



PROACTIVE
COMPLAINTS
MANAGEMENT

TRAINING • COACHING • CASE MANAGEMENT

Conducting Effective Bullying & Harassment Investigations

All organisations at some point in time will need to undertake some type of investigation within their workplace.

Anyone who has or is about to conduct an investigation will need to overcome their own fears and self-doubts with the process in order to ensure an effective and transparent investigation.

When should an organisation initiate a formal investigation?

- When informal attempts to resolve the matters raised have not been successful;
- When the behaviour is likely to constitute serious misconduct;
- When the behaviour is leading to disruption in the workplace; or
- When the health and safety of your employees may be affected;

Can an employee being interviewed for an investigation be accompanied by a support person?

During any investigation parties will be exhibiting a significant amount of stress. It is vitally important to consider having a fact sheet or a policy in place that details the role that a support person will play if they were to attend a formal investigation interview.

You may want to consider including some of the following information on any fact sheet:

- A support person is not to advocate or speak on behalf of a staff member involved in any investigation interview;
- A support person's role is to only offer support to the staff member being interviewed;

- A support person can ask for time out for the staff member being interviewed so that the interviewee can regain their composure;
- A support person may provide moral support during any investigation;
- The support person **cannot** be a witness in the investigation as this may corrupt evidence that is being provided;

The role of the support person attending an interview:

The support person should be chosen by the staff member being interviewed and could be:

- A fellow employee who ***is not involved or a witness*** in the investigation and who must agree to maintain confidentiality and must not discuss the matters with **any** fellow staff member;
- An advisor such as a Union representative; or
- A friend;

It should be made clear to the staff member attending the interview, that it is a requirement that the staff member advises the investigator that they will have someone accompany them to the investigation and the relationship that the representative has with the staff member.

Clearly define the investigation process:

For many individuals it may be the first time that they have been involved in any type of investigation therefore your organisation should consider clearly defining the process you will undertake i.e.

- 1) Procedural fairness;
- 2) The investigation findings;
- 3) The investigation report;
- 4) The investigation outcomes;
- 5) Disciplinary action;
- 6) Notification of the outcome;
- 7) Confidentiality;

For further information in regards to the information contained within this fact sheet please contact Steve Aivaliotis – steve@proactivecm.com.au