
Disciplinary Investigation Template Letters

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1.0 Letter to inform employee of Formal Investigation

Type the date here

Name

Address line one

Address line two

Address line three

Birmingham

Post Code

Formal Investigation

Dear <Name>

I write to advise that a disciplinary investigation will be undertaken in accordance with the Disciplinary Policy to consider the following allegations against you.

1. [allegation]
2. [allegation]

These allegations are seen as potential misconduct/ gross misconduct (**delete as applicable**) and, if proven, may lead to formal disciplinary action being taken against you. If gross misconduct and this is proven then this may lead to the termination of your Contract of Employment.

I have commissioned [Name], [Job Title] to undertake this investigation and they will be contacting you shortly to invite you to a Disciplinary Investigation meeting. [Or] I am currently in the process of sourcing an investigator, as soon I have the details these will shared with you.

You are asked to keep this matter confidential. I would like to make you aware that you can access the Employee Assistance Programme through [insert employee assistance programme contact details].

I enclose a copy of the School's Disciplinary Policy for your information.

If you have any further questions or comments please let me know.

Yours sincerely

Insert Name

Job Role

2.0 Terms of Reference

MISCONDUCT INVESTIGATION
NAME OF SCHOOL
DATE

Terms of Reference

Title of Investigation

Investigation into the allegations of (gross misconduct/misconduct) on the part of XXXXXXXX

Purpose / Background

XXXX has alleged that on (date) XXX did XXX

- Nature of the allegation including details of any specific incidents.
- Include details of which policies/procedures breached

[change dependent on case] As the investigation progresses the allegations may change as appropriate in the light of the investigation. Due to the seriousness of the allegations, if proven, may constitute misconduct or gross misconduct and therefore may lead to a summary dismissal in accordance with the Disciplinary Procedure adopted by the school. **[or]**

As the investigation progresses the allegations may change as appropriate in the light of the investigation. Dependant on the seriousness of the new allegations, if proven, may constitute gross misconduct and therefore may lead to a summary dismissal in accordance with the Disciplinary Procedure adopted by the school.

Commissioning Officer

Name of the Commissioning Officer and job title

Investigating Officer

Name of Investigating Officer and job title

Objectives and Scope of the Investigation

To fully investigate the allegations made by:-

- Interviewing all persons other than pupils directly involved in the allegations / incidents.
- Interviewing any other persons other than pupils who may contribute evidence in relation to the allegations.
- Look at documentary/CCTV evidence that may be relevant to the allegations.

- Obtaining evidence to assess how all parties involved have conducted themselves during the event, looking at Policies and Procedures.
- To produce a written report to close the investigation detailing the findings, conclusions, and recommendations, including whether there is a case for disciplinary procedures.
- Pupils should be interviewed in accordance with the guidance for schools associated with the authority's Child Protection Procedures.

Timescales

The investigation will start on XXXX and is expected to be completed by XXXX. If any extension is needed to this timescale then you will be informed of this in due course.

3.0 Letter to Invite Employee to Investigation Meeting

Type the date here

Name

Address line one
Address line two
Address line three
Birmingham
Postcode

Investigation Meeting

Dear <Name>

Further to the letter dated [Insert Date] from [Name], Commissioning Officer, I am writing to advise you that I have been appointed to investigate the following allegations against you in accordance with the Disciplinary Policy and Procedure.

1. [allegation]
2. [allegation]

Currently these are considered as actions of potential **misconduct/ gross misconduct. (delete as appropriate)**

Please be advised that the above allegations may be subject to change during the course of the investigation and should this be the case you will be informed.

In order for you to respond to the allegations, you are required to attend an investigation meeting.

Details of the meeting are as follows:

Date: [Date]

Time: [Time]

Venue: [Location]

If there are any exceptional circumstances in which you are unable to attend the hearing, you may suggest an alternative time and date as long as it is reasonable and is not more than 5 working days after the original date.

Following completion of the investigation, if it is considered that there is a case to answer, you may be required to attend a Disciplinary Hearing.

This is a formal investigation and would therefore ask that you maintain confidentiality and ask that you do not discuss the details of the investigation with colleagues or any potential witnesses as this may prejudice the investigation.

If you have identified any witnesses that you wish me to consider interviewing as part of this Disciplinary Investigation, can I please ask you to bring these details to the meeting.

As part of the process, notes will be taken at the meeting and a copy will be sent to you, to check for accuracy and to date, sign and return to myself. It is important that you understand that your statement will be used to form part of the Investigation report and may be shared with named parties if requested or at any future hearings, appeals or at Employment Tribunal proceedings.

You are also advised that you may wish to be accompanied by a Trade Union representative, or a workplace colleague of your choice; however, arrangements for this will be your responsibility and should not delay the process.

Please let me know if you or your chosen representative need any special requirements or adjustments so that appropriate arrangements can be put in place before the meeting.

You are asked to keep this matter confidential. I would like to make you aware that you can access the Employee Assistance Programme through [insert employee assistance programme contact details].

If you have any further queries relating to any of the above then please let me know as soon as possible.

Yours sincerely,

Officer name

Job title

4.0 Letter to Invite a Witness to an Investigation Meeting

Type the date here

Name

Address line one

Address line two

Address line three
Birmingham
Postcode

Investigation Witness Invitation

Dear <Name>

I have been appointed by [Name], Commissioning Officer to undertake an investigation in accordance with the Disciplinary Policy, into allegations made in relation to [Name of the alleged perpetrator and brief details].

I can advise that no allegations have been made against you personally with regard to this case, but you have been named as a witness who may be able to assist in the investigation process.

I would like to request that you attend a meeting with me, the details of which are as follows:

Date: <Date>

Time: <Time>

Venue: <Location>

If there are any exceptional circumstances in which you are unable to attend the meeting, you may suggest an alternative time and date as long as it is reasonable and is not more than 5 working days after the original date.

You can be accompanied by a Trade Union representative, or a workplace colleague at the meeting (if witness is an existing employee), however, arrangements for this will be your responsibility and should not delay the process.

Please let me know if you or your chosen representative needs any special requirements or adjustments so that appropriate arrangements can be put in place before the meeting.

I would ask that you maintain confidentiality and do not discuss the details of the investigation with colleagues or any potential witnesses as this may prejudice the investigation.

You will need to liaise with the headteacher to advise them that you have been requested to participate in an investigation process.

As part of the process, notes will be taken at the meeting which will then be sent to you to check for accuracy sign date and return to myself. It is important that you understand that your statement will be used to form part of the Investigation report and may be shared with named parties if requested or at any future hearings, appeals or Employment Tribunal proceedings.

You are asked to keep this matter confidential. However, I understand that this may be a difficult time for you and you may wish to contact **[insert Employee Assistance Programme details]**.

The School's Disciplinary Policy can be accessed [Insert Location here] If external witness remove sentence.

If you have any queries regarding this process please do not hesitate to contact me on the number provided below.

Yours sincerely,

Officer name

Job title

5.0 Letter to inform Employee of any Delays in Progress

Type the date here

Name

Address line one
Address line two
Address line three
Birmingham
Postcode
Investigation Progress

Dear <Name>

Further to my letter dated **[Date]** / meeting held at **[Venue]** on **[Date]**, **[delete as appropriate]**
I am writing to advise you that unfortunately I have been unable to gather all the information
required for my investigation due to **[Provide details]**. I am, therefore, unable to invite you for
interview at this stage/ unable to conclude the investigation at present. **[delete as appropriate]**

[or]

I would now anticipate being in a position to meet with you/ conclude the investigation **[delete
as appropriate]** by **[Date]** and will contact you again in due course.

I apologise for any inconvenience caused.

Yours Sincerely

Insert Name
Job Role

6.0 Interview Template

Notes for Investigation Meeting

Personal Details

Interviewee Name

Job Title

Place of work

Length of service &

time in post

Representatives Details

Was a representative present?

Employee Representative

Name of Trade Union (or

Job Title if work colleague)

Interview Details

Location of Interview

Date and time of interview

Name of Investigation Officer

Note taker name & job title

The following points should all be covered and documented:

1. Introductions to all of those present including:

- Investigating Officer

- Note taker
2. Confirm that a record of the meeting will be provided in the form of written notes and an account will be provided to the interviewee to verify its accuracy and sign.

No recording of this meeting is permissible.

3. Explain that notes will form part of the investigation report and will be used as evidence. They will be issued to named parties upon request or should a hearing be called. These will also be shared at any hearings, appeals and Employment Tribunals that may arise in the future.
4. Explain why the meeting is taking place and state the nature of the investigation and in accordance with which procedure.
5. Refer to whichever of the following is applicable detailing the nature of the investigation and ensure all present understand:
 - Invite to meeting letter
6. Ensure all present understand the confidential nature of the proceedings.
7. Check whether there are any questions before continuing
8. Record of Questions and Responses

List all questions asked and responses (to include the following standard questions)

- **Is there anything in relation to the investigation that you wish to add that has not specifically been asked about?**
 - **Do you think that you have had a fair opportunity to answer the questions and to put forward the relevant information?**
9. Outline the following points **(delete as applicable)**:

- The notes taken will be typed up and sent to the interviewee for verification and signature, provide a timeframe for which these should be returned
- Next steps i.e. conduct further interviews, assess further documentary evidence, prepare a report and submit this to the Commissioning Officer for consideration (where there is a Commission Officer)
- If a decision is taken to proceed to a hearing/further action is necessary, then appropriate notice will be provided to you to attend and relevant paperwork will be provided **OR in case of a witness/complainant** You may be called as a witness should the case proceed to a hearing and appropriate notice and support will be provided
- The potential outcomes from the investigation for the alleged perpetrator may be mentioned OR
- The potential outcomes for the complainant (if the allegations are proven to be vexatious/malicious)
- Request to maintain the confidentiality as failure to do so could lead disciplinary action against individuals.
- I understand that this may be a difficult time for you and you may wish to contact [insert Employee Assistance Programme details]

10. Close the interview and confirm the time of closing.

Please tick and sign as appropriate:

I agree that this is an accurate account of the interview

☐

OR I have attached additional comments.

☐

Signed:

Date:

Name:

Interviewee Name

7.0 Cover Letter for employee for Minutes

Type the date here

Name

Address line one
Address line two
Address line three
Birmingham
Postcode

Investigation Meeting Notes

Dear <Name>

Following the Disciplinary Investigation meeting which was held with you at **[Location]** on **[Date]**, please find attached two copies of the notes. If you accept that these notes are a true and accurate reflection of the meeting, please sign and date both copies. Please return one signed copy to me at the address below and retain the other copy for your own records.

If you feel that any of the contents are inaccurate, please attach any additional comments to the bottom of the minutes. These will be included as an addendum to the minutes.

You should be aware that these notes will form the basis of your evidence and will be included in the Investigation report. These will be made available to a hearing should one be called, or upon request from any party named in the investigation, and/or any future hearings, appeals or Employment Tribunal proceedings.

I would appreciate it if you could return these notes in the enclosed envelope by no later than **[Insert Date, five working days from the date of the letter]**.

Yours sincerely,

Officer name

Job title

8.0 Cover letter for Witness

Type the date here

Name

Address line one
Address line two
Address line three
Birmingham
Postcode

Investigation Meeting Notes

Dear <Name>

Following the Disciplinary Investigation meeting which was held with you at <Location> on <Date>, please find attached two copies of the notes. If you accept that these notes are a true and accurate reflection of the meeting please sign and date both copies. Please return one signed copy to me at the address below and retain the other copy for your own records.

If you feel that any of the contents are inaccurate, please attach any additional comments to the bottom of the minutes. These will be included as an addendum to the minutes.

You should be aware that these notes will form the basis of your witness evidence and will be included in the Investigation report. These will be made available to a hearing should one be called, or upon request from any party named in the investigation, and/or any future hearings, appeals or Employment Tribunal proceedings.

Please note that you may also be requested to provide your witness evidence at any potential Disciplinary Hearing. If this is necessary, I will ensure that the process is explained to you and appropriate reasonable notice is provided.

I would appreciate it if you could return these notes in the enclosed envelope by no later than **[Insert Date, five working days from the date of the letter]**.

I would like to thank you for your co-operation in this matter.

Yours sincerely,

Officer name

Job title

9.0 Investigation Report

A template investigation report is available.