as to whether formal disciplinary or grievance action is necessary
- (b) Explain that following this, a decision will be made as to whether formal disciplinary or grievance action is to take place, and if so at what level
- (c) Advise the employee that once this decision takes place, they will be advised of the outcome in writing by the HR Section
- (d) Remind the employee of their duty to maintain confidentiality and signpost the Dover Counselling Service, which they can use in confidence if they wish
- (e) Remember to thank the employee for their cooperation.

2.4 Witnesses

- (a) Arrange to meet individually with any witnesses to the incident or event giving rise to the investigation
- (b) Ask them to provide an account of what took place in their own words, ensuring that the information provided is based directly on what they have directly witnessed, or been involved in
- (c) If a witness is not an employee of the Council, ask them if they would be willing to provide a written statement, or be interviewed. Remember that external witnesses are not obliged to provide witness statements
- (d) Ensure the witness statements are typed up immediately after the interview and ask the individuals concerned to agree and sign their statement
- (e)

A second interview with the employee subject of the disciplinary or grievance investigation may be necessary if additional, relevant facts have been raised by witnesses, which were not part of the initial discussion.

2.4 Preparing the Summary Report

- (a) Summarise the employee's work history including start date, posts held and whether there are any disciplinary warnings in force
- (b) Outline the history of events leading to the disciplinary / grievance hearing

- (c) Summarise the witness statements and other evidence, indicating where this corroborates the allegations / complaint, or where there are discrepancies
- (d) Ensure all witness statements and other evidence is appended to the summary report, along with any policies and procedures, or professional conduct guidelines referred to, ensuring they are fully cross-referenced in the report
- (e) The summary should remain factual and not include recommendations or unsubstantiated opinion.

2.5 After the Investigation

- (a) The employee's statement and any witness statements should be agreed and signed by the individual's concerned
- (b) The summary report and supporting documents (the "bundle") should be discussed with the HR Section within 3 working days of completion of the investigation
- (c) Where disciplinary or grievance action is to be pursued, the HR Section will write to the employee concerned to invite them to a formal meeting in accordance with the Disciplinary and Grievance policies
- (d) Where it is believed that there is no case to answer, the employee and any witnesses will be informed by the HR Section that there is no further action to be taken and reminded of the need to maintain confidentiality.

Document Links

- Statement template
- Question flowchart (funnelling)

Related Documents

- Disciplinary Policy
- Grievance Policy
- Bullying & Harassment Policy