**Terms of Reference**

These Terms of Reference relate to the allegations concerning EMPLOYEE NAME which have come to the attention of COMPANY. The objective of the investigation is to establish the facts in relation to the concerns raised.

The investigation will be managed by the Terms of Reference outlined below:

1. NAME AND ROLE TITLE OF EMPLOYEE APPOINTED AS THE INVESTIGATOR will conduct the investigation. They will be accompanied by a note taker, in accordance with the Company Disciplinary Policy.
2. The Terms of Reference will be provided to the parties involved.
3. This investigation relates to allegation(s) concerning:
   1. EMPLOYEE NAME
   2. Details of these allegations are outlined in the Invite to Investigation letter, sent on X date by NAME OF INVESTIGATOR
   3. These allegations relate to potential breach(es) of X (*provide a brief explanation including any policy that it is alleged to have been breached)*
4. In the interests of natural justice, the Employee will be furnished with a copy the alleged concerns, a copy of all information, reports, witness statements and any other available evidence relating to the allegations. The employee will be given an opportunity to respond / rebut the allegations made.
5. The Investigator will observe fair procedures when carrying out the investigation. The investigation will be carried out efficiently, and will seek to ensure that there are no unnecessary delays in the process. The investigation will aim to conclude within X working days or earlier if possible. This timeframe cannot be guaranteed as it is dependent on the availability of Employees, representatives and witnesses, should any be considered relevant in determining the facts and to be used as evidence.
6. Meetings will be held with all relevant parties as deemed essential by the Investigator in order to establish a thorough understanding of the facts. All parties shall be required to fully co-operate with the investigation and will be expected to engage fully with the investigation. Refusal or failure to co-operate with the investigation by any party will not prevent the Investigator issuing a Report based on the information available.
7. All parties, including witnesses, have the right to be accompanied by a colleague or Trade Union representative.
8. The need for confidentiality is crucial. This will be emphasised to all witnesses involved in the investigation. They will be required to keep all information regarding the investigation and matters relating to the investigation confidential, in so far as that is possible.
9. Any witness statements gathered will be provided to the employee who is the subject of the allegation(s), for their response prior to the conclusion of the investigation.
10. Following the investigation, the Investigator will consider all relevant evidence and test any contradictory evidence. The Investigator will draft their conclusions in a report based on the balance of probabilities, and one of the following conclusions will be reached:
    1. On the balance of probability the allegation(s) is/are upheld for reasons which are stated in the report; or
    2. That, on the balance of probability, the allegation(s) is/are not upheld for reasons which are stated in the report; or
    3. If the allegation(s) is/are withdrawn the Investigation Officer may, find there is ‘no case to answer’.