

## Question

How do you establish "reasonable" grounds from statements where one employee has accused the other of misconduct – one word against another?



# Context of "he said/she said"

- A "reasonable" investigation
- ACAS Codes
- Policies and procedures
- Tell employee of allegations against them, most of the time..

## Approach to investigation

Can't make a decision or...  
AC12?



## Top tips

- Follow your procedure
- Identify the allegations
- Make a plan, and analyse evidence you have
- Take into account employee motives
- Is there corroborating evidence? Physical or witness evidence
- Stick to the facts...

# Common issues that arise

- Should you suspend?
- Covert recordings Y/N
- Confidential witnesses
- Track allegations from investigation – disciplinary – dismissal
- Not sticking to the facts

# After the event

The report

Disciplinary action

Employees working together

Keeping records



# Alternatively, after the event

