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Investigation Policy and Procedures

Approved on Date

Updated on Date

Policy:

It is the expectation of [RSP] that all staff members cooperate with the investigator and make themselves available for interviews, as required by the investigator.

The investigator will make reasonable efforts to interview any party or witness who is not a staff member of [RSP].

The investigator cannot compel a person to participate in the investigation. However, [RSP] may discipline a staff member who refuses to participate as a party or witness in the investigation, up to and including termination of their employment or services.

Procedures:

Prior to Interview:

1. Preferably, interviews of parties and witnesses will be conducted in person. If that is not possible, interviews may be conducted over the phone. If the party or witness is unwilling or unavailable to participate in an interview in person or over the phone, the investigator may request that they provide a witness statement.
2. If the investigator is required to meet with a child as part of the investigation, [RSP] will inform the child or the child's representative, as appropriate, with respect to participating in the investigation. At that time, a child in care will be reminded, in a manner suitable to their understanding, of the existence and role of PACY, and how PACY may be contacted.
3. The investigator will confirm that any support persons are available to attend at the interview of a party or witness.
4. The investigator will confirm with the complainant if there are any additional allegations not contained in the complaint. The investigator will advise the complainant that a summary of their complaint will be provided to the respondent.

5. The respondent will be provided with a summary of the complaint before meeting with the investigator so that the respondent can fully respond to the allegations.

During the Interviews:

6. The investigator will introduce himself or herself. The investigator will explain their role as a neutral investigator, the purpose of the investigation and the investigative process to follow.
7. The investigator will introduce and explain the role of anyone assisting in the interviews with taking notes, etc.
8. The investigator will give the person being interviewed and their support person an opportunity to ask questions about the investigative process, and will answer the questions.
9. The investigator will let the person being interviewed and their support person know that they can take a break at any time or resume the interview on a later date if they are not comfortable with proceeding.
10. The investigator will remind the person being interviewed of any available support persons or services, if they do not have a support person.
11. The investigator will review the importance of confidentiality in a manner which is understandable to the person being interviewed. The parties and witnesses will be told:
 - not to discuss the complaint or the investigation with anyone, except their support person;
 - that failing to maintain confidentiality may result in discipline of a staff member, up to and including termination of employment;
 - that the investigator will attempt to maintain the confidentiality of the information which the parties and witnesses provide. However, the investigator may be required to share this information with others involved in order to ensure a child's safety or to conduct the investigation;
 - that the investigator will be preparing a written report of the investigation which will be shared with senior management of [RSP]; and
 - that [RSP] may be required to disclose the investigation file and report if required by law (e.g. to PACY).
12. The investigator will explain that no one can be penalized or experience consequences for having participated in the investigation and that the person being interviewed should contact [RSP] if they experience any reprisals.
13. The investigator will emphasize the importance of making full and truthful disclosure during the interview.

Form 10-D – Witness Interviews

14. The investigator will first meet with the complainant to discuss the complaint. Thereafter, the investigator will meet with the respondent and any witnesses.
15. The investigator will ensure that any relevant records will be available for review by the person being interviewed during the interview.
16. The investigator will make contemporaneous notes of the interview, including questions and answers.
17. Prior to concluding the interview, the investigator will ask the person being interviewed:
 - whether there are any supporting documents that the investigator should review;
 - if there is anyone else the investigator should speak to; and
 - if there is anything else the person would like the investigator to know.
18. After all questions have been asked, the investigator will request that the person being interviewed review the investigator's notes of their interview to correct any details and sign them for accuracy. If necessary, individuals will be given time to review the notes with their support person and confirm their accuracy within a reasonable time after the interview.
19. The investigator will advise the person being interviewed that they may be needed again for a follow-up interview in the near future.
20. The investigator will obtain contact information for the person being interviewed and ensure the person has the investigator's contact information.
21. The investigator will invite the person being interviewed to contact him or her if they recall any additional details.
22. Follow-up with the parties and witnesses regarding any outstanding information or documentation.

Reference: [Sample Witness Statement, Form 15](#)