



TRAINING NEED

With increased scrutiny by courts and tribunals of workplace behaviour particularly bullying claims and safety breaches, workplace investigations are more frequent and complex. When investigations are required, organisations are increasingly prepared to do it internally.

With little control over the process, this can make sense where there are:

- ✘ Cost blow outs
- ✘ Long delays
- ✘ Investigation reports that don't determine the allegations within the scope or provide unhelpful opinions outside the required scope

The challenge is not having the internal capability to replace external expertise. Investigating requires a special skill set to get it right and avoid poor outcomes.

For those situations when an external investigator is not required, this training teaches a 3 -stage process to investigate to an external standard without the disadvantages of an external engagement.

ACTIONABLE OUTCOMES

Training utilises recent case law, case studies, and activities so participants responsible for investigating can:

1. Comply with the standards for conducting a workplace investigation
2. Prepare an effective investigation plan
3. Develop interviewing skills
4. Evaluate evidence and make actual findings
5. Write an effective workplace investigation report



CONDUCTING WORKPLACE INVESTIGATIONS

OVERVIEW OF TRAINING

Prepare	<ul style="list-style-type: none"> ⌚ Understanding types of investigations, role responsibilities and processes ⌚ Ensuring proper letter of engagement with clearly defined scope is provided ⌚ How to frame allegations and particulars if required ⌚ Communicating with relevant parties as the Investigator ⌚ Understanding legal professional privilege as applied to workplace investigations
Investigate	<ul style="list-style-type: none"> ⌚ The legal standard of proof for a workplace investigation ⌚ How to apply "natural justice" or "procedural fairness" to workplace investigations ⌚ Preparing an investigation plan including site inspections, selecting witnesses, interview order and when and how to re-interview ⌚ Interviewing skills ⌚ Identifying and responding to common investigation issues ⌚ Reviewing evidence to prepare the report
Report	<ul style="list-style-type: none"> ⌚ Evaluating evidence including resolving issues of "credit worthiness" and appropriately drawing adverse inferences ⌚ Applying the "Briginshaw standard" to "fact finding" ⌚ Applying workplace policies and concepts such as bullying and harassment and misconduct to actual findings ⌚ Preparing a report which determines allegations within the scope