

Investigation Preparation Checklist

What you need to know



The initial steps that you take in response to receiving a complaint or becoming aware of red flags for misconduct is crucial as it can have a huge impact on the credibility and outcome of the investigation or enquiry.

You will need to gather the information and evidence that is already available to you. This will enable you to put together the framework for conducting a preliminary enquiry or full investigation, or to brief an external investigator.

Here are some of the things you need to consider as you formulate an action plan:

Overview / background:

- What was the source of the information / complaint?
- What are the general details provided by the source?
- Have any initial enquiries been made? If so, what are the results?

Scope and Purpose:

If you are using an external investigator, you need to provide them with clear boundaries on what to investigate, as well as what the investigation is trying to achieve. It doesn't need to be perfectly prepared, but you need to have considered it to instruct the investigator so that they can confirm their understanding of their role and responsibilities to you.

The investigations *scope* describes the boundaries of the investigation.

eg *"Investigate the circumstances surrounding [action/event/etc] for the period [date]."*

The investigations *purpose* describes the boundaries of the investigation.

eg *"To determine whether a disciplinary offence has been committed by [person]"*

Allegations:

Letters of allegation can be created at different times during an investigation process, depending on the issues under examination, company policies and available evidence.

You may have enough information to provide the investigator with guidance on allegations, or it might be something they prepare for you. Notwithstanding, you should have an idea of the general ambit of the investigation in order to conduct a risk assessment and ensure the correct support processes are in place for the parties involved.

Affected Persons:

Prepare a list of people that might be adversely affected by the investigation or its outcome.

Think broadly about the employees, members of the public, supervisors, commercial contracts and the like, as all can fall under this category.

Think about how you can maintain confidentiality about the process but ensure people are appropriately communicated to and supported. Support can be emotional and physical, but it can also include impact of increased work, uncertainty and victimisation.

Gather the contact details of the key people involved in the investigation to provide to the investigator.

Responsibilities:

Keep a list of everyone who will be assisting with the investigation, including their role and responsibilities. This can aid the investigator when they request information from you.

Potential Required Documents:

Documents that may be required by the investigator can include but are not limited to:

GPS records	Position Descriptions	Organisational Chart
Contracts / Employment Agreements / Variation Letters		
Training records / Policy acknowledgements	RTA records (Roster / Time / Attendance	
Policies / Procedures	Emails	Drug and/or alcohol tests
Inventory records / Equipment and/or vehicle logs		
Computer / Device / Storage records or access	Employee handbook & acknowledgement	
Credit card charges	Performance evaluations	Internet usage records
Telephone records including calls, texts, video and photos		
Records of initial enquiries / pre-investigation	Bank / Financial records	
Formal complaint	WHS reports	Payroll records
Correspondence - any emails, letters and file notes made about the investigation including stand		
Disciplinary records	Bullying access records	
CCTV footage	Calendar records	Social media posts

Things to remember:

1. Timing is crucial - take appropriate action quickly but carefully.
2. Keep it confidential - share detail on a need-to-know basis, limit exposure to information and ensure controls are in place for evidence.
3. Procedural fairness and natural justice are vital for an effective investigation process.