

## 2.13 Protocol for Investigating Complaints Against Staff

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### Purpose

To establish a clear and fair process for investigating complaints against staff to ensure integrity and accountability within the City of Albany.

### Scope

This protocol applies to all employees, contractors, and volunteers within the City.

### Definitions

- **Complaint:** An allegation of misconduct or a concern about services provided by an employee.
- **Investigator:** A designated individual responsible for conducting the investigation.
- **Complainant:** The person who lodges the complaint.
- **Respondent:** The employee against whom the complaint is made.

### Procedure

#### A. Filing a Complaint

- **Submission:** Complaints can be submitted in writing, via email.
- **Acknowledgment:** The complaint will be acknowledged within 10 business days.

#### B. Preliminary Assessment

- **Initial Review:** The People & Culture & Governance & Risk Teams will conduct an initial review to determine if the complaint warrants a formal investigation.
- **Decision:** If an investigation is warranted, an investigator will be appointed.

#### C. Investigation Process

- **Investigation Plan:** The investigator will draft an investigation plan outlining the steps to be taken.
- **Gathering Evidence:** The investigator will collect relevant documents, interview witnesses, and gather other necessary evidence.
- **Confidentiality:** All parties involved must maintain confidentiality throughout the process.

#### D. Investigation Meetings

- **Interviews:** The investigator will conduct interviews with the complainant, respondent, and any witnesses.
- **Documentation:** All interviews and evidence collected will be documented.

## E. Reporting

- **Investigation Report:** The investigator will compile a report summarising the findings and recommendations.
- **Review:** The report will be reviewed by the People & Culture & Governance & Risk Teams and senior management (Executive Management Team).

## F. Outcome and Actions

- **Decision:** Based on the investigation report, a decision will be made regarding any disciplinary actions or corrective measures.
- **Communication:** The outcome will be communicated to the complainant and respondent.
- Any disciplinary action taken against a staff member will remain confidential. However, if warranted, the complainant will be advised that the respondent will be subject to disciplinary action, but not advised of what form that disciplinary action takes.

## G. Appeals

- There is no appeal process specific to this protocol. However, there are appeal processes available under other relevant legislation that may pertain to your complaint.

## 5. Record Keeping

All records related to the investigation will be securely stored and maintained for a minimum of 5 years.

## 6. Review and Updates

This protocol will be reviewed annually and updated as necessary to ensure its effectiveness.

## References

[1] **Guidelines on Conducting Investigations – Ombudsman Western Australia** Link: <https://www.ombudsman.wa.gov.au/Publications/Documents/guidelines/Binder-Conducting-Investigations.pdf>