

# Workplace investigations

## Overview

This workshop is designed to build participants' knowledge, skills and confidence in conducting investigations in the workplace. The workshop will benefit all those, both managers and HR professionals alike, who may be involved in a full of range of investigations, including:

- Disciplinary investigations
- Investigations into allegations of harassment / bullying
- Grievance investigations, etc

The skills and processes learnt will ensure that participants are able to carry out robust investigations in line with best practice and employment law. Internal company policies and procedures will be referred to throughout the workshop as appropriate.

## Learning objectives

On completion of this highly practical programme participants will:

- Understand the importance of the investigation in disciplinary and grievance procedures and the significance of conducting a fair and robust investigation
- Be clear on the role and responsibility of the investigating manager and how to work effectively with others providing support, such as HR
- Know the importance of planning and preparation in relation to the investigation
- Be able to conduct an effective investigation including investigation interviews and taking statements
- Be confident to make a recommendation based on the investigation and produce a high-quality report which will stand up at any subsequent hearing
- Have an awareness of the legislation affecting how employers discipline their employees and respond to staff complaints, including those of bullying and harassment and the practical implications this has for investigations
- Have built knowledge, skills and confidence through practical exercises addressing challenging issues and participant concerns

## Audience

Anyone likely to be involved in advising on, or conducting, disciplinary, grievance, or bullying / harassment investigations, including:

- HR / employee relations advisers
- Line managers

## Format

This workshop is available in a one- or a two-day format. (For virtual delivery, we have an alternative programme outline).

On the one-day version participants work together as a group to plan and conduct investigatory meetings. The scenarios are bespoke to the organisation to maximise relevance.

On the two-day version participants work in groups to investigate more complex investigations, using actors to play the part of employees involved in the investigation. The scenarios are written to reflect topics that are most relevant to the organisation in order to maximise the realism and the learning from

the investigation. There is time on day 1 for participants to get familiar with the scenario and start the planning process. Day 2 is very practical with all participants involved in interviewing 'employees' with different perspectives on an issue, evaluating evidence and making a recommendation.

The workshop outline shown below is the starting point for both the one- and the two-day versions of the programme.

### Special feature

This programme can be tailored to particular settings. We suggest that, for maximum benefit, the trainer be given access to your organisation's relevant policies and procedures well in advance in order to use them as examples during the programme. At all points your policies and procedures can be referred to and reinforced, and any particular lessons from experience can be driven home for you. The practical scenarios in Session 8 will be tailored to the participants' workplace(s). The scenarios need to be as life-like as possible. We can send you sample scenarios for you to use as a template in writing your own or the trainer can develop them jointly with you.

Any further tailoring of the programme can be discussed directly between you and the trainer.

### Expert trainer

We can offer a choice of expert trainer, depending on location. They're all happy to travel, but to minimise travel costs you can choose between **Rachel** (based in Surrey), **Toni** (Sussex) or **Victoria** (Cardiff).

## Workshop outline

### 1 Introduction

- Workshop objectives and benefits from attending
- Participants' experience and confidence in this area
- Personal objectives

### 2 The context

- Establishing the range of investigations that participants are involved in
- Participants' experiences of investigations
- Existing knowledge, skills and experience

### 3 Making workplace investigations robust

- Best practice; ACAS guidance
- Employment law risks and legal challenges
  - An overview of current legislation in this area
  - Exploring what constitutes a fair and reasonable investigation
  - Lessons from case law
- Policies and procedures

### 4 The investigation

- The purpose and outcomes of an investigation
- Key responsibilities of the investigatory managers
- Role and responsibilities of HR, etc

## **5 Key steps to an effective investigation**

- Deciding when and how to investigate; determining the best person to investigate
- Understanding the scope / terms of reference of the investigation
- Taking immediate action – suspension, temporary redeployment, etc
- Planning the investigation: a checklist
- Individual preparation: ensuring objectivity
- How to conduct effective interviews and take witness statements
- Gathering and evaluating evidence; dealing with conflicting information
- Making a recommendation
- Documenting the investigation: a checklist and template
- Next steps

## **6 Avoiding common investigation mistakes**

- Six common mistakes and how to avoid them

## **7 Essential investigation skills**

- A checklist of effective investigation skills
- Participants' strengths and development areas
- Skill building activities, eg, effective questioning and listening skills, how to remain objective and avoid assumptions, etc.

## **8 Putting it into practice**

- Practical scenarios to assist participants build knowledge, skills and confidence in conducting workplace investigations:
  - Developed individually for each client to ensure maximum learning and relevance (eg, include planning for and conducting an investigatory interview; reporting and presenting the recommendations; etc)
  - Group work to consider approach in particularly challenging or sensitive 'what if ...?' scenarios (eg, what happens if a grievance is raised during the investigation, counter-allegations are made or there is evidence of a disability, etc)

## **9 And finally...**

- Open forum – remaining challenges and 'what if' scenarios
- Action planning – identifying how participants will transfer this learning into the workplace and what else they may need which will help them to do this effectively
- Review and close

**For a no-obligation discussion about running this programme for your organisation on an in-house basis, just give us a call on [01582 463462](tel:01582463462).**