

6 Best Practices to conduct HR investigations

1. Follow a standard HR investigation timeline

To thoroughly and accurately ascertain the facts of any employee misconduct allegation, human resources or the professional assigned to do the investigation interview will need to interview both the employee making the accusation and the employee accused of misconduct. In addition, the investigator must also determine if there are any witnesses — if there are, they must interview them as well.

TIMELINE



3. Adhere to your company's HR investigation protocol

Every organization should have HR policies and procedures that clearly outline a workplace investigation protocol. Sometimes those guidelines will specify requirements for an investigation interview. Typically, only certain HR professionals or managers are deemed qualified, and therefore, permitted to conduct an investigation interview. Internal investigations must adhere to company guidelines; before any interviews are conducted, all relevant workplace investigation protocols must be identified and followed.

2. Explain to the person why they are being interviewed

Before the interview begins, the person conducting the interview must inform the interviewee why they are being interviewed along with the nature of the complaint. In general, it is not appropriate, or advisable, to provide a witness with specifics regarding the allegation. Let the employee know that you will be asking questions related to an incident in the workplace, but may not be able to provide complete details to ensure confidentiality for all involved.

When interviewing the accused, you may choose to hold off telling the interviewee that they are the subject of the complaint until later questioning. However, it is important that the subject of an investigation is provided an opportunity to give his or her side of the story. Doing so will require that complete details regarding the allegation are provided. Remember that a workplace investigation interview is a fact-finding exercise and the interviewer is primarily asking questions and listening — not providing information to the interviewee.

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4. Don't delay the investigation process

To thoroughly and accurately ascertain the facts of any employee misconduct allegation, human resources or the professional assigned to do the investigation interview will need to interview both the employee making the accusation and the employee making the misconduct allegation. If the employee making the claim legally, the courts will evaluate the timeline of the workplace investigation and whether interviews were conducted in a timely manner. I discuss the importance of timing in *Workplace Investigations: Timing Can be Everything*. The goal of conducting timely interviews is to ensure that the parties are able to remember the facts as accurately and detailed as possible. If either the complainant or accuser involved in the misconduct allegation is away for a planned absence or holiday, HR should ensure that interviews are scheduled promptly after the person's return, and the reasons for the delay should be documented. The employee accused of misconduct. In addition, the investigator must also determine if there are any witnesses — if there are, they must interview them as well.

6. Document the findings from your investigation

The person conducting the interview should take thorough notes and document both the key findings and responses from the interview. The written summary should also include the date and location of the interview as well as the titles and roles of the participants. As important, the notes must be legible, ideally in an Employee Relations software solution. Indicate the fact-finding protocols that were followed and demonstrate a logical progression to the interview.

questions

5. Ask the right HR investigation questions

Within workplace investigations, the interview process must be unbiased with both parties being treated in a similar manner. It is not uncommon for employees to perceive HR professionals as working to a certain outcome that is favorable to the company, and this belief can skew their views of the legitimacy of the workplace investigation process – and the trustworthiness of their HR overall. Using a consistent process demonstrates that a structured process is in place by your organization to deal with these situations in a fair and credible way.

Start by reviewing the process, what they should expect regarding things like no retaliation and timing, as well as what the company expects from the interviewees, such as candor and professionalism. In a recent HR Acuity Employee Relations and Workplace Investigation Survey, a key finding was that it is not just about the workplace investigation process but the perception of the process.