

Designed for Human Resources or Industrial Relations Practitioners and Senior Managers responsible for People and Culture or Governance

About The Session

This workshop covers the initial assessment of a complaint and potential legal obligations of the employer, how to plan/scope an investigation, and how to investigate using a transparent and procedurally fair process. Participants will learn interview techniques, appropriate assessment and analysis of evidence based on the standard of proof, and how to construct an investigation report. The content of the Workshop can be adapted to meet council-specific needs and to align with council policy if desired.

Course Topics

Part 1 Initial Assessment

- Identifying the nature of the complaint/issue
- Misconduct
- Public Interest Disclosure Act
- Crime and Corruption Act – notification obligations

Part 2 Planning/Scoping the Investigation

- Formal or informal investigation?
- Choosing the investigator – conflict of interest
- Particularising the allegations
- Assessing risks & potential sources of evidence

Part 3 Direction to Attend Interview

- Direction to witnesses, including invitation to external witnesses
- Providing notice to respondent of allegations and direction to attend interview

Part 4 Interviewing Techniques

- Role of Support Person
- Structure & recording of interviews
- Facts vs opinions

Part 5 Analysis and Report Writing

- Reviewing the evidence & standard of proof
- Structure of the report
- Assessing credibility and reliability of evidence
Findings/Recommendations

Part 6 Conclusion and Questions

Learning Outcomes

- Understanding how to categorise a complaint and subsequent employer obligations.
- Importance of collecting/preserving evidence and particularising allegations.
- How to plan / scope an investigation and determining whether an informal or formal investigation is required.
- Understanding importance of impartiality and managing real or perceived conflicts of interest.
- How to direct a witness or respondent to attend an investigation interview and managing interview of external parties.
- Understanding role of support person and management of interference.
- How to structure an interview to ensure required information and evidence is obtained.
- How to assess credibility and reliability of witnesses and evidence.
- Understanding the standard of proof used in workplace investigations and how to appropriately analyse the evidence to make sound defensible findings.
- What recommendations should be covered in an investigation report.

Workshop Details

Delivery: Online or In-person

Time: ½ - 1 days

Class Size: 5-20 pax

Cost: Contact us