

Scouts Australia NSW - Confidential Investigation Report

This template report format/content is for guidance purposes only, and may be changed to reflect the individual circumstances/needs of a case.

CONFIDENTIAL INVESTIGATION REPORT	
Allegation/Issue	
Name/Designation of Leader subject to investigation	<Name, Scout title>
Name of complainant (if appropriate)	
Investigator(s)	<Name 1, Title, Region or State, <Name 2, Title, Region or State (if appropriate)>
Submitted to	<Name, Job title, contact number>

Background

- *Identify how the situation came to light (based on the factual information provided by the Assistant Chief Commissioner (Issues Management)- what, where, when, how and who witnessed the alleged events.*
- *What actions have already been taken prior to the investigation commencing; what communications have taken place.*
- *Provide brief details of the 'subject' of the investigation, their Scouting history, current role and how long held etc.*
- *Note if Leader is suspended and when, or if there are any specific changes to allow the investigation to take place i.e. substitute Leaders in place to run Pack or Troop meetings.*

Executive Summary

- *This should provide a brief summary of the main findings/conclusions., ie was the complaint found to be substantiated or not*
- *Summary of recommended outcomes*

Parameters of Investigation

- *Define parameters of investigation, i.e. what allegations/concerns were identified as in need of investigation (provide concise bullet points list of all allegations, that will be expanded upon in "Findings" section).*
- *State Policy or Code under which the investigation was carried out (eg Code of Conduct, Scout Promise and Law, causing Scouts breach of Privacy Policy, other,)*

Investigation Process

Explain how the investigation progressed, including reasons for decisions which were made and the direction the investigation went including:

- *A brief description of the method(s) used to gather information.*
- *Record what interviews/statements were undertaken (Appendix 1), when, and include transcript or notes off interviews within the bundled evidence*

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- *Details of the manner in which the Leader was informed of his / her right of a support person and obligations of confidentiality explained.*
- *If the investigator has not interviewed all individuals suggested by the 'subject' of the investigation the decision should be recorded in this section (including reasons e.g. character reference only).*
- *A timetable of events. (Detailing any delays in the investigations).*
- *What documents/evidence were reviewed (Appendix 2 Record of Evidence).*

Findings

Provide a summary of the findings and observations:

- *Present the findings separately for each point/allegation/issue of concern in turn, by confirming the facts established by the investigation, identifying the sequence of events, cross-referencing any documentation and highlighting any mitigating factors e.g. lack of procedural guidance, and any other actions / behaviours which may have compounded or aggravated the situation*
- *Avoid using vast extracts from statements - only quote directly from the statements where it is necessary. It is the preferred to analyse all the statements and draw out all corroborative evidence. Interviewees are not always articulate during interviews and the investigator should therefore use their own words to concisely convey the findings.*
- *If the evidence is inconclusive or there is no evidence to substantiate an allegation - say so. The Delegate wants to know whether there is any evidence to support the allegations - it is also the investigator's responsibility to explain how significant the evidence is - this should come across throughout the report.*
- *Note any specific actions that demonstrate a breach of policy or Code of Conduct/ Scout Promise and Law that did not meet those normally expected.*
- *Details of the response from the Leader the subject of the investigation to each of the issues.*
- *Ensure that you cover all the points.*

Conclusion

NOTE: *When reviewing the evidence, the Panel needs to aim to demonstrate a reasonable belief as to what happened, based on their assessment of the evidence available. The standard of proof these investigations or grievance meeting is based on the "balance of probabilities", i.e. that on the basis of the evidence it was more probable than not that the alleged misconduct was committed. Investigators are not required to demonstrate beyond reasonable doubt, unlike in criminal investigations, but do need to act reasonably on behalf of Scouts Australia NSW.*

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<ul style="list-style-type: none"> • <i>For each allegation/concern/issue provide an overall fact based opinion on a) whether there is any evidence to support the allegations and b) the strength of the evidence.</i> • <i>Support the conclusions with the strongest evidence without repeating the text in the main body of the report (where possible) - the conclusions should be clear and concise.</i> • <i>Identify the strengths and weaknesses in the evidence - emphasising the importance of any issues and where evidence can be open to different interpretation / scenarios.</i> • <i>Draw out key facts which demonstrate particular breaches of policy e.g. Code of Conduct, Harassment, Financial Regulations, service policies & procedures etc</i> ▪ <i>If there are any special circumstances/mitigating factors ensure that they are clear within the conclusions and it is important to explain their significance.</i> 	
Considerations	
<ul style="list-style-type: none"> • <i>List any mitigating factors that were taken into account in reaching recommendations as to outcomes, eg previous disciplinary history, provocation, length of membership.</i> 	
Recommendations	
<i>State recommended outcomes.</i>	
Appendices	
<ul style="list-style-type: none"> ▪ <i>People interviewed, Chronology of events; statements; investigatory interview notes; organisational structure; medical advice etc.</i> 	
Signed by Chair of Investigation Panel	
Date	

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Appendix 1:

The following table gives the names of the people who provided statements for this investigation.

Name	Adult Role	Reason	Date	Appendix

Appendix 2: Record of Evidence

Date	Item	Appendix
Investigation Statements		
Supporting Documentation		