RCN Member Resolution Policy

Version 2

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Policy Statement

The Royal College of Nursing (RCN) aims to provide the very best member and customer experience, which is dependent on the positive behaviours and conduct of both staff and all RCN members.

This process sets out the actions to be taken to address such matters and the roles and responsibilities for those individuals involved in the process. This procedure is not intended to be punitive, but to set out steps to deal with a situation reasonably, and where possible to enable informal resolution to help members to improve their standards of conduct or behaviour to reach acceptable standards. Where necessary more formal action may be taken as a result of the more serious end of conduct.

The aim of this policy is to:

- Enable the RCN to remedy any problems of misconduct or behaviour promptly and effectively.
- Ensure members are informed of the action that may be taken if they fail to meet the RCN's standards of conduct and behaviour.
- Deal with conduct matters lawfully, fairly and using the principles of natural justice.

Scope of Process

This process applies consistently to all RCN Members, regardless of their role or responsibilities within the organisation.

This process can be implemented by both staff and members in relation to misconduct, behaviour, capability or non-compliance, in addition this process may be triggered following an investigation conducted as part of customer complaint.

This process should be read in conjunction with:

- Member Code of Conduct
- Social Media Guidance
- Complaints Policy
- Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A 1992 or the Trade Union and Labour Relations (Northern Ireland) Order 1995 s.31 -34.

Member Resolution Process

1. **Principles**

1.1. That process and sanctions are to ensure that members of the RCN uphold the RCN's good standing and reputation.

1.2. The principle of natural justice is reflected in this policy and will be carried out in practice.

1.3. Members must act within the standing orders, code of conduct and regulations of the Royal College of Nursing Royal Charter. This policy will be applied where the standards of behaviour and conduct of members are alleged not to have met those expectations and requirements.

1.4. No member of the RCN will be subject to the resolution policy in respect of matters directly related to the Trade Union Relations (Consolidation) Act 1992 or the Trade Union and Labour Relations (Northern Ireland) Order 1995 s.31 - 34. This relates, for example to disciplining a member for failing to participate in or support industrial actions, or for leaving the RCN or joining another union.

1.5. Where issues raised relate to representation or service provided by the RCN the customer complaint process would have been fully explored before moving to the resolution process. There may be exceptional cases, however, where it is appropriate to go to this resolution policy first. This relates, for example where there has been a serious breach of the code of conduct, where the alleged behaviour is not the result of a member or staff complaint. In these cases the Resolution Owner may decide, with the agreement of Council to apply this resolution policy in the first instance.

1.6 The Member Resolution Policy is designed to help and encourage members to achieve and maintain satisfactory standards of conduct and in doing so, ensures that members are treated fairly and consistently.

1.7 Sanctions will only be applied when misconduct or gross misconduct are established on the balance of probability, or offered training or additional support has been ineffective.

1.8 All resolution actions will be reasonable and not wholly disproportionate

1.9 For the purposes of this policy, acts viewed as misconduct or gross misconduct , are likely to include (but are not limited to):

1.9.1 Acting outside Member Code of Conduct

1.9.2 Unauthorised use of RCN property or resources

1.9.3 Where actions bring the RCN into disrepute.

1.9.4 A failure to follow appropriate RCN policies and guidance

1.9.5 Theft or fraud

1.9.6 Physical violence or abusive behaviour

1.9.7 Gross negligence

1.9.8 Serious breaches of confidentiality

1.9.9 Acting in a manner which is prejudicial or detrimental to the RCN

1.9.10 Knowingly providing false or misleading information relating to a member or any other aspect of Unions activities

1.9.11 Refusing to cooperate with RCN's resolution process

1.10 All individuals involved in the resolution process (including the respondent, witnesses, investigating team, staff members and panel members) are expected to maintain appropriate confidentiality.

1.11 Anyone who is asked or required to participate in the process (irrespective of their role) must make all reasonable efforts to do so and participate fully in it.

1.12 In cases of alleged misconduct, no sanctions will be made until the case has been investigated thoroughly and a resolution hearing held.

1.13 All investigations and actions will be undertaken without unreasonable delay to minimise the anxiety for members.

1.14 The RCN will not impose any sanctions which are not specifically set out in this policy.

1.15 Respondents are entitled to representation throughout the resolution process by an appropriate person.

1.16 For the purposes of this policy an appropriate person (as determined by the chair of the panel) to represent a member is considered to be, an individual

1.16.1 who is an RCN accredited representative who has no prior involvement in the matter to be considered under the resolution process, and does not present a conflict of interest for the member or the RCN.

1.16.2 who is a work colleague employed by the same employer as the member and does not present a conflict of interest for the member or the RCN.

1.16.3 Of the members choice subject who does not present a conflict of interest to the member or the RCN.

1.16.4 Legal representation is not permitted, however the RCN has discretion to permit it in exceptional circumstances.

2. **Responsibilities**

2.1. Chair of Council is responsible to members to the appropriate implementation of this process and procedure.

2.2. The overall responsibility of the customer complaints and resolution policy sits with the Director of Wales (RCN Executive team lead for Customer Service Centre).

2.3 All staff and members have a responsibility to report concerns appropriately, and to support and participate in the Member Resolution process should it be required.

2.4 Investigators will:

2.4.1 Ensure a thorough investigation takes place and produce an investigation report in line with the agreed format, ensuring that all necessary steps are taken without any unreasonable delays.

2.4.2. Be impartial and have no realistic prospect of bias (actual or apparent)

2.4.3. Make recommendations to the Resolution Owner as to whether there is a case to answer and whether the matter should proceed to Resolution Hearing

2.5. **Resolution Owner will:**

2.5.1. Take the time to explain the process; to explain who they will be contacted and what to expect, because the member may understandably feel anxious about the process.

2.5.2. Make the respondent aware of support available to them through Member Support Services, as well as the options for arranging appropriate representation.

2.5.3. Keep the respondent informed of the outcome of the investigation. Whether

there is no further case to answer, or whether matter will proceed a Resolution Hearing.

2.5.4. Notify the Executive Team lead if case proceeds to the formal resolution process

2.5.5. Be responsible for the decision on whether suspension needs to be applied while a matter is investigated, and the terms for removal of suspension.

2.6. **Resolution Panel will:**

2.6.1. Manage a formal Resolution Hearing, and after considering all the evidence presented, determine the outcome.

2.6.2. If the outcome results in a sanction, these will be issued in line with the Member Resolution Policy by the Resolution Panel.

2.6.3. Convene to understand the reason for non-compliance should a member fail to comply with training, updating or supportive action following the process set out in 9.8.

2.7. **Customer Relations Manager will:**

2.7.1. Act as a point of contact for members involved in the process and keeps the member updated as the matter progresses.

2.7.2. Be independent within the process.

2.7.3. Establish Resolution Panels and appoint Investigating Officers

2.7.4. Acknowledge appeals submitted by members.

2.7.5. Monitors implementation of panel decisions, outcomes and actions.

2.8. It is important that the process enables each situation to be handled appropriately, and the following chart sets out the areas of responsibility against the role the concern is raised against.

Table 1: Resolution Procedure Responsibilities

Member concerned	**Informal resolution** ***Role:*** ***Informal meeting of concern*** ***Attempt to address concerns through support training and feedback.***	**Formal Investigating Officer** ***Role:*** ***Investigate and make recommendation on whether there is a case to answer***	**Resolution Owner** ***Role: Notify ET if proceeds to formal resolution process*** ***Inform member of decision*** ***Take a decision about whether the member should be suspended while the evidence is being considered, and the terms for removal of suspension***	**Independent Resolution Panel** ***Role:*** ***Make a decision on the outcome of the hearing and determine appropriate sanction***	**Independent appeal panel** ***Role:*** ***Consider findings and any additional evidence and determine outcome of the appeal and any changes to sanctions***
Member without a role, or with a local or regional role (board, branch, accredited representative)	Operations Manager (OM) or Associate Director (AD) determine appropriate staff member	From agreed pool* (likely to be OM, or AD from outside of region/country)	Country or Regional Director of member's Country or Region	Independent panel	Independent panel

Member with a national role (Representative Committee member, Forum member)	Staff Lead	Agreed pool	Country or Regional Director	Independent panel	Independent panel
Member who acts on behalf of the RCN in any other capacity	Staff Lead	Agreed pool	Country or Regional Director	Independent panel	Independent panel
Central Committee Member	Staff Lead (ET)	Agreed pool outside of region and country	Executive Director	Independent panel	Independent panel
Council	Chair of Council	Independent Investigating officer	Chief Executive & General Secretary	Independent panel	Independent panel
President, Deputy President or Chair of Council	Group Secretary	Independent investigator (from pool)	Chief Executive & General Secretary	Independent panel	Independent panel

3. Informal Resolution

3.1. Any Member who is a witness to a breach in the code of conduct has a responsibility to raise their concerns ideally with an appropriate member of staff if the Member is not comfortable approaching the individual personally they should report the observed behaviour to a member of staff.

3.2. The first priority is to help a member improve their conduct or behaviour, making sure they understand the cause for concern and what they have to do to meet the required standard. Where possible the issues will be addressed informally through support, training and feedback.

3.3. In order to ensure appropriate handling and to seek local resolution a matter will be overseen by the relevant manager as determined in Table 1.

3.4. Give feedback to the individual as soon as possible – they may not be aware of their behaviour or conduct or the impact it has on others.

3.5. When giving feedback, focus should be placed on the behaviour or conduct and its impact, rather than the person.

3.6. Any individual who is a witness to poor behaviour or conduct has a responsibility to raise their concerns.

3.7. Identify appropriate training or support that can be offered to the member, to help improve awareness or behaviours. If appropriate a mentor could be appointed to guide and support the member for a period of time.

3.8. Support and supervision is available for those members acting as RCN representatives.

3.9. An apology from the member may be requested where deemed appropriate

3.10 Where appropriate, the RCN may need to mediate to resolve issues, this would be facilitated at a local level if possible.

3.11 Where misconduct/gross misconduct are suspected a decision will be made by the resolution owner as to whether it is appropriate for an informal resolution procedure to take place. The resolution owner has the authority to proceed to investigation under the formal resolution policy if evidence comes to light to support such action.

4. Formal Resolution

4.1. Where it may not be appropriate to address behaviours or conduct informally, where attempts to resolve them informally have failed; or where these have already been investigated as part of a customer complaint, a formal process will need to be applied.

4.2. In exceptional circumstances where the individual being investigated may need to be temporarily suspended either from their role and/or from active membership of

the RCN while an issue is being investigated, or a hearing is to be held. This decision is to be taken by the Resolution Owner (As determined in Table 1**:** *Resolution Procedure Responsibilities*) and will take into account the circumstances of the individual.

4.3. **Interim suspension**

4.3.1. Interim suspension can apply to any member, unless they are also an employee of the RCN, in which case the employee disciplinary process would apply.

4.3.2. Suspension may be invoked by the Resolution Owner for one of the following reasons.

4.3.3. To enable a full and proper investigation to occur

4.3.4. Where it would not be in the interests of the RCN to remain in their role or active membership pending resolution of this procedure

4.3.5. Where it is considered in the interests of the member, RCN, staff or other members.

4.3.6. Where a respondent has been suspended from their representative role and this is likely to impact on their employment because they undertake paid release under a facility agreement, their employer will be engaged in the suspension action to ensure that the local facility agreement is followed and that the respondent is treated 'without prejudice' in the act of suspension.

4.3.7. Where a respondent has been suspended from their representative role, alternative representation will be arranged for any on-going member cases through their Country/Regional Office

4.3.8. Suspension in these circumstances is not a sanction: and does not involve any prejudgement of the issue in question. It should be kept under review to ensure it does not last longer than necessary.

4.3.9. Suspended respondents may be asked to meet agreed conditions by the Resolution Owner before resuming their full responsibilities. At the end of suspension, the respondent will be welcomed back to their role, except in circumstances where their term of office has expired.

4.3.10. The normal time limit is 60 days in respect of suspension of a member from office, unless the period is extended by agreement between the parties in circumstances such as failure to comply with the policy time lines. The exception to this is in relation to financial irregularities, in which case the member can be suspended from holding office until the conclusion of the investigation, hearing or appeal.

5. Investigation

5.1 The individual will be notified by the Resolution Owner in writing of the concerns raised, and the process that will be followed, this should include any interim arrangements to be put in place.

5.2 An appropriate person (Investigating Officer) will be assigned by Customer Relations Manager to investigate within 5 working days. If there are problems meeting this timescale this should be communicated to the member by the Customer Relations Manager. The investigating officer will be impartial and with no realistic prospect of bias. Or the matter raised and should be suitably trained to manage the investigation in line with Table 1.

5.3 An appropriate investigation will be carried out, without unreasonable delay by the RCN, to establish the facts of the case so that an informed decision can be made whether to proceed to a resolution hearing. The investigation should be conducted in line with Standards for Investigation (Appendix 2) and the agreed investigation report format.

5.4 Any individual interviewed as part of the investigation will be informed that their statement will form part of the investigation report; and may be used as evidence as part of a Resolution Hearing at which the individual may be called to attend as a witness.

5.5 A member is entitled to be represented at an investigatory meeting.

5.6 The Investigating Officer should seek to complete the investigation within 25 working days. If the investigation cannot be completed within this time the Customer Relations Manager should be informed and the member updated.

5.7 The Investigating Officer will present their findings along with the supporting evidence to the Resolution Owner who will determine whether there is a case to answer.

5.8 Should the Resolution Owner believe that there is sufficient information to suggest the matter proceed to Resolution Hearing this should be notified to a member of the Executive Team.

5.9 If it is decided by the Resolution Owner that there is no case to answer then the member should be informed; welcomed back and supported as necessary. Formal notification of the outcome will be sent to the member by the Customer Relations Manager within 5 working days.

6 Notification of Hearing

6.1 If it is decided that there is a case to answer the individual should be notified in writing within 5 working days by the Customer Relations Manager that the matter will be heard at a Resolution Hearing.

6.2 The notification should include:

6.2.1 Summary of the case against the member and specific allegations to be dealt with at the hearing

6.2.2 Any written investigation report arising out of the investigation

6.2.3 Any written evidence and witness statements that will be presented at the hearing.

6.2.4 Details of the time and venue for the hearing

6.2.5 Attendees at the hearing

6.2.6 Confirmation that the respondent may submit witness evidence or documentation to be present at the hearing

6.2.7 Confirmation of their right to be accompanied at the hearing. Representation from the RCN will not be available.

6.3 The hearing should be held without unreasonable delay. All parties should be given 21 days notice to allow sufficient notice to attend.

6.4 The individual can attend in person or submit a written response to the Resolution Panel. If the individual or their representative is unable to attend the hearing then a rescheduled date will be arranged. Hearings will be rescheduled, and can proceed without attendance if required.

6.5 At least seven days before the hearing the respondent should:

6.5.1 Submit any written response, witness statements and documentary evidence.

6.5.2 Advise whether they will attend the hearing, and if so given notice of any representative.

6.5.3 Confirm the details of any witnesses they may wish to call.

7 Holding a Resolution Hearing

7.1 The RCN Resolution Panel will hear the investigation findings and consider the evidence.

7.2 The Resolution Panel members shall be selected from a pool of members and external volunteers with relevant skills and backgrounds appointed by RCN Council annually and trained for this purpose.

7.3 Resolution panel members will have;

7.3.1 Have a minimum of 3 members – one of which will be a member of RCN Council chairing the panel. In the case where a Council member is the respondent the panel will be chaired by an independent person.

7.3.2 Shall have no conflict of interest with the allegation(s) to be heard

7.3.3 Reflect equality, diversity and inclusion good practice.

7.3.4 A note taker will also be present.

7.4 The order of the hearing will be the investigator who then goes first and calls witnesses; followed by the member with his or her witnesses; both parties being allowed a closing statement with the member going last.

7.5 During the hearing, the respondent may put forward their response to the allegation(s). They should also be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses.

7.6 The member should be given an opportunity to raise points about any relevant information provided by witnesses.

7.7 No new charge against the respondent should be raised at the hearing;

7.8 The RCN Resolution Panel may adjourn the hearing to allow either party to produce further evidence, or for any reason, at its discretion.

7.9 Before a final decision is made, the member should be given the opportunity to explain any mitigating circumstances they would like the panel to consider.

8 Resolution Panel Outcome

8.1 At the conclusion of the hearing, the resolution panel decides as to whether the allegation(s) is upheld. This is unless the respondent admits the allegation(s).

8.2 If the allegation(s) is upheld or admitted the resolution panel will decide whether any sanction is justified and/or whether the individual requires any support or training to help improve.

8.3 The respondent will be informed of the resolution panel's decision in writing within five working days of the hearing, together with details of the appeals process if the allegation(s) is upheld**.**

9 Determining appropriate action

9.1 The resolution panel should reach their decisions on the basis of their reasonable belief on the balance of probability, having considered fully, fairly and otherwise properly all the relevant evidence and any mitigating factors know to them, including (but not exhaustively):

9.1.1 Impact on the RCN's delivery of service to users;

9.1.2 Impact on RCN's reputation and relationship with other organisations;

9.1.3 Whether the concern is part of a pattern;

9.1.4 Whether the resolution outcome contemplated is consistent with the treatment of other members and, where there are objective reasons to justify that;

9.1.5 Any relevant mitigation; and

9.1.6 Any live, formal warning issued on the resolution policy.

9.2 The resolution panel may conclude the following:

9.2.1 The allegation(s) is/are unsubstantiated;

9.2.2 Minor misconduct is substantiated;

9.2.3 Serious misconduct is substantiated; or

9.2.4 Gross misconduct is substantiated.

9.2.5 The panel may also identify that further training or development is necessary and/or any other measures such as mediations. Any review periods identified as part of a development agenda may be extended in cases where a member has an accredited or elected role where long-term absence would otherwise prevent the member from completing it.

9.3 The resolution panel may decide to:

9.3.1 No sanction applied;

9.3.2 Dismiss the case and not issue a sanction;

9.3.3 If the allegation(s) is upheld, the resolution panel has a range of sanctions available to them, which should be proportionate to the allegation(s). These include but are not limited to:

9.3.3.1 Member is required to attend relevant training, updating or support set within a time frame;

9.3.3.2 Removal from activist and/or governance role(s) for a maximum of 36 months

9.3.3.3 Suspension of the respondent from all or any benefits of the membership for a maximum of 36 months;

9.4 Any sanction imposed will not take effect until expiry of the time limit within which the respondent can submit an appeal or, if an appeal has been submitted, until such time as the appeal has been determined.

9.5 First written warning may be given if:

9.5.1 misconduct/behaviour is minor; or

9.5.2 similar issues have previously been addressed informally.

9.5.3 Warning is retained for a period of up to 6 months, after which it will be removed if no further action is required.

9.6 Final written warning may be given if:

9.6.1 Further misconduct or behaviour occurs; or the misconduct is sufficiently serious to warrant only one written warning. This might occur where actions have had or are likely to have a serious or harmful impact on the RCN.

9.6.2 Gross misconduct is established but with insight from the respondent and significant mitigating circumstances.

9.6.3 Warning is retained for a period of up to 12 months, after which it will be removed if no further action is required.

9.7 Expulsion from membership of the RCN (time limited or not time limited).

9.7.1 Some acts, termed gross misconduct, are so serious or have such serious consequences that they may call for suspension or expulsion without notice for a first offence.

9.7.2 Any decision to exclude or expel individuals will be in accordance with Trade Union and Industrial Relations Act 1992*s. 174 TULR(C)A 1992 or* the Trade Union and Labour Relations (Northern Ireland) Order 1995 s.31 -34.

9.8 Any sanction should be confirmed in writing to the member by the Panel Chair. This written notification should include:

9.8.1 the nature of the misconduct

9.8.2 if appropriate, the improvement in conduct that is expected and the time period given for such improvement

9.8.3 time period of any sanction

9.8.4 the action being taken and how long that action or warning will remain in place

9.8.5 the consequences of further misconduct during this time, or of failure to comply with the sanction.

9.8.6 their right to appeal, how it should be made and to whom

9.9 If a member is a registrant of a regulatory body and following the process the incident has been proven and the sanction was one of misconduct or gross misconduct, consideration will be given to informing the relevant regulatory body. In some circumstances this may be a requirement of registration. The Chair of the Resolution panel will make this decision.

9.10 In the case where a member fails to comply with a training, updating or supportive action (9.3) arrangements will be made for the panel to reconvene. The reconvened panel will follow the processes set out in sections 6, 7, 8 & 9 and will seek to understand the non-compliance. At the reconvened hearing the panel can

9.10.1 Put in place support to ensure compliance.

9.10.2 Amend the time line for completion of the action.

9.10.3 Change the sanction on the basis of the impact of the non-compliance.

9.11 Where a formal sanction is imposed the member cannot hold any governance roles within the RCN whilst those sanctions remain in place. Any governance role held will be suspended for the duration of the appeal process if an appeal is lodged.

10 Right to appeal

10.1 A respondent may appeal against any sanction imposed under this process, and any change to an action or sanction following a reconvened panel hearing.

10.2 Members can appeal under the following grounds:

10.2.1 whether the procedure was followed correctly

10.2.2 if the outcome was too severe or disproportionate

10.2.3 The member can raise an appeal by submitting a written statement for the attention of the Customer Relations Manager.

10.2.4 Requests for appeals must be submitted within 25 working days from the date of the outcome letter.

10.3 The appeal will be dealt with impartially, and by an independent appeal panel, who were not involved in the original investigation or hearing. Appeal to be heard within 25 working days.

10.4 No new material may be introduced which was not before the initial hearing, unless the material evidence which would not have been reasonably available to either party at the time of the initial hearing.

10.5 The appeal panel members will be selected from the pool of individuals approved by RCN Council, a member of RCN Council will chair the panel, except in circumstances involving a member of Council when an independent chair will be arranged. The appeal hearing will constitute a review of the outcome decision in line with the grounds of appeal.

10.6 Respondents are entitled to be represented or accompanied at the appeal by an appropriate person.

10.7 The Appeal Panel can:

10.7.1 uphold in full the decision;

10.7.2 uphold the decision but partially or fully overturn or vary the findings

10.7.3 overturn the decision and substitute it with the appeal panel's decision and any related findings

10.7.4 Respondents should be informed in writing of the results of the appeal hearing within five working days. This will include the ability of the member to hold a governance role within the RCN following the appeal outcome.

10.8 Where an appeal is successful, all records relating to the original action will be kept but under strict confidentiality.

10.9 The decision of the appeal panel is final.

11 Reporting Outcomes

11.1 When the resolution panel has heard a case, the decision shall be reported to the RCN Council in its confidential session. This is for information only and Council cannot overturn the decision. The member's identity shall NOT be recorded in the confidential minutes for reasons of individual confidentially, but a record shall be kept on file that the decision was disclosed in confidential session to Council.

11.2 Where a resolution panel has decided that a sanction should be applied, relevant staff and/or members will be informed as necessary for operational reasons.

12 Support for members

12.1 When trying to resolve a matter informally support will be provided for mediation or resolution by the appropriate region/country.

12.2 Being involved in a formal resolution process can be equally as difficult for the respondent as it is the complainant. All members named or involved in the resolution process should be appropriately supported.

12.3 Respondents should be kept fully informed throughout the process so they understand what the next stage will be, who they may be contacted by and when.

12.4 Throughout the process it is important that members understand the support available to them. This support can be available through Member Support Services, through support and supervision for accredited representatives, or through their own employer assistance schemes. Where there are known delays with Counselling appointments efforts will be made to fast track members.

12.5 Members who volunteer to sit as independent panel members should be properly trained to undertake this role. Training and support will be provided by the RCN for this role.

12.6 Care need to be taken at the end of the process to ensure that a respondent understands the outcome of the process and any following action identified.

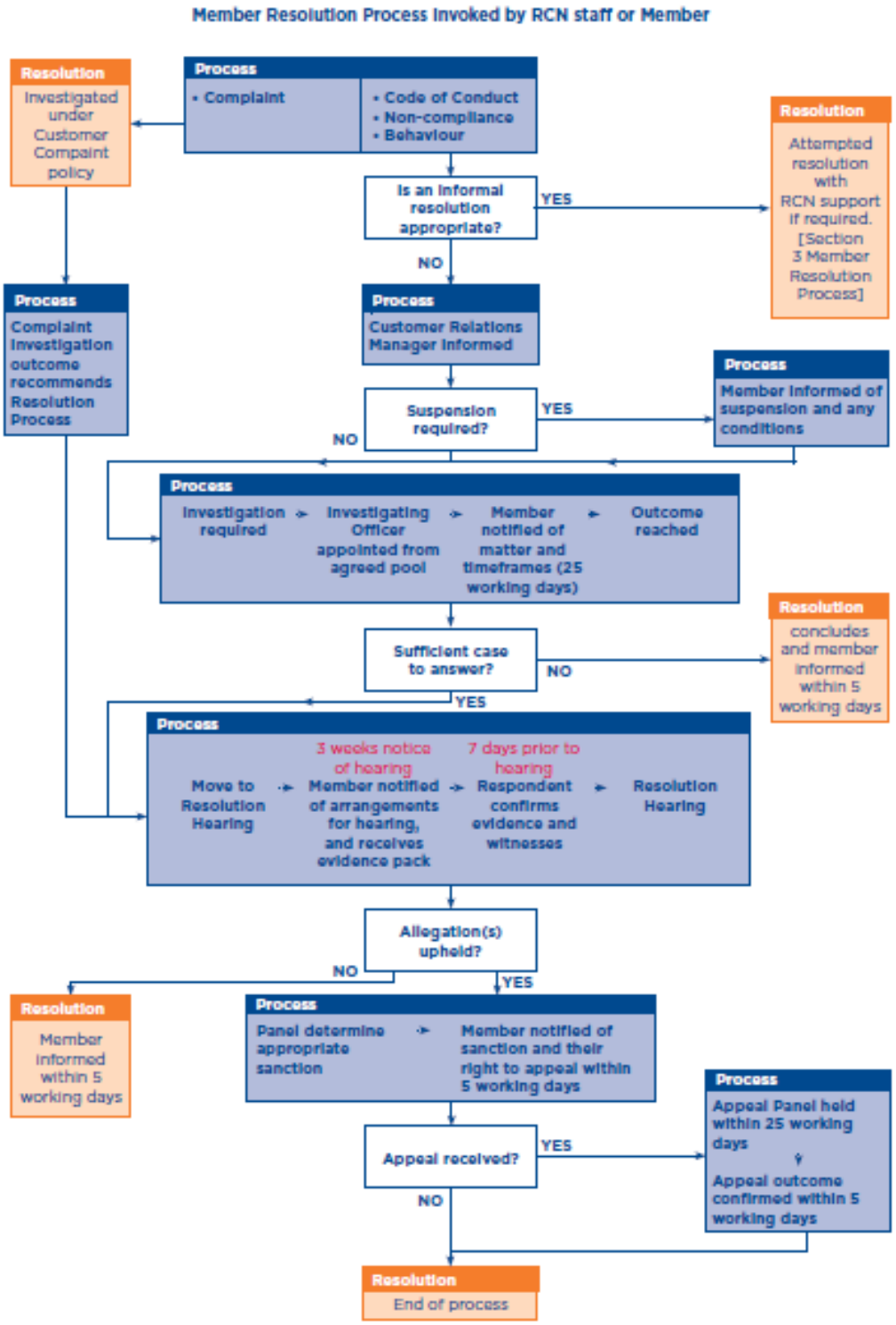
13 Impact Assessment Statement

13.1 This policy has been impact assessed in accordance with the Royal College of Nursing Impact Assessment Guide. It has been found to be neutral with regard to its impact upon specific equality groups.

14 Policy Review

14.1 It is the responsibility of Customer Relations Manager to monitor and review this policy, and to recommend any necessary changes to the Executive Team.

Appendix 1: Member Resolution Process



Appendix 2: Standards for Investigation

Standards for Investigation

The Investigating Officer will invite the member to an investigatory meeting in order to provide them with an opportunity to respond to any allegations.

During the investigation meeting, the member will be given every opportunity to respond to the allegations, to give his/her own account of events and/or to explain any mitigating circumstances.

Member has the right to representation during the investigation stage by an appropriate person as defined in 1.16 of the Member Resolution Policy.

The Investigating Officer will also:

- obtain statements and interview any witnesses in relation to the alleged misconduct issues;
- identify, obtain and review any additional documents which they consider may be relevant to the disciplinary case as relevant;
- collect and examine any relevant written records; and
- collect any other relevant documentation and supporting evidence from witnesses and any other individuals.

A copy of the statement made during the investigatory meetings will be provided to the interviewee who will be asked to validate and sign the statement as a true and accurate record of the information provided during the interview. Statements should be returned signed, with or without amendment, within five working days of the date received. Should a statement not be received within this timescale without reasonable explanation, the Investigating Officer will presume the interviewee does accept the notes as a true and accurate record of the information provided during the interview.

In exceptional circumstances (for example prolonged sickness), by mutual consent of the parties, a written statement may be obtained via correspondence rather than by interview. In this case, the Investigating Officer will send the member the questions to which a response is required.

Should the respondent raise a complaint about the complainant, the Resolution Panel will be informed, and may consider both matters at the hearing.

On completion of the investigation the Investigating Officer will produce a report setting out a recommendation of one or more of the following courses of action, along with the supporting evidence:

- no action to be taken
- recommend a course of training or development if appropriate
- recommend that there is sufficient case to answer and that the matter may be brought to a Resolution Hearing