

Conducting Effective Investigations

Workshop Outline

Workshop Description

This workshop prepares managers in British Columbia's health care facilities to conduct comprehensive and thorough investigations of incidents involving employees. It focuses on the responsibilities of management in terms of conducting a proper investigation and dealing with the situation in a timely, fair and effective manner.

Workshop Goals

After completing this workshop, participants will be able to do the following:

- Plan an investigation
- Conduct interviews to obtain information
- Gather and compile evidence
- Critically analyze investigation data to make a sound and defensible decision
- Gain awareness of applicable legislation, case law, jurisprudence, and labour relations principles that impact investigations

Workshop Length

1 day

Topics/Learning Objectives

Topic	Learning Objectives
Overview of Investigations	<ul style="list-style-type: none">• Explain types of situations that could lead to an investigation• Explain the importance of performing comprehensive investigations• Explain the importance of maintaining an unbiased, objective attitude and approach toward the investigation• Explain the importance of timely action
Planning the Investigation	<ul style="list-style-type: none">• Explain the importance carefully planning the investigation and documenting the plan• Create and update an investigation plan• Plan and document questions to ask witnesses• Plan for specific types of investigations, including incidents involving breaches of policy

Topic	Learning Objectives
Conducting Interviews	<ul style="list-style-type: none"> • List tips for conducting effective investigative interviews • Explain how to assess the credibility of witnesses • Explain how to use a buddy system for interviewing • Explain when to involve the union in interviews • Explain how to take effective meeting notes • Obtain and/or clarify witness statements • Describe what to do and say if an employee wishes to remain anonymous during an investigation • Describe what to do if witnesses refuse to share information • Consider privacy and confidentiality issues
Gathering and Compiling Evidence	<ul style="list-style-type: none"> • Explain the importance of creating a record of the investigation • Identify relevant documentation • Create a chronology of the incident and the investigation • Define real evidence • Explain the importance of maintaining a chain of custody of real evidence • Explain when and how employers may use non-surreptitious and surreptitious surveillance (video, GPS, social media, etc.) as evidence to support an investigation • Explain what additional evidence is required when using still photographs as evidence to support an investigation
Making your Decision	<ul style="list-style-type: none"> • Perform a critical analysis of the investigation data • Obtain additional information to address any gaps or discrepancies • Determine if the decision could be defended against established arbitral tests (e.g., William Scott, Burden of Proof, Edith Cavell, Raven Lumber, Millhaven, etc.) • Form a conclusion • Implement and communicate the decision to the relevant parties
Putting it all Together	<ul style="list-style-type: none"> • Conduct an investigation using a simulated situation