

### Information Request:

An authority in the region is currently reviewing their approach to undertaking investigations. Currently their approach is to appoint an independent line manager to conduct the investigation but are considering whether HR advisors can do the investigations instead.

Please would you be kind enough to respond to the questions below:

1. How do you manage investigations within your authority in terms of the investigating officer – is it HR, Independent Line Manager, externally sourced, specific investigator post or other?
2. How well does the approach you take work?
3. If you do manage investigations within the HR team what issues, if any, do you need to manage/overcome?

Authority	Response
<b>District</b>	<ol style="list-style-type: none"><li>1) Usually it is an independent manager. If it is a complex case it has in the past been investigated by a HR professional, eg harassment and bullying. Where we are unable to resource an investigation or believe there are valid reasons to outsource we have commissioned an external investigator.</li><li>2) Internal investigations – quality is variable depending on the experience of the investigator. HR tend to get heavily involved to coach inexperienced investigators to ensure the quality of the final report. External investigations tend to be done quicker and to a good standard, but are expensive so only justified in particular circumstances.</li><li>3) HR investigations ensure quality of the finished report but (a) are limited by capacity and (b) there needs to be sufficient HR professionals so that there is no conflict of roles (supporting/advising/liasing with the parties on process, investigating, advising the panel, advising any appeals panel) and that there is a suitable hierarchy (eg appeals advisor more senior than panel advisor).</li></ol>
<b>District</b>	<ol style="list-style-type: none"><li>1. HR conduct all investigations (unless it relates to a member in HR).</li><li>2. We feel that this works well from a consistency point of view, and it is also a very good way to ensure impartiality.</li><li>3. The only issues we have are as follows: Resources – We have a relatively small HR team based on numbers, and investigations can be very time consuming. This therefore can occasionally cause some resource issues for the HR team (where there are</li></ol>

	<p>several investigations ongoing).</p> <p>Technical matters – As some investigations relate to technical matters (ie Health and safety breaches) we often do not have the specific knowledge to understand if something constitutes a breach, therefore in our policy we specifically state that where a situation like this arises we can appoint an independent technical adviser.</p> <p>I hope this helps,</p>
<b>District</b>	<ol style="list-style-type: none"> <li>1. Independent Line Manager or externally sourced.</li> <li>2. Mixed. Externally sourced brings more focus on to the investigation and is seen as more independent.</li> <li>3. N/a. Not suitably resourced to undertake this on top of other work.</li> </ol>
<b>District</b>	<ol style="list-style-type: none"> <li>1. We ACAS trained all managers so that another independent manager can investigate an issue in another service/team.</li> <li>2. Well in theory as we have a large pool and ACAS trained. Poor in practise as investigators take too long (they are busy managers and find it difficult to clear diaries to prioritise the investigation and get on with it!!)</li> <li>3. With such a small HR team we have no capacity to investigate. Usually one of us advises the disciplining manager, leaving the other to be independent to advise on appeals.</li> </ol>
<b>City</b>	<ol style="list-style-type: none"> <li>1. We avoid the use of HR colleagues as investigators fairly robustly but this might happen on occasion. Normal practice involves a mixed approach depending on circumstances; this includes managers, various trained colleagues in the organisation that are not necessarily from HR (we once operated an internal investigations bureau but closed this down but trained colleagues remain), sometimes we source external resources.</li> <li>2. Our approach to ensuring the best fit and level of investigation required, vis-à-vis the allegations at hand, works really well and has helped us to reduce investigation time significantly. One size does not fit all!</li> <li>3. When we operated a bureau, this led to managers ‘abdicating’ responsibility for progressing the investigation and allocating necessary resource and effort etc. It also led to a situation where significant trained resources were being deployed on some of trivial and less complex allegations. Furthermore, this approach conflicted with our desire to get managers to take responsibility for managing their own people management issues. For these reasons, I would be reluctant to return to any situation where HR become responsible (and answerable) for undertaking this work.</li> </ol>

<b>Borough</b>	<ol style="list-style-type: none"> <li>1. Line Manager</li> <li>2. Its reduced the amount of investigations as managers are not so quick to trigger formal action!</li> <li>3. n/a – although as a small team it would be hard to keep people independent for panel's and appeals</li> </ol>
<b>Borough</b>	<ol style="list-style-type: none"> <li>1. How do you manage investigations within your authority in terms of the investigating officer – is it HR, Independent Line Manager, externally sourced, specific investigator post or other? <b>A trained Manager with HR Assistance for note taking. If it were a complex or potentially reputationally risky we may involve an external investigator with our internal HR assistance</b></li> <li>2. How well does the approach you take work? <b>Very well</b></li> <li>3. If you do manage investigations within the HR team what issues, if any, do you need to manage/overcome? <b>n/a –</b></li> </ol>
<b>District</b>	<p>We have a team of trained investigators across the authority, outside of HR, who we appoint to carry out investigations. Occasionally we will appoint an external investigation if there is something that is particularly contentious and outside the experience of our internal investigators.</p> <p>This approach seems to work well for us and also provides development opportunities for staff.</p>
<b>Borough</b>	<ol style="list-style-type: none"> <li>1. How do you manage investigations within your authority in terms of the investigating officer – is it HR, Independent Line Manager, externally sourced, specific investigator post or other? <b>HR in consultation with General Management Team appoint a Deciding Officer (normally a Head of Service). The Deciding Officer appoints a neutral investigating officer. HR manage the entire process.</b></li> <li>2. How well does the approach you take work? <b>Only been introduced since Nov 17 but appears to be working well.</b></li> <li>3. If you do manage investigations within the HR team what issues, if any, do you need to manage/overcome? <b>Availability of Deciding Officers/Investigating Officers is always difficult as they are senior managers and their calendars are usually very busy.</b></li> </ol>
<b>District</b>	<ol style="list-style-type: none"> <li>1. How do you manage investigations within your authority in terms of the investigating officer – is it HR, Independent Line Manager, externally sourced, specific investigator post or other? <ol style="list-style-type: none"> <li>A. <b>It depends on the level really. HR officers usually support. Seniors and the assistant business manager will support as appropriate and we have on occasion led on investigations, usually those relating to grievances. Where we do allocate an investigation to a line manager we try to use an independent one from inside the business unit if appropriate but otherwise one from outside of the business unit. It really</b></li> </ol> </li> </ol>

	<p>depends on the nature of the alleged misconduct. We would only really go externally for special cases or where required for a senior officer because of their job role and have on occasion commissioned somebody from our audit provider where appropriate.</p> <ol style="list-style-type: none"> <li>2. How well does the approach you take work? It works well. We have never had an employee object to who has been appointed investigating officer but if they did then we would deal with that accordingly.</li> <li>3. If you do manage investigations within the HR team what issues, if any, do you need to manage/overcome? I can't think of any specific issues we've had but if we did then we (myself as assistant and the business manager) would address and provide support where appropriate. Given our structure we are able to ensure segregation of duties so that if we do go to hearing we can provide somebody from the team who hasn't had any prior involvement in the case.</li> </ol>
District	<ol style="list-style-type: none"> <li>1. How do you manage investigations within your authority in terms of the investigating officer – is it HR, Independent Line Manager, externally sourced, specific investigator post or other? – Independent officer/line manager. On the very rare occasion, owing to availability of someone to investigate, we have brought in an external resource to investigation.</li> <li>2. How well does the approach you take work? Ok but can be very demanding to complete alongside the 'normal day job'</li> <li>3. If you do manage investigations within the HR team what issues, if any, do you need to manage/overcome? – n/a. I would be interested in feedback on if others have dedicated resource within HR. One of the main reasons we would not be able to undertake it in HR is we are a small team and using another HR person to investigate would limit our capabilities to provide independent HR advice at each level up to an Appeal stage.</li> </ol>
District	<ol style="list-style-type: none"> <li>1. Our managers undertake investigations, assisted by HR. Occasionally this may need to be a manager from a different area, dependent on the nature of the allegation</li> <li>2. This works well. Managers are developed and take responsibility for staffing issues, whilst HR ensure compliance and consistency. They also act as a 'critical friend' ensuring the investigation doesn't overlook any key areas, giving confidence to the manager.</li> </ol>
District	<ol style="list-style-type: none"> <li>1. We normally have an internal line manager to conduct the investigation.</li> <li>2. It does work</li> <li>3. n/a</li> </ol>

District	<ol style="list-style-type: none"> <li>1. How do you manage investigations within your authority in terms of the investigating officer – is it HR, Independent Line Manager, externally sourced, specific investigator post or other? – <b>Independent line manager who is not involved with the case and where possible from a different work area.</b></li> <li>2. How well does the approach you take work? <b>Requires support from HR, gives line managers investigation experience however has to be fitted in the 'day job' so takes longer than if an external/specific investigator was to carry this out. Helpful that the manager knows the business.</b></li> <li>3. If you do manage investigations within the HR team what issues, if any, do you need to manage/overcome? <b>N/a – HR support to the manager only.</b></li> </ol>
Borough	<ol style="list-style-type: none"> <li>1. How do you manage investigations within your authority in terms of the investigating officer – is it HR, Independent Line Manager, externally sourced, specific investigator post or other? <b>We try and manage this through internal independent managers. If we think it is gross misconduct or likely to take up a lot of time we will consider and external investigator. We do not have the resources in HR to be able to undertake investigations and then to also sit on the panel and provide management support.</b></li> <li>2. How well does the approach you take work? <b>Thankfully we do not get very many so we are ok with how this works for us</b></li> <li>3. If you do manage investigations within the HR team what issues, if any, do you need to manage/overcome? <b>N/A</b></li> </ol>