A Manager’s Guide to Conducting Grievance Investigations

Contents

[1. Purpose of the Guide 1](#_Toc132272528)

[2. Introduction 1](#_Toc132272529)

[3. Dealing with Grievances Informally 2](#_Toc132272530)

[4. Mediation 3](#_Toc132272531)

[5. Conducting an Investigation 3](#_Toc132272532)

[6. Conducting the Grievance Investigation Interviews 4](#_Toc132272533)

[7. Conducting a Formal Grievance Meeting 6](#_Toc132272534)

[8. The Outcome of a Grievance 7](#_Toc132272535)

[9. The Appeal 8](#_Toc132272536)

[Appendix 1: Employee’s Notification of Grievance 9](#_Toc132272537)

[Appendix 2: Model template for Investigating Officer to use in interview with witness 11](#_Toc132272538)

[Appendix 3: Model template for Investigating Officer to use in interview with the employee who
is the subject of the grievance 13](#_Toc132272539)

[Appendix 4: Model template for a grievance investigation report 15](#_Toc132272541)

[1. Introduction 16](#_Toc132272542)

[2. Background Information 16](#_Toc132272543)

[3. Key Dates/Events 16](#_Toc132272544)

[4. Conduct of the Investigation 16](#_Toc132272545)

[5. The Grievance 17](#_Toc132272546)

[6. Conclusions and Recommendations 18](#_Toc132272547)

Guidance Notes for Investigating Officers Conducting Grievance Investigations

1. Purpose of the Guide
	1. This guide is designed to support managers in handling grievances and must be read in conjunction with the School or Trust’s adopted Grievance Procedure. This guide is not a replacement for your current Grievance Procedure and should not be used in isolation. If you require further clarification or advice, please contact your EPM Adviser.
2. Introduction
	1. ACAS describes grievances as ‘concerns, problems or complaints that employees raise with their employers’. This Guidance is written in accordance with the principles in the ACAS Code of Practice on Discipline and Grievance. Tribunals have discretion to increase or reduce awards by up to 25% where the employer or employee unreasonably fails to comply with the ACAS Code.

Anyone working in an organisation, at any level, may occasionally have problems or concerns about their work, working conditions or relationships with colleagues that they wish to raise with management. They want the problems or concerns (‘grievances’) to be addressed and, if possible, resolved. It is clearly in the manager’s and school’s interest to resolve the problem/concern before it develops into major difficulties for all concerned.

* 1. The aim should be to resolve matters informally where possible.
	2. A Grievance Procedure enables the Manager to deal with grievances promptly, thoroughly and fairly. It sets out the procedure to be followed when an employee raises a grievance. This guidance document is to help managers understand how to handle a grievance at the various stages of the procedure:
* Informal
* Formal
* Appeal
	1. Failure to respond quickly and effectively to a grievance is likely to result in:
* discontent among employees
* a more entrenched and complicated situation
* increased risk of litigation, particularly if the grievance is based on a complaint relating to a protected characteristic under the Equality Act 2010 such as sex, race, sexual orientation etc. Claims of harassment, discrimination, victimisation and bullying should be handled carefully and fully investigated to avoid accusations of unreasonable delay or indecision
	1. The adopted Grievance Procedure will set out who should deal with the grievance at each stage. Normally the Line Manager is required to deal personally with any grievance lodged with them, or if it is not within their authority to resolve, to refer it to the appropriate Senior Manager.
	2. Managers should conduct themselves in a fair manner, with an open mind and in a non-discriminatory way.
	3. Managers should respond in a timely way, adhering to the prescribed timescales unless there are valid reasons for a delay. Any delays must be communicated to the employee.
	4. If managers are uncertain at any of the stages of the informal or formal procedure, advice should be sought from an EPM HR Adviser in advance of any action proposed.
	5. Often disciplinary and grievance cases can overlap. ACAS states that where an employee raises a grievance during a disciplinary process the disciplinary process may be temporarily suspended in order to deal with the grievance. Where the grievance and disciplinary cases are related it may be appropriate to deal with both issues concurrently. Managers should seek advice from their EPM HR Adviser on a case by case basis.
1. Dealing with Grievances Informally
	1. Employees should be encouraged to settle most concerns, problems or complaints informally with their Line Manager.
	2. When an employee raises a concern, problem or complaint the manager should:
* treat the concern, problem or complaint seriously even if it seems trivial
* meet the employee in private without interruption, as soon as possible
* discuss the issues with the employee - ask questions to gain a full understanding of the concern, problem or complaint
* ask the employee how they would like to see the matter resolved
* consider whether it is necessary to investigate the issues. If so, then this should be explained to the employee and a timetable set out
* ensure the employee has provided all relevant information
* inform the employee that if they are raising concerns about another employee, the information may be shared with them as part of the investigation
* inform the employee of the response, normally by a further meeting
* confirm the decision, and any actions, in writing to the employee within any time scales defined within your Grievance Procedure
* if your decision includes any action that is required to take place, ensure that it is carried out
* monitor the resolution of the concern, problem or complaint through day-to-day management or any other specified review meetings
	1. If the employee feels the matter has not been dealt with satisfactorily or the issue has not been resolved at the informal stage then, they are normally entitled to proceed to the formal stage of the Grievance Procedure.
1. Mediation
	1. Mediation is a voluntary process, agreed by both parties, whereby an independent mediator helps two or more people in dispute attempt to reach an agreement. The mediator will have had no prior involvement in the grievance. Some, but not all, grievance procedures refer to mediation. The employer’s duty is to seek to resolve disputes as swiftly and amicably as possible, therefore mediation may be considered at any stage of a grievance procedure. Normally formal procedures are halted whilst the mediation route is pursued. If mediation is unsuccessful, the process will revert to the stage reached prior to mediation. The ACAS guide Mediation: an approach to resolving workplace issues February 2013 provides detailed information and helpful case studies.
2. Conducting an Investigation
	1. Some straightforward grievances can be resolved without the need for any investigation, others will simply require statements from witnesses and a conclusion to be drawn. In more complex cases a thorough investigation may be required to ascertain the facts. This does not mean exploring every possible avenue, but it does mean:
* enquiring into the circumstances surrounding the concerns, problems or complaints the employee has raised
* allowing the subject of the grievance an opportunity to offer an explanation
* taking a balanced view of the information that emerges
* reaching a recommendation of whether or not there are sufficient grounds to uphold the grievance in part or in full
* any further action as deemed necessary
	1. The Investigating Officer is normally appointed by the Manager with whom the formal grievance was lodged. The Investigating Officer may be a senior manager, a governor or an independent external person. The Investigating Officer should have the skills and time necessary to carry out this task and ideally should have undertaken training and/or had previous experience. The Investigating Officer should be impartial having no prior involvement to the grievance, The Investigating Officer should be familiar with the ACAS Code of Practice on Discipline and Grievance Procedures.
	2. The Investigating Officer may be advised to meet individually with any witnesses to the incident or events giving rise to the investigation. Further guidance on the meeting is given in the paragraphs below.
	3. There may be occasions when the witnesses are not the employer's employees. If this is the case, an Investigating Officer may consider if they should be asked to assist in the grievance investigation, for example by providing a written statement. This will help to show that reasonable steps have been taken to complete a thorough investigation. Care should be taken to maintain confidentiality and the decision of whether to approach external witnesses will depend on the circumstances and the nature of the grievance. The Investigating Officer will be reliant upon voluntary co-operation if the witnesses are not employees of the organisation.
	4. If the subject of the grievance readily accepts the alleged version of events any further investigation may not be necessary.
	5. In a disputed case the Investigating Officer will need to determine the outcome of the grievance based on the evidence gathered during the course of the investigation and on the balance of probability, which version of events is more likely. The extent of the investigating officer’s conclusions will depend on their remit in line with the individual policy in place.
	6. The Investigating Officer should investigate as thoroughly as is reasonable in order to explore all of the issues/concerns. Exhaustive detail is only needed where there is a particularly complex and serious issue.

The Investigating Officer should:

* be objective
* critically examine all documents that are relevant
* avoid putting answers into an interviewee’s mouth
* test what an interviewee says, in a non-confrontational way
* concentrate on facts, not opinions
* collect evidence, and not make unsubstantiated judgements
* probe the interviewee’s memory
* establish whether similar matters have been raised before
	1. In summary, it is important that the Investigating Officer should remain open-minded when reviewing the content of the grievance and ensure any conclusions are based on the evidence uncovered during the course of the investigation.
1. Conducting the Grievance Investigation Interviews
	1. Interviews will not always be necessary. In cases where there is a requirement to meet with employees to ascertain the facts all interviews should be conducted in private without disturbance or interruption. Some grievance procedures allow interviewees to be accompanied at an investigatory meeting, others do not, and some are silent on the matter. A model template letter inviting the employee to an investigation interview can be provided by your EPM Adviser on request. The Investigating Officer should refer to the Grievance Procedure and seek EPM advice when necessary. It is important that the investigation is not unduly delayed because of lack of availability of an employee’s Companion.
	2. The Investigating Officer may need to make specific provision where the person’s first language is not English or where the person has a disability.
	3. Preparation prior to the interview is of paramount importance. Appendices 1 and 2 contain model templates for use in the witness and employee interviews. The Investigating Officer should ask the employee and witness/es to give an evidential account in their own words of what took place in relation to the specific grievance raised. A statement could be provided by the witness to the Investigating Officer in advance of the meeting in order to expedite matters. Witnesses should be told that the matter is a confidential one and the Investigating Officer should only give information about the investigation to those who need to know and tell all witnesses to treat the information as confidential. The Investigating Officer should begin by outlining the matters to be discussed, even if the employee has been informed of them already. The Investigating Officer should prompt, but not lead, the witness and should ask questions as openly as possible.
	4. Although questions about motivation and state of mind at the time may be relevant, the how, what, when and where questions are more important. Emphasis should be placed on the ‘hard facts’ of what was said, heard, seen and done. Questions which seek precise detail about the factual aspects of the events which the interviewee is describing – ‘Who sat where? Who said what? What time did it happen? What words were used?’ – will usually give a reliable impression of the strength of an interviewee’s evidence. The Investigating Officer should conclude the meeting when they have a clear factual account of events as evidenced first hand by that particular witness.
	5. Following the meetings with the witnesses, statements should be typed up and the witnesses should be asked to check and sign them. They should be given the opportunity to make any necessary amendments in order to ensure accuracy.

Summary of key points for conducting an investigation

**Be prompt**

It must be remembered that for all employees who are involved in the grievance, it is a tense and stressful time, and it is in the interests of good employment relations to conclude these matters as quickly as possible. Statements must be obtained from witnesses as quickly as possible to avoid memory loss.

**Be thorough**

The Investigating Officer must gather as much relevant information as possible to the case without going beyond the original remit. The Investigating Officer is aiming to discover the facts in order to determine if there is sufficient evidence to uphold the grievance and make recommendations if required. The Investigating Officer should also collect any documents that are relevant to the grievance or could help to corroborate or refute the allegation/s.

**Be fair**

Maintaining standards of acceptable conduct and work performance calls for objectivity and fairness. It is important to keep an open mind and not prejudge the issues. The Investigating Officer must be able to demonstrate that they have arrived at the conclusions objectively and rationally and that there is consistency between the way the current case is being handled and any previous cases.

1. Conducting a Formal Grievance Meeting
	1. The adopted grievance procedure will set out who may hear a formal grievance. This section of the guidance uses the term ‘Decision Maker’ to cover all of these possible variations.
	2. The grievance procedure should state that the employee is entitled to be accompanied at a formal grievance meeting. The legal term for the person who can accompany the employee is ‘Companion’ and this is defined as a Trade Union Representative or workplace colleague. Grievance Procedures vary regarding who may accompany the employee, so it is important to check the schools adopted Grievance Procedure carefully.
	3. There is no set way to conduct a grievance hearing, the nature of the grievance and degree of investigation required will determine the appropriate structure. Individual Grievance procedures may set out the format of a hearing, your EPM Adviser can provide guidance to the Decision Maker on this matter. An example structure for a formal hearing is provided below:
	4. At the start of the meeting:

The Decision Maker

* Welcomes and introduces those present and confirms their roles.
* If the employee has a Companion, then confirm the role of the Companion, i.e. that they will be able to address the meeting in order to: put the employee’s case forward; sum up the case; respond on the employee’s behalf to any view expressed at the hearing; and confer with the employee. However, the representative will not usually answer questions on behalf of the employee but may do so with the agreement of the panel. If not accompanied, note that the employee has been advised of their right to be accompanied but has chosen to attend unaccompanied.
* Confirm with the employee that they have received the letter notifying them of the meeting and the bundle of documents which may be referred to during the meeting.
* Confirm with the employee that they understand that it is a formal grievance meeting which will be conducted in accordance with the School’s Grievance Procedure.
* Advise how the meeting will be conducted. If the Grievance procedure specifies how the case is heard, then this should be followed. Otherwise, the panel decides on how best to fully explore the matter. Normally the ‘running order’ for the meeting will be set out in writing so that all parties may easily understand the process.
* Confirm documentation provided.
* Adjournments - Advise that any party can request an adjournment, via the chair. Identify the location of any separate rooms available to provide the parties with private space during adjournments.
* Taking of Notes – Advise that the note-taker will take summary notes to support the panel’s consideration. Should the employee want a summary of these notes they can be provided on request. Advise that both the employee and their representative may make their own handwritten notes but may not otherwise record the proceedings.
* Respond to any procedural concerns/queries that may arise.
	1. Hearing the Case.
* As indicated above the ‘running order’ for the meeting should be set out in writing and followed carefully. It would usually begin with the employee explaining their complaint/concern and what remedy/resolution they are seeking.
* The Decision Maker’s job is to gain a full understanding of the grievance, raising any questions with the employee (and management representative/ respondent) as necessary, to clarify any points in relation to the information or evidence submitted or gained via investigation if applicable.
* If applicable, and with prior notification, witnesses may be called.
* Also, depending upon the circumstances of the case, a management representative/respondent may be given an opportunity to respond to each of the points raised by the employee and make representation to the Panel.
* Employee (and any respondent) may be provided with the opportunity to sum up their case.
* When all the evidence has been heard the parties will normally withdraw and the panel will deliberate and reach a decision, recalling the parties to inform them of the outcome.
* If the Decision Maker is unable to make a decision as further information/time is required, inform the employee as to when they can expect written notification of the decision (or if further action was deemed necessary what this would entail).
1. The Outcome of a Grievance
	1. At the end of the formal grievance meeting, the Decision Maker/s should review all the available evidence and seek to reach an outcome with the information and evidence available. Any unresolved matters should be documented or, if serious, then the decision should be adjourned pending further investigation.
	2. Where possible, the Decision Maker/s should seek to inform the employee of the outcome of the grievance at the conclusion of the formal grievance meeting. If this is not possible, then the outcome should be provided to the employee within the timescale referred to within the Grievance Procedure.
	3. The outcome should provide details of:
* whether or not the grievance has been upheld in part or in full
* an explanation of the conclusions and any recommendations made
	1. The letter confirming the outcome of the formal grievance meeting must also set out:
* the right of appeal
* the grounds on which an appeal can be made
* the timescale for lodging the appeal
* that the appeal must be in writing and who it should be sent to
1. The Appeal
	1. A Grievance Procedure will set out who will hear the appeal. Some procedures restrict appeals to alleged procedural irregularities and clearly state that there will not be a re-hearing of all the evidence. Other procedures are silent on that and there is occasionally merit in a full re-hearing if, for example, the first hearing was thought to be flawed for any reason.
	2. Once the Grievance Procedure, including the appeal stage, has been exhausted the employee should be informed clearly that the grievance procedure is at an end and there is no further right of appeal. The matter will be closed irrespective of whether or not the employee accepts the outcome.

Appendix 1: Employee’s Notification of Grievance

This form should be used to submit a grievance in accordance with formal stage of the Grievance Procedure, adopted by the Governing Body.

You should send completed Employee’s Notification of Grievance Form to your Line Manager. If your grievance relates to your Line Manager, send it to the Headteacher/Principal. If your grievance relates to your Headteacher/Principal, then send it to the Chair of Governors (or other Governor if the grievance is against the Chair). You are advised to keep a copy. Please be aware that the information will, in normal circumstances, be shared with any person/s complained about. Please think carefully about what you write.

|  |  |
| --- | --- |
| Name: |  |
| Position: |  |

|  |
| --- |
| Describe briefly |
| The nature of your grievance. Please include all relevant facts, dates and names of people involved and any witnesses. (Continue on a separate page if necessary) |
|  |
| When did you first raise your grievance, and with whom? Is this a one-off issue or part of a chain of events? |
|  |
| What action has been taken on your grievance at the informal stage? |
|  |
| What steps or action do you want to be taken as a remedy for your grievance? |
|  |

If you are member, have you informed your trade union or professional association representative? Choose an item.

If yes, do you wish the representative to receive correspondence?
Choose an item.

If yes, please identify the representative and provide email and postal addresses and telephone number:

|  |  |
| --- | --- |
| Representative: |  |
| Email: |  |
| Postal address: |  |
| Telephone: |  |

|  |  |
| --- | --- |
| Printed name: |  |
| Signed: |  |
| Date: |  |

Appendix 2: Model template for Investigating Officer to use in interview with witness

Grievance investigation witness statement

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Date: |  | Start time: |  | Location: |  |
| Name: |  | Job title/Position: |  |
| Investigating officer: |  | Job title/Position: |  |
| Others present (e.g. note taker HR Adviser, work colleague, trade union representative): |
|  |

|  |  |
| --- | --- |
| IO | As you are aware, I am the person who has been appointed as the Investigating Officer to carry out an investigation into the concerns raised in the grievance by [Insert Name]. [You will see that I’m joined by [Insert Name] who is here to take notes]. The purpose of today’s meeting is to establish your account of events. A record of your statement will be taken by [Insert Name] in note form during the meeting, and this will then form part of my investigation. A copy of the notes will be sent to you to review and sign. You will have the opportunity to amend anything that you do not feel accurately reflects what was said at this meeting.At the formal grievance hearing, the meeting notes may be included in a bundle of evidence, along with statements from any other witnesses. As such the individual/s who has/have raised the grievance and the employee/s subject to grievance will be able to view your statement.If at any point during the meeting you would like to adjourn, then please let me know.Do you understand all of the above so far? |
| Wit |  |
| IO | Commence Q’s – Firstly please confirm your role in school |
| Wit | A |
| IO | (Last question) Do you have any further comments or information that you would like to tell me in relation to what we’ve discussed today before we end this meeting? |
| Wit  | A |
| IO | I hope I have gathered all of the information from you that I need, although I may have to meet with you again if I require more information from you. A copy of the notes will be sent to you to review and sign. You will have the opportunity to amend anything that you do not feel accurately reflects what was said at this meeting. Please note that any amendments must accurately reflect our discussion.Please may I take this opportunity to remind you that the matters under investigation remain confidential, and as such you must not discuss the matters or your statement with any members of the school community. Any failure by you to maintain confidentiality may be managed in accordance with the Disciplinary Procedure.If you have any concerns regarding the investigation or your statement, please contact me in the first instance. Thank you for your time Meeting closed (Time): 00:00 am/pm**Detail of any documents referred to by IO or Employee during the course of the meeting:** |

|  |  |
| --- | --- |
| Employee: |  |
| Signed: |  |
| Date: |  |

|  |  |
| --- | --- |
| Investigating officer: |  |
| Signed: |  |
| Date: |  |

Appendix 3: Model template for Investigating Officer to use in interview with the employee who is the subject of the grievance.

Grievance Investigation Employee Interview Record

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Date: |  | Start time: |  | Location: |  |
| Name: |  | Job title/Position: |  |
| Investigating officer: |  | Job title/Position: |  |
| Others present (e.g. note taker HR Adviser, work colleague, trade union representative): |
|  |

|  |  |
| --- | --- |
| IO | As you are aware, I am the person who has been appointed as the Investigating Officer to look into the allegation/s regarding your conduct, which were outlined in the letter that I sent to you on[Date]. [You will see that I’m joined by [Insert Name] who is here to take notes]. |
| IO | (Only where the school’s grievance procedure allows the employee to be accompanied – not statutory) *As you have attended the meeting by yourself, please can you confirm that you were aware of your right to representation by a trade union representative or work colleague today? Are you happy to continue without a representative present?*The allegation/s against you is/concerns regarding your conduct are as follows: [detail allegations from the letter sent to the employee to advise of the investigatory meeting].(If applicable) If the/any of the above allegation/s is/are found to be substantiated either in full or in part, this may lead to disciplinary action against you.The purpose of today’s meeting is to give you the opportunity to provide an explanation and give your account of events regarding this/these allegation/s/concerns regarding your conduct/and any mitigating circumstances.This meeting is an opportunity to gather all the relevant information. A record of your statement will be taken by [Name] in note form during this meeting. The information gathered at this meeting will then form part of my investigation, and if this case proceeds to a formal grievance hearing, the meeting notes may be included in a bundle of evidence, along with any other relevant information and statements from any other witnesses.If at any point during the meeting you would like to adjourn, then please let me know.Do you understand all of the above so far?  |
| Emp | Confirms or asks questions for further clarification. |
| IO | Commence Q’s – Firstly can I confirm that your position in School is [Position] and that you have been employed since [Date] |
| Emp | A |
| IO | Q [additional questions to elicit all necessary information from the employee] |
| Emp | A |
| IO | (Last question) Do you have any further comments or information that you would like to tell me in relation to the allegation/s against you before we end this meeting? |
| Emp | A |
| IO | I hope I have gathered all of the information from you that I need, although I may have to meet with you again if I require more information from you. A copy of the notes will be sent to you to review, sign, and return to me. You will have the opportunity to amend anything that you do not feel accurately reflects what was said at this meeting. Please note that any amendments must reflect our discussion.Please may I take this opportunity to remind you that the matters under investigation remain confidential, and as such you should not discuss the matters with any members of the school community, other than your official nominated representative. Any failure by you to maintain confidentiality may be managed in accordance with the disciplinary procedure.[IO to discuss anything further of relevance e.g., approximate timescale for investigation to be completed, conditions attached to the employee remaining in school during the course of the investigation if applicable.]Do you have any further questions?Thank you for your time Meeting closed (Time): 00:00 am/pmDetail of any documents referred to by IO or Employee during the course of the meeting: |

|  |  |
| --- | --- |
| Employee: |  |
| Signed: |  |
| Date: |  |

|  |  |
| --- | --- |
| Investigating officer: |  |
| Signed: |  |
| Date: |  |

Appendix 4: Model template for a grievance investigation report

Strictly Confidential - Access Restricted

An Investigation into a Grievance Raised by

[Insert Name]

Final Report

by

[Insert Name]

STRICTLY CONFIDENTIAL The contents of this report are of a sensitive and confidential nature and intended solely for the review and consideration of the matter described in the report. No other use is permitted and those with authorised access to the report undertake not to disclose all or part of this report to any third party (including but not limited, where applicable, pursuant to the Freedom of Information Act 2000) without the prior written consent of (the headteacher) (governing body).

1. Introduction
	1. This investigation was commissioned by [Insert Name] on [Date] about [Summary of Grievance].
	2. Description of Investigating Officer. Whether or not the investigator has direct line management responsibility for the employee. Confirmation that the Investigating Officer is unbiased and has not had prior involvement in the matter.
	3. Confirmation that the Investigating Officer is a competent person to investigate by reason of previous experience, training, familiarity with ACAS Code of Practice on Discipline and Grievance and has sought EPM HR advice.
2. Background Information
	1. Brief summary of complainant’s job role, length of employment etc. relevant to the grievance.
	2. Summarise the grievance clearly specifying against whom each complaint is made.
	3. Record what outcome, redress or solution the complainant seeks.
	4. Provide any other relevant information that will assist in giving the Decision Maker/s background into why an investigation is necessary.
	5. Record that the grievance was investigated in accordance with the School’s Grievance Procedure and attach a copy as an appendix.
3. Key Dates/Events
	1. Give a chronological summary of the event or events that are relevant to the grievance. A table is generally the best way to present this information. The key dates/events should also include reference to any relevant documentary evidence which evidences or refutes the allegations or otherwise is important to considering the matter fully and fairly. This may include policies and procedures, job descriptions etc.
4. Conduct of the Investigation
	1. This briefly describes how you conducted your investigation and lists who you interviewed about the allegation and why. If for some reason you did not interview a potential witness, the reason this person was not interviewed.
	2. How was the evidence recorded? The notes of the interview and witness statements should normally be included in the final report as Appendices.
	3. If there was a delay in completing the report e.g., availability of employee’s representative or holidays or sickness, it could be noted here and/or in the chronological table above.
5. The Grievance

Each of the complaints should be addressed summarising the evidence that supports it and the evidence that refutes, along with any mitigating factors. Any apparent conflicting evidence should be noted. On the basis of the evidence there is a conclusion for each complaint regarding whether the complaint is upheld or not substantiated or dismissed.

* 1. Complaint 1: that Mr X Head of Maths behaved in an insulting and aggressive manner towards Mrs Y on 16 September 2016 at 3.30pm when he shouted at her in the staffroom because she had not completed her pupil reports on time.
		1. What do any witnesses say about the complaint? (Including the person against whom the allegation has been made.) Refer to statements in Bundle - only repeat brief pertinent sections here.
		2. What documentary evidence supports the allegation or supports the counter view?
		3. If the complaint is part of a policy or procedure a brief reference to the policy and procedure concerned and whether or not there have been breaches of policy and procedure in relation to those policies.
		4. Are there any mitigating or other relevant circumstances?
		5. Conclusion: Record whether you find the complaint justified. If it is justified, then comment on whether the complainant’s proposed solution (e.g., an apology) is appropriate.
	2. Complaint 2: that Mr T Headteacher failed in a duty of care to Mrs Y because he did not extend the time limit for completing pupil reports when she had been off sick.

The second and subsequent allegations are discussed in the same way as the first allegation. If you have provided a good key dates section, it makes a chronological discussion of the evidence a lot easier and will also highlight where such evidence can be found either in the interview notes or documentary evidence.

1. Conclusions and Recommendations
	1. Conclusions:

The extent of the Investigating Officer’s conclusions will depend on their remit in line with the individual policy in place. Your EPM Adviser will be able to provide specific advice to the Investigating Officer regarding the completion of this section.

* 1. Recommendations:

Where the investigation has highlighted that there may be flaws in either policies or procedures, or the way in which matters have been handled, a recommendation may be that the Governing Body asks the Senior Management team to review policies, procedures, or the way in which similar incidents are to be handled in the future.

Where a breakdown in professional working relationships is identified, it may be appropriate to recommend mediation takes place between the relevant parties to address this issue.

If appropriate, recommendations may also be made as to how such allegations may be avoided in the future for example via training or changes to working practices.

|  |  |  |  |
| --- | --- | --- | --- |
| Signed: |  | Name: |  |
| Dated: |  | Position: |  |