



LAW

11 July 2024

### WORKPLACE INVESTIGATION REPORT

*Investigation into [Disclosure/Complaint] about conduct by [Subject Employee], which, if proven, may amount to misconduct*

**Report of** [Name of Investigator], Investigator, [Company]

**Investigation commenced:** [Date]

**Investigation completed:** [Date]

#### Background

[Summary of background and identity of workforce is necessary]

Name	Role	Duties

**BRISBANE**  
07 3077 6767  
Lobby Level 241 Adelaide Street  
Brisbane QLD 4000

**SYDNEY**  
02 8004 9569  
Level 24 300 Bangaroo Ave  
Sydney NSW 2000

**MELBOURNE**  
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Level 23 727 Collins Street  
Melbourne VIC 4000

**PERTH**  
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### Disclosure of Information/Complaint

On [date], an incident/complaint [how complaint or disclosure came about].

[Summary of Complaint/Disclosure].

### Suspension and Investigation

On [date], [Employer] appointed me to conduct a confidential workplace investigation into the [Complaint/Disclosure].

After interviewing [Complainant or Discloser] and reading the [any documents produced by Complainant or Discloser], I identified the Allegations and Particulars set out in **Annexure A** to this report.

### Investigation Methodology

I reviewed the following documents:

Date of Document	Document Description

I interviewed the following witnesses:

Date	Witness Name	Role in Investigation

### Evidence, Analysis and Findings

A summary and analysis of the evidence is set out in **Annexure B**.

[Observations re witness, evidence and any findings of credit]

[Identify any material not considered relevant]

An allegation was substantiated if there was **sufficient evidence** that it is more likely than not, **on the balance of probabilities**, that the conduct complained of occurred.

When determining whether evidence is **sufficient evidence**, I weighed the seriousness of the allegation against the weight of the available evidence. The more serious the allegation the greater the weight of evidence required to substantiate it.<sup>1</sup>

In summary, I made the following findings in relation to the event particulars:

Allegation	Finding
1	The available evidence does not support a finding that it is more likely than not, on the balance of probabilities, that the conduct complained of occurred. <b>The allegation is unsubstantiated.</b>
2	The available evidence does not support a finding that it is more likely than not, on the balance of probabilities, that the conduct complained of occurred. <b>The allegation is unsubstantiated.</b>
3	The available evidence does not support a finding that it is more likely than not, on the balance of probabilities, that the conduct complained of occurred. <b>The allegation is unsubstantiated.</b>
4	The available evidence does support a finding that it is more likely than not, on the balance of probabilities, that the conduct complained of occurred. <b>The allegation is substantiated.</b>

### Conclusions & Recommendations

1. [Employer] should consider whether the substantiated conduct and proven allegations amount to misconduct, and if so, what, if any, disciplinary action should be taken against [Subject Employee].
- 2.

Yours faithfully

[Name], Investigator, [Company]

<sup>1</sup> In doing so I applied the test commonly referred to as the *Briginshaw Test*, based on the High Court Decision in *Briginshaw v Briginshaw (1983) 60 CLE 336*

**Annexure A**

Allegation	Particulars
1	
2	
3	
4	
5	
6	

**Annexure B – Evidence Matrix**

Allegation	Complainant Evidence	Witness Evidence	Subject Employee Response	Analysis	Finding