



FROM COMPLAINT TO CONCLUSION

Managing the Investigation Process: Handout

INVESTIGATION HANDOUT

INVESTIGATION DETAILS

Date of the Incident		Complainant	
Date Complaint Received		Respondent	
Date Referred for Investigation		Witness #1	

INVESTIGATION PLAN AND SCOPE

Task	Estimated Completion	Date of Completion	Notes
Complaint Received			
Respondent Placed on Administrative Leave			
Licensing Investigation			
Initial Contact			
Initial Meeting			
Review Complaint			
Generate Questions			
Interview Complainant			
Interview Respondent			
Interview Witness #1			
Review Evidence			
Write Report			
Deliver Report Outcomes – Complainant			
Deliver Report Outcomes - Respondent			
Corrective Action			

** Modified as required

RECORD OF POINTS OF CONTACT WITH WITNESSES

Date	Activity	Notes
2-Oct-25	Phone call with respondent	Clarified question regarding timing from initial interview

***Add rows as needed

CONTACT INFORMATION TRACKING

Name	Email	Phone
<i>John Doe</i>	<i>JohnD@cssea.bc.ca</i>	<i>604-222-2222</i>

INVESTIGATION CHECKLIST

INTAKE & TRIAGE

- ☐ Receive complaint (written, verbal, anonymous)
- ☐ Record date, time, and source
- ☐ Assess seriousness (policy breach, harassment, safety, misconduct)
- ☐ Decide: on next steps
 - Has there been a formal complaint?
 - If true, would the allegations amount to a breach of policy?
 - Is this an Article 11.9 Investigation or an Article 29?
 - Would the concern be better addressed in a different way?
- ☐ Consider interim measures (separate parties, adjust reporting, temporary leave)
- ☐ Consider if there are any safety issues
- ☐ Consider if offering Employee Assistance is appropriate
- ☐ Consult with your CSSEA rep on potential legal exposure

PLANNING

- ☐ Define scope: What issues are under investigation?
- ☐ Identify relevant policies, laws, and collective agreement provisions
- ☐ Select investigator (internal or external consultant)
- ☐ Who is the best person to investigate?
 - Who has the knowledge, training, experience and qualifications?
 - Can they be fair and impartial? Will they be seen as objective?
 - Is there any potential conflict of interest?
 - Does this person have the time? Resources? Capacity? Will they meet the timelines?
 - How will this decision impact confidentiality?
 - Cost
 - Impact on culture
 - Is the subject matter within the investigator's expertise?
 - The likelihood of legal action
- ☐ Draft investigation plan: witnesses, documents, timelines

ADMINISTRATION OF THE INVESTIGATION

☐ Consider who needs to be advised of the complaint

- ☐ CSSEA
- ☐ Union
- ☐ Complainant
- ☐ Respondent

☐ Identify what questions are outstanding that need to be answered

☐ Identify relevant policies, trainings, provisions of the collective agreement

☐ Schedule interviews

☐ Arrange Union Steward

☐ Have waivers ready for signature

☐ Gather Evidence: text messages, emails, video footage, witness statements

CONFIDENTIALITY & PRIVACY

☐ Review Policy, Procedures and Collective Agreement

☐ Does the alleged incident breach policy, procedure, collective agreement

☐ The rule is no disclosure unless the disclosure is necessary for “ the purposes of investigating” or “taking corrective action with respect to the incident or complaint” or is “otherwise required by law”

NOTIFICATION

☐ Notify respondent in writing of allegations

☐ Provide summary of process, rights, and expectations

☐ Confirm confidentiality obligations for all parties

GATHERING EVIDENCE

☐ Interview complainant first

☐ Interview respondent

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- ☐ Interview witnesses (neutral, supportive, or peripheral)
 - ☐ Collect documents (emails, texts, CCTV, schedules, policies)
 - ☐ Keep detailed notes and secure evidence

ANALYSIS

- ☐ Compare accounts for consistency
- ☐ Look for corroboration (documents, witnesses)
- ☐ Assess credibility (plausibility, consistency, demeanor, motive)
- ☐ Apply the balance of probabilities standard
- ☐ Facts established? (Yes/No)
- ☐ Do you have any remaining questions?

FINDINGS & REPORT

- ☐ Executive summary of complaint and scope
- ☐ Methodology (who was interviewed, what was reviewed)
- ☐ Findings of fact (objective, evidence-based)
- ☐ Analysis (credibility, corroboration)
- ☐ Conclusion (substantiated, unsubstantiated, inconclusive)

OUTCOME & FOLLOW-UP

- ☐ Employer decides on corrective action (discipline, training, mediation, policy change)
- ☐ Communicate outcome to complainant and respondent (respecting privacy)
- ☐ Monitor workplace for retaliation or ongoing issues
- ☐ Close file with secure storage of records.

GUIDING PRINCIPLES

Fairness: No bias or conflicts of interest

Confidentiality: Share only on a need-to-know basis

Timeliness: Act promptly

Procedural fairness: Both sides must be heard

Documentation: Keep a defensible record

SAMPLE INTERVIEW QUESTIONS

1. Tell me in your own words what you experienced
2. Can you walk me through the events from start to finish
3. Walk me through the timeline of events from the end to the beginning
4. Can you tell me more about
5. What policies or procedures you think were breached
6. Do you have any evidence, like text messages or emails that you can share
7. Were there any witnesses
8. Is there anyone else I should talk to