

**City of Bradford MDC**

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# **Managing Investigations**

**A Toolkit for Managers in Schools**

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# Department of Business Support - Human Resources

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## Introduction

The Managing Investigations Toolkit aims to provide a framework which may assist School Managers to carry out a fair and consistent investigation into staff conduct or complaints. This document offers best practice guidance to school management and governors on dealing with the practicalities of carrying out investigations.

The guidance contained within this document should be used in accordance with the relevant School policy or procedure, as determined by the nature of the issue under investigation.

This guidance should be used in conjunction with the following policies;

- Disciplinary Procedure for Staff Employed in Schools
- Complaints & Grievance Procedures for Schools

This document is a practical guide to schools on undertaking investigations. Managers are strongly advised to contact Human Resources prior to undertaking an investigation; Human Resources are available to advise the investigating officer (Headteacher, Deputy Headteacher, Assistant Headteacher or Governors) at all stages of the process.

## When should an investigation be conducted?

An investigation may be required in the following circumstances;

- Allegations of misconduct (including child protection allegations)
- Allegations of bullying / harassment / discrimination
- Dealing with employee complaints e.g. complaints regarding perceived unfair treatment

If there is an occasion when an employee's conduct has the potential to lead to a disciplinary hearing it is most important that a full and fair investigation is undertaken that is consistent with the guidance that is provided within this document.

## Examples of Misconduct

The following are examples of misconduct. The list is not exhaustive:

- Unauthorised absence
- Negligence
- Inadequate standards of work caused by carelessness
- Careless damage to or wastage of school property and/or equipment
- Failure to carry out reasonable instructions
- Insubordination
- Improper behaviour or conduct
- Disregard of safety instructions
- Aggressive behaviour
- Timekeeping offences
- Improper disclosure of confidential information
- Smoking in prohibited areas
- Harassment and/or bullying
- Breach of the School's guidelines on e-mail/internet use
- Breach of the School's approach to equality
- Conduct which contravenes school policy or procedure

## Gross Misconduct

Gross Misconduct is generally seen as misconduct serious enough to destroy the employment relationship between the employer and the employee and make any further trust and confidence and future working relationships impossible.

The following list provides some examples of actions which may constitute gross misconduct:

- Theft of school, staff or public property
- Fraud and/or deliberate falsification of records
- Deliberate damage to or neglect of school property and/or equipment
- Gross insubordination
- Serious harassment, bullying, discrimination and/or intimidation
- Physical violence
- Actions which risks bringing the school into disrepute
- Incapability whilst on duty brought on by alcohol or drugs
- Conduct at work likely to offend decency, including improper relationship with students
- Gross negligence which causes or might cause unacceptable loss, damage or injury
- Serious infringement of health and safety procedures
- Serious breach of confidence e.g. disclosure of confidential information and breach of data protection requirements.
- Criminal activities outside work where such conduct is incompatible with the individual's employment
- Matters/conduct relating to child protection
- Sexual Misconduct
- Refusal to follow a reasonable instruction

## When to consider informal or formal action

Consideration should always be given to whether it is appropriate to deal with a matter formally or informally (and the process to be followed).

If you are concerned that the allegation may be serious or you are uncertain as to whether initially to tackle the matter informally or formally, you are strongly advised to contact Human Resources before any action is taken to decide the most appropriate method of dealing with the matter.

Human Resources will discuss options with the manager, potential outcomes and mechanisms for dealing with the matter. Human Resources will also suggest any other sources of advice and support. The decision on how to proceed will ultimately rest with school management.

For guidance on dealing with complaints and allegations informally, please refer to the appropriate School Procedure.

**NB. If the matter relates to Child Protection the Behaviour Support Service Manager must be contacted for advice before any action is taken.**

## Child Protection Allegations

In the event of an allegation of a child protection nature a basic fact finding exercise may be required to establish the initial details, however, it is most important that you contact Human Resources as well as one of the colleagues below, before commencing a full investigation.

Jennie Sadowskyj – Behaviour Support Service Manager  
01274 385617 – 07730544800  
[jennie.sadowskyj@bradford.gov.uk](mailto:jennie.sadowskyj@bradford.gov.uk)

Jenni Whitehead – Lead Officer for Child Protection  
01274 385726 – 07730544810  
[Jenni.whitehead@bradford.gov.uk](mailto:Jenni.whitehead@bradford.gov.uk)

## Who can suspend / lift suspension?

In cases where suspension is considered, please contact Human Resources for advice.

### Headteachers

- Head teachers can suspend any member of staff employed or engaged at the school
- If suspension occurs, the governing body must be immediately informed
- Head teachers do not have the power to lift suspensions, this must be done by the governing body

### Governors

- The governing body can suspend / or lift the suspension of any member of staff employed or engaged at the school, including the Headteacher
- If suspension occurs, the governing body must inform the Headteacher (in these circumstances this function would either be carried out by the Chair of Governors or a delegated governor). Suspension should not be discussed at full governing body level, in order to avoid the impartiality of governors that may be required to consider matters at a later stage

## When suspension may be appropriate

Suspension is a neutral act, not a disciplinary sanction and the employee will receive normal pay. However, suspension may be considered at any stage of the process.

Suspension may be appropriate in the following circumstances;

- When a child(ren) is/are at risk
- Where the allegation is so serious that dismissal for gross misconduct is possible
- Where suspension is necessary to allow the conduct of the investigation to proceed unimpeded
- Where the Police are involved in a criminal investigation or are likely to be

Where the police are involved, management must consult with the Police Officer in charge prior to suspension being considered. In these circumstances please contact Human Resources.

## Alternatives to Suspension

Suspension can in some cases be a traumatic experience for all parties involved.

The member of staff, whom the allegation is against, should not automatically be suspended and alternatives to suspension can be considered, these may include;

- Paid leave of absence or Mutual agreement to refrain from work (known as Garden Leave). This should only be considered as a short term arrangement while further information is being gathered.
- Alternative duties/locations
- Removal from contact with child(ren) that may be involved in the investigation

In the case where issues relate to a child protection matter, please consult with the appropriate Child Protection Officer, prior to making a decision regarding suspension.

In the case where immediate referral to the Behaviour Support Service Manager is accompanied by consideration of disciplinary procedures, suspension may or may not be appropriate. The Headteacher or Chair of Governors should consult with the Behaviour Support Service Manager and consider any recommendation which may be made by the child protection agency/Police or strategy meeting before a decision to suspend is taken.

## Process for suspension

### Meet the member of staff

- A meeting with the member of staff should normally be undertaken outside pupil contact time<sup>1</sup> and as soon as possible in a discreet location.
- Where suspension is being considered, the employee should be advised that they may seek advice from his or her trade union representative
- The employee may be accompanied by a work colleague not involved in the matter or a trade union representative. Where a trade union representative is not available to attend the meeting, the member of staff may be suspended and then given the opportunity to make representations while accompanied by their trade union representative at a later date.
- The Headteacher / Governors conducting the meeting, will in most cases, be accompanied by a member of Human Resources

### At the meeting

- The member of staff should be informed that at the conclusion of the meeting, they may be suspended
- Explain that the meeting is not a formal disciplinary hearing but is for the purpose of raising a serious matter which may lead to suspension and further investigation
- The member of staff should be given information regarding the allegation(s) and the reasons for any proposed suspension
- The employee may make representations regarding the consideration of suspension
- Management may also want to give consideration to alternatives to suspension
- A brief adjournment should be offered to the member of staff prior to management's response
- If suspension is considered necessary, the individual should be advised that he or she is suspended from duty with immediate effect and should also be informed of the reasons for and the terms of their suspension
- Advise the employee that access to ICT systems & other relevant equipment will be immediately removed for the duration of the suspension
- Written confirmation of the suspension may be given at the end of the meeting or otherwise provided as soon as possible (normally within one working day, see Appendix 1)

**In cases where suspension occurs, contact with the employee should be maintained and the suspension reviewed monthly. Refer to Appendix 2 for template letter.**

## Support for Staff during the Period of Suspension

According to the needs and wishes of the member of staff to be kept informed, an appropriate senior member of staff may provide information about developments in the life of the school. The suspended member of staff will also be given the name of a Human Resources Representative as a contact. The role of the contact person is to provide information with regards to the progress of the investigation.

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<sup>1</sup> In accordance with the relevant ACAS Code of Practice, where the person is a trade union or safety representative, the interview should not be arranged without prior discussion with the relevant branch secretary or a full-time official of the trade union concerned. From the outset it should be established that the action being taken is not an attack on the functions of a trade union.

Social contact with colleagues and friends at the school should not be precluded except where it is likely to be prejudicial to child protection enquiries, criminal investigations or disciplinary processes.

In some cases, it may be appropriate to ask whether welfare counselling or the support of the Employee Health & Wellbeing Unit (or the schools Occupational Health provider), would be helpful, or to respond to a request for such further support.

## **Confidentiality**

Where a parent has made the allegation they may be confidentially informed of the suspension and any developments where it is necessary to provide re-assurance. The reasons given should be agreed between the concerned employee, their representation and the Headteacher.

Senior teachers in the school who need to know of the reason for the suspension should be informed as far as is necessary. The Headteacher/Chair of Governors should take a decision on informing other staff colleagues in the school of the suspension, however, the number of people informed of the suspension should be kept to a minimum.

In certain circumstances, e.g. child protection investigations, it may be necessary for the Head teacher (in consultation with the Chair of Governors) to provide immediate reassurance to parents and children in the school and there may be a need for information to continue to be provided during the course of an investigation to parents, children and other colleagues.

**Guidance should be sought from the Lead Officer for Child Protection or, where relevant and appropriate, from Social Services or the Police.**

## **Who Should Investigate?**

- When it is decided that a formal investigation is appropriate school management or governors should determine who will be the investigating officer. If it is likely that the investigation may result in a disciplinary or grievance hearing, where the Headteacher may hear the case, It is advisable that an alternative member of the senior leadership team or an external investigator is commissioned in order to conduct the investigation
- If it is likely that the investigation may result in a disciplinary or grievance hearing, where the governors may hear the case, it is advisable that the Head teacher, an alternative member of the senior leadership team or an external investigator is commissioned in order to conduct the investigation.
- If a hearing is required and there is no alternative the Headteacher can investigate and present the case to themselves at a hearing. Whilst it is not recommended that the Head teacher undertake this dual role, this would be a pragmatic approach in the circumstances. Please contact Human Resources before making a decision.
- If the Headteacher or senior member of staff is a key witness, or has knowledge which could be seen to prejudice the investigation, it is not recommended that they conduct the investigation, present the case at a hearing or hear the case. (Please contact Human Resources for further advice).

## **External Investigators**

The school may also contact Human Resources with a view to commissioning an external investigator. If an external investigator is commissioned, he/she will report to the nominated governor/s that will retain responsibility for the case. This is outside the agreed SLA's and will be at an additional cost to the school.

The Investigator should liaise with the Human Resources for advice on procedural matters and to keep the Human Resources apprised of developments in the case.

The final report shall be the joint property of Bradford MDC and the Governing Body of the school. (Please see appendix 3 for the protocol for external investigators)



## How to conduct the Investigation

### Principles of conducting an investigation

- The investigation should be free from bias and meet the requirements of natural justice. All concerns should be put to the employee and they should be allowed to respond
- At all stages of the process, confidentiality must be maintained by all parties
- A timescale should be provided at the beginning of the investigation to all parties concerned and every effort should be made to achieve this. However, if this is not possible, all parties should be informed and given reasons why
- All parties have the right to be accompanied by a trade union representative or work colleague not involved in the case throughout the investigation process

### Meet the Member of Staff

The investigating officer will meet the member of staff whom the allegation/complaint is against (with their Trade Union Representative or a work colleague should they wish) and explain that this is a formal investigation. The member of staff will be given information about the allegation/complaint (verbally and in writing) and the procedure to be followed will be explained. The information to be given in sufficient detail for the member of staff to understand the overall matter of concern.

### Before commencing the investigation

- Identify details of the precise issue to be investigated, e.g. details of allegations/complaint made etc.
- Suggested methodology for conducting investigations, e.g. identification of initial witnesses, copies of policy being breached etc.
- Under which school policy or procedure the investigation is being conducted under
- Clarify what purpose and by whom any Investigation Report will be used.

### Preparation for the investigation interviews

The Investigating Officer should:

- Ensure that enough time has been set aside to hold the interview confidentially, in a private room that is available without any interruptions.
- Ensure that all necessary information is available during the course of the meeting. e.g. copies of policies / procedures etc.
- Prepare a list or structure of challenging questions in relation to the alleged incident / allegation
- Ensure that an appropriate person is available to take detailed notes of the meeting, for use within the investigation process / report where appropriate.

All staff interviewed as part of the investigation are entitled to be accompanied by a trade union representative or a work colleague (who is not involved in the matter). The employee should be written to stating the date/time and venue, the purpose of the meeting and the right to be accompanied. (See Appendices 4 & 5).

### Conducting the Investigation Interviews

Where possible the interviews should be conducted in the following suggested order;

- The person raising the allegation/complaint should be interviewed first
- Witnesses should be interviewed one at a time. There may be a need to re-interview witnesses during the investigation process. Additional witnesses may be identified during the investigation and must also be interviewed.
- The person whom the allegation/complaint is against should be interviewed last
- Care should be taken to avoid any opportunity for collusion

***When interviewing children that may be involved as witnesses please refer to Human Resources for advice.***



## **The structure of the investigation interview**

- Explain the context of the interview and the member of staff's right to representation.
- For what purpose the meeting notes and subsequent record of interviews will be used
- How and when the interviewee will be able to check the notes /record of interviews
- Reiterate the importance of confidentiality.

The interview itself is to ascertain facts and there may be times when a series of specific questions requiring specific answers may need to be put to interviewees. Fair, open and challenging questions may be used to probe answers to establish the facts. The interviewer should avoid any speculation or opinion.

## **Introductions & Greetings**

### **To the person making the allegation, witnesses (or others with information) explain;**

- The procedure to the interviewee and try to put them at their ease.
- Their right to be accompanied by a trade union representative
- This is part of a formal process, their evidence may be used if the matter proceeds to a hearing and they may have to be called as a witness
- They will be given a copy of their final record of interview
- The member of staff will have the right to know who is making the allegation/complaint (or providing information about the matter).The member of staff will also receive a copy of the record of interview should the matter proceed to a hearing
- This matter is strictly confidential and must not be discussed at any stage. Reassure the interviewee that management will also strictly maintain confidentiality.
- This should appear in the record of interview

### **Taking a record of interview from the member of staff. Explain that:**

- This is part of a formal process
- They have a right to representation
- The allegations/complaint against them may proceed to a disciplinary hearing, and the potential outcomes.
- They will be given a copy of their final record of interview

## **Questioning**

- Use open questions (who, what, why, when, how etc)
- Use closed questions in order to clarify points. Leading questions should not be used when interviewing witnesses
- Discuss and enquire into any additional information for clarification
- Ensure that specific examples are provided when unsubstantiated descriptions are given, i.e. 'bullying' or inappropriate behaviour' etc
- Where physical force is alleged to have been used then the degree of force used should be clarified
- Once questioning is complete, re-cap and clarify main points of discussion, ensuring that the notes taken are accurate and answer any appropriate questions or concerns raised

## **Closing Statement**

- Explain the next steps, confirming how / when the record of interview is to be prepared and verified and when the investigation is expected to be completed.
- Ensure that contact details of the Investigating Officer are provided, and ensure confidentiality is fully understood.

At the end of the investigation interview the Investigating Officer should have obtained from each witness:

- The names of those present or involved
- Date / time / place of the alleged incident / allegation
- Details of what took place, and the order in which they happened
- How the individual reacts to any other documents or witness evidence which is inconsistent with their account

- The steps taken since the alleged incident / allegation, including any steps taken to resolve the matter
- Their preferred outcome (in cases of complaint)

## Records of Interviews

- Any notes taken during the investigation interviews should be typed, checked and signed by the interviewee. The record of interview should record the facts, written (within reason) in the language used by the interviewee following the train of events. (For a template record of interview please see Appendix 6)
- If there is any ambiguity or gap in the account these should be clarified with the interviewee
- The interviewee must be given the opportunity to review the statement and must only sign to confirm it as a true and accurate version of events
- Once the record of interview is typed the employee should be allowed sufficient time to read it through, make any amendments/additions as necessary and sign and date the record at the bottom of each page. Any amendments should be initialled. Where possible it is advised that the record is typed and signed as soon as the interview has been completed.
- Where records of interviews cannot be taken the Investigating officer may ask the interviewee to provide a written statement which can be prepared with their Trade Union representative. In these cases the statement should be checked by the Investigating officer and included in the Investigation Report. In these circumstances please contact Human Resources

## Evaluating the Evidence

All of the relevant evidence gathered during the investigation should be reviewed and collated for use within the Investigation Report (For a template investigation report, please see appendix 7). This should include;

- Any record of interviews
- Notes from investigation interviews
- Relevant policies & procedures
- Evidence of custom and practice etc.

This evidence should be evaluated, particularly where there are contradictions or conflicts which the Investigating Officer must consider. In evaluating evidence, each case should be judged on its merits; however, the following points should be considered;

- Direct witness evidence will usually be stronger than indirect information relating to the incident / allegation
- Evidence which is inconsistent with documents produced at the time is questionable
- Evidence which is vague, is unsubstantiated opinion or hearsay, omits significant details or contains inherent contradictions is questionable
- Anonymous evidence should be reviewed with caution as it is often difficult to substantiate
- Consideration should be given to any bias, motivation or influence individual witnesses may have
- Where possible the factual accuracy of points raised in records of interviews should be verified by the investigating officer if they are material to the allegations/complaints

It is important to remember that in reviewing the evidence and recommending appropriate courses of action, the Investigating Officer only has to show they have a **reasonable belief** of what happened based on their assessment of the evidence. Unlike a legal case there is no requirement to prove a case 'beyond reasonable doubt'.

## APPENDIX 1 – SAMPLE SUSPENSION LETTER

### Private & Confidential

NAME

ADDRESS

DATE

Dear NAME

I am writing to confirm the decision conveyed verbally to you today, that with immediate effect and until further notice, you are suspended from duty from your employment at SCHOOL NAME.

### Reason for suspension

There is a concern regarding your conduct, in that it has been alleged that you -----  
-----

Because of the need to investigate the matter thoroughly, I have decided that it is necessary to suspend you until the full facts have been established.

You should note that suspension is not a punishment or disciplinary sanction, nor does it pre-empt any conclusions of the investigation.

At a suitable time during the investigation, you will be interviewed and have the right to be accompanied by your trade union representative or a work colleague not involved in the allegations. On completion of the investigation, you will be advised of the outcome and, in the event of disciplinary action being recommended, the disciplinary procedures as adopted by the Governors will be followed.

### Terms of suspension

1. It is a condition that you must not visit the school or have any contact with governors, staff (see 2 below), parents or pupils. This is intended to protect you from any potential allegations of harassment/intimidation of witnesses or collusion and is therefore in your own best interests. Failure to follow this condition could, in itself, lead to formal disciplinary action being taken against you. You may contact me with regard to any work-related matters.
2. There must be no discussion about the case or matters relating to it with any member of staff, governors, parents or pupils. (You will be allowed to discuss matters during investigation meetings and/or any disciplinary meeting if that proves necessary in accordance with due process). Failure to follow this condition could, in itself, lead to formal disciplinary action being taken against you.
3. Reasonable social contact with school colleagues is permitted provided that such contacts are off school premises and all the other terms of this suspension being respected, including the requirement for confidentiality.
4. Any attempt by you, or by anyone else on your behalf, to interfere with the investigation is likely to be regarded as gross misconduct. This applies to any such contacts whether taking place on the school premises or outside of the school.
5. If for any reason you should need to visit the school, you must seek prior permission, in writing, from me.
6. During the period of suspension you will receive normal pay.

7. You should remain available to the School at any time during your normal working hours. If you need to be away for medical, family or other reasons you should discuss this with me in advance.

During your period of suspension, **NAME** will act as an intermediary between you and the school and can be contacted by telephone or in writing at the school. **NAME** will also keep you informed of any developments in school.

I will review the necessity for your continued suspension on a monthly basis.

You are strongly advised to rely on the support of your trade union. If you wish to consult a Human Resources Adviser regarding procedural matters concerning your suspension and the pending investigation, please contact **NAME** at Human Resources on **NUMBER**.

Yours sincerely

**NAME**  
Headteacher

Copies: **NAME** – Human Resources.  
**NAME** – Trade Union Representative

## **APPENDIX 2 –SUSPENSION REVIEW LETTER**

**Private & Confidential**

**NAME**

**ADDRESS**

**DATE**

Dear **NAME**

I am writing to confirm that your suspension from duty will continue until further notice as the investigation is ongoing. The terms and conditions of your suspension remain the same.

***Provide details of any relevant information that the employee may need to be made aware of.***

Yours sincerely,

**NAME**

Headteacher

*Advice:*

*Please provide in this letter some explanation of the reasons for delay and try to conclude the letter in friendly terms.*

*You may wish to remind the employee that Occupational Health support is available and that they may freely contact the school intermediary who was named in the suspension letter.*

## **APPENDIX 3 – PROTOCOL FOR EXTERNAL INVESTIGATORS**

Where an investigation needs to take place the school should aim to have the matter investigated by a competent member of the management team (or governor where appropriate). The use of an external investigator should be considered only when it is not appropriate / possible for this to happen. Bradford MDC will only commission an investigation from suitably qualified and professionally experienced investigators.

### **Responsibilities of the Investigator**

1. The Investigator will conduct the investigation in conformance with the disciplinary procedure and the guidance contained within the Managing Investigations Toolkit.
2. A scope of the investigation will be agreed with the investigating officer by the school management or link governor.
3. The investigating officer will set out a proposed schedule of dates and interviews to meet the scope of the investigation and the timescales should be communicated to relevant parties e.g. employee representatives / trade unions.
4. The Investigator's task is to conduct a thorough and careful investigation in order to discover the facts of the case in a fair and balanced way.
5. The Investigator should liaise with the Human Resources for advice on procedural matters and keep the HR apprised of developments in the case.
6. The Investigator will be responsible for interviewing all relevant witnesses and arranging for the production of typescripts of the interviews which faithfully record both the questions put to the witness and their responses. All interview records and statements will be checked with the interviewees and each page will be signed and dated by the interviewee.
7. All persons interviewed for the investigation should be informed that they may be accompanied by a trade union representative or a work colleague who is not otherwise involved in the case.
8. All persons interviewed should be informed that their statements may subsequently be used in formal procedures.
9. The Investigator will produce a written Investigation Report to a professional standard. The report is to be presented in a word-processed, well-formatted manner, which sets out the findings and the conclusions of the investigation and which contains all relevant interview records, statements and associated relevant documentation as appendices.
10. The Investigator should refrain from stating any personal view on the level of sanction that may be applied in disciplinary cases or from stating an opinion on whether or not a grievance should or should not be upheld.
11. A draft copy of the report will be submitted to Human Resources for the attention of the schools HR Business Partner and should be submitted as speedily as possible once the investigation as been completed.
12. The title page of draft report should include the words "CONFIDENTIAL DRAFT REPORT".
13. On confirmation of the acceptability of the draft report, a final report will be submitted to Human Resources for the attention of the schools HR Business Partner. The title page of the final report should include the words "PRIVATE AND CONFIDENTIAL - INVESTIGATION REPORT".

14. All provisions of the Data Protection Act shall apply to the Investigation Report and to all statements, interview records and all other associated documentation and material.
15. The final report shall be the joint property of Bradford MDC and the Governing Body of the school.
16. Having regard to its duty of care towards the staff involved, the school wishes for the investigation to be completed as soon as practical within the constraints imposed by the necessity to complete a full and fair investigation into the concerns raised.
17. All investigations will take place within agreed timescales, where unavoidable delays occur; the complainant / individual under investigation will be notified in writing and given reasons.



## **APPENDIX 4 - SAMPLE INVITATION TO ATTEND INVESTIGATION INTERVIEW**

### **Sample letter to staff who are witnesses (or others with information)**

#### **Private & Confidential**

**NAME**

**ADDRESS**

**DATE**

Dear **NAME**

I am undertaking an investigation into an incident on **DATE**. I wish you to attend an investigation interview regarding this matter on **DATE** at **TIME** at school. An account of the interview will be taken.

The interview will be conducted by me and (the name of the second person). You may be accompanied by a trade union representative or a work colleague not involved in the matter.

Could you please confirm that you will be available to attend on that date and if you wish to be accompanied, who will be accompanying you.

Yours sincerely

**Title of Investigating Officer**

## **APPENDIX 5 - SAMPLE INVITATIONS TO EMPLOYEE WHOM ALLEGATIONS ARE AGAINST**

**Private & Confidential**

**NAME**

**ADDRESS**

**DATE**

Dear **NAME**

I am undertaking an investigation into your conduct during an incident on **DATE**, where it is alleged that you acted inappropriately towards a pupil, **NAME**. I wish you to attend an investigation interview regarding this matter on **DATE** at **TIME**, at the school. At the interview you will have the opportunity to respond to any issues raised in relation to this matter. An account of the interview will be taken and may be used at a later time should it be appropriate to consider disciplinary action.

The interview will be conducted by me and (the name of the second person). You may be accompanied by a trade union representatives or a work colleague not involved in the matter.

Can you please confirm that you will be available to attend on that date and, if you wish to be accompanied, who will be accompanying you.

Yours sincerely

**Title of Investigating Officer**

## APPENDIX 6 – RECORD OF INTERVIEW TEMPLATE

Investigating officer **NAME**  
Held at **PLACE & DATE**  
Present **NAMES & JOB TITLES**

***Include information regarding the name and role of investigating officer, that the interview is confidential, that the record of interview may be used as evidence at a disciplinary/grievance hearing and also that the employee was again made aware of their right to be represented.***

Meeting commenced at **TIME**

"I am ----- . My job title is ----- (and my responsibilities include -----) I have been employed in this post at (school) since -----."

Investigating officer to Clarify reasons for the interview being held.

**Q:** Can you please explain what happened?

**A:**

**Q:** Who is involved (names, job titles, departments etc.)?

**A:**

**Q:** When did these things happen (one-off, several occasions or continuous - give details, dates, times)?

**A:**

**Q:** Where did this happen?

**A:**

**Q:** Did anyone witness the event?

**A:**

Meeting ended at **TIME**

"I declare that the contents of this record of interview are true to the best of my knowledge and belief".

Signed \_\_\_\_\_ (**Name**)

Date \_\_\_\_\_

## **APPENDIX 7 – INVESTIGATION REPORT**

An Investigation Report should be written by the Investigating Officer and should normally be structured as follows:

### **1. Table of Contents**

### **2. Terms of Reference for the Investigation**

- A brief introduction to the report clarifying the allegation / incident which have been investigated
- Details of the person against whom the allegation/complaint has been made, including whether they are currently suspended from duty and the name of the investigation officer

### **3. Methodology**

This section should detail the process of the investigation including;

- Details of any other activities undertaken as part of the investigation (watching video's etc)
- A list of the people interviewed, including their post title and dates of any interviews that have taken place
- List of documents used, including any details of school policies and procedures reviewed

### **4. Findings / Analysis**

This will be the largest section of the report and will detail the findings from the Investigation, including;

- Facts and evidence presented
- Any inconsistencies found with explanations where applicable
- Any mitigating circumstances and any risks identified
- Where information from particular witnesses is cited, note must be made of the relevant appendices where the record of interviews can be found

### **5. Conclusion (Recommendations where appropriate)**

Where appropriate, a final section could include the conclusions drawn by the investigating officer following the evaluation of the evidence.

- Recommendations are not mandatory, but in the case of disciplinary investigations should indicate the recommended next steps or the initiation of any other procedure, following issues highlighted during the investigation

**NB: It is not the responsibility of the Investigating Officer to recommend sanctions or to uphold allegations**

### **6. Appendices**

- Record of interviews from meetings, copies of correspondence, or policies cited during the report should be included

***At this stage, a copy of the report should be sent to Human Resources for advice on the next stage of the process.***