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# Workplace Investigation Process

## The Investigation Process At A Glance



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A workplace investigation should establish the facts of a matter in a fair, objective and impartial manner. The purpose is to gather information and determine whether there is a case to answer, not to decide on disciplinary action.

When conducting an investigation, ensure you have:

- [ ] Remained impartial
- [ ] Followed fair procedures and company policy
- [ ] Clearly communicated the allegations
- [ ] Gathered all relevant evidence
- [ ] Maintained confidentiality
- [ ] Kept accurate records
- [ ] Allowed full opportunity to respond
- [ ] Provided adequate notice

***Remember:*** An investigation is a fact finding exercise. Any conclusions should be based on the evidence gathered, and no decision on disciplinary action should be predetermined.

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**Formal Investigation**
Invite in writing (Right to representation/ Potential for disciplinary outcome/ Include copy of complaint/ statement (where applicable)

**Investigation Meeting**
Ask who/ what/ where/ why /when questions. Refer to company procedures

**Investigation Minutes**
Confirm accuracy of minutes with employee

**Witness Identified**
Meet with witnesses to clarify matters - confirm minutes

**Witness Statements**
Provide witness statements to employee under investigation & send further invite to second investigation meeting

**Second Investigation Meeting**
Seek and clarify responses to witnesses statements. Anything to add?

**Investigation Minutes**
Confirm with employee minutes are accurate

**Investigation Report**
Once employee under investigation has responded to all allegations/ statements/ witness statements - A report on the findings of the investigation is drawn up.

## HR Compliance Reminder

- ✓ Ensure the investigation is conducted in line with company policy and fair procedures
- ✓ Appoint an investigator who is impartial and has no conflict of interest
- ✓ Keep the investigation separate from any subsequent disciplinary decision
- ✓ Ensure all parties are treated fairly and that evidence is considered objectively



## MSS Compliance Tip

Agree the scope of the investigation at the outset and keep it focused on the specific concerns being examined. Avoid making assumptions or reaching conclusions before all relevant information has been gathered. If new issues arise during the investigation, consider whether further enquiries are needed to ensure a fair and thorough process.

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