**STRICTLY PRIVATE & CONFIDENTIAL**



**DISCIPLINARY INVESTIGATION REPORT**

**IN RELATION TO (NAME OF PERSON)**

**ORIGINAL COPY**

Investigating Officer: NAME

Post Title:

Directorate:

DATE

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Section 1

Employee Details

Name:

Job role:

Location & reporting manager:

Length of service in post:

Length of service with CCC:

Details of any previous disciplinary action (if relevant):

Background:

*Short summary of any background to the allegation/s*

Section 2 - Details of the Allegation/s

* *Set out here the details of the allegation/s as stated to the employee by the Manager*
* *List each allegation separately and clearly to mirror any wording previously issued to the employee*
* *Avoid duplication of any background details that have been covered in section 1*

Section 3 - Terms of Reference for the Investigation

* *Short statement explaining the purpose of the investigation*
* *Include specific policies to be referred to with this investigation e.g. Disciplinary Procedure/IT Security/ Health & Safety/ Professional standards of conduct etc*

Section 4 - Investigation Process

* *Describe what evidence has been collected, from where and when*
* *Include a timeline of investigation / chronology of events in relation to the allegation /s. If necessary – explain reasons for any delays – present in a table format*

*Example:*

|  |  |  |
| --- | --- | --- |
| ***Date*** | ***Event*** | ***Comments/ Evidence*** |
|  | *Incident occurred* |  |
|  | *Appointed as IO* |  |
|  | *Interview with XXX* | *Delay of 12 working days due to employee being on annual leave* |
|  |  |  |
|  |  |  |

Section 5 - Summary of Findings

* *Present a summary for each allegation separately*
* *Make reference to the employee’s response*
* *Are there any mitigating factors?*
* *It is the investigator’s responsibility to analyse all the statements and draw out all corroborative evidence.  Interviewees are not always articulate during interviews and the investigator should therefore use their own words to concisely convey the findings and summarise the comments made*
* *Avoid copying sentences from statements into this section unnecessarily. Instead make reference to the numbered statement so the reader can easily identify where the comments have come from*
* *Note any specific actions that demonstrate a breach of policy or standards of conduct/performance that did not meet those normally expected.*
* *Ensure that you fully address each allegation and take into consideration all the evidence*
* *If the evidence is inconclusive or there is no evidence to substantiate an allegation the IO should say so.  The reader wants to know whether there is any evidence to support the allegations*
* *The IO should explain how significant the evidence is - this should come across throughout the report.*
* *Refer back to the agreed remit of investigation, ensuring that you cover all the points.*

Section 6 – Conclusion

* *State for each allegation whether there is any evidence that the misconduct occurred. Avoid stating whether the allegation is ‘upheld’ - statements such as ‘there is reasonable belief based upon the evidence gathered that the allegation is substantiated’ or ‘the evidence suggests that the alleged misconduct occurred’*
* *You need to draw a ‘reasonable belief’ based on the evidence and provide a fact-based opinion to enable the Manager to reach a conclusion on whether there is a case to answer*
* *It is not for the IO to make decisions or recommendations as to sanctions etc*
* *The standard of proof for internal investigations and any subsequent disciplinary hearing or grievance meeting is based on the “balance of probabilities”, i.e. that on the basis of the evidence it was more probable than not that the alleged misconduct was committed. Investigators are not required to demonstrate beyond reasonable doubt, unlike in criminal investigations, but do need to act reasonably on behalf of the employer.*
* *Support the conclusions with the strongest evidence without repeating the text in the main body of the report (where possible) - the conclusions should be clear and concise.*
* *Identify to the reader the strengths and weaknesses in the evidence - emphasising the importance of any issues and where evidence can be open to different interpretation / scenarios.*
* *Draw out key facts which demonstrate particular breaches of policy e.g. Code of Conduct, Harassment, Financial Regulations, service policies & procedures etc*
* *If there are any special circumstances/mitigating factors ensure that they are clear within the conclusions and it is important to explain their significance.*

Section 7 – Statements

* *Include final, agreed versions of all statements gathered*
* *If agreement has not been sought include both the IO’s version and that of the witness highlighting any discrepancies so the reader can identify the differences*
* *There may be exceptional occasions whereby a witness may request anonymity. Please seek advice from People Management in this instance*

**The following table gives the names of the people who provided statements for this investigation.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | **Post** | **Reason for interview** | **Date** | **Appendix** |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

Section 8 - Evidence Gathered / Appendices

* *Include any other documentary evidence gathered / copies of any policies that have been referred to*
* *Ensure that all documents are numbered so that they can easily be referred to*

|  |  |  |
| --- | --- | --- |
| **Date** | **Item** | **Appendix** |
| **Investigation Statements** | | |
|  |  |  |
|  |  |  |
|  |  |  |
| **Supporting Documentation** | | |
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