

FAQ's – Taking part in an Investigation under the Staff Sexual Misconduct and Sexual Harassment Policy: *Individual subject to allegations (Responding Party)*

We have compiled some frequently asked questions that you may find helpful if you have been invited to attend an investigation meeting under the [Staff Sexual Misconduct and Sexual Harassment Policy](#).

If you have further questions that are not covered below, please do not hesitate to contact your People Partner who will be able to offer further advice and guidance.

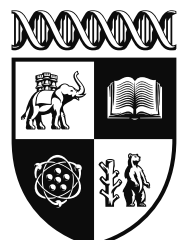
Allegations

I have been notified of an allegation against me, and I have been invited to attend an investigation, but I do not agree with the allegation. What do I do?

The investigation meeting will be an important opportunity for you to be able to explain your position and point of view, and so you are strongly encouraged to attend the meeting. If you have any documents or evidence that you feel would be helpful for the Investigating Officer to take into consideration, you are able to share this information either before, during, or following your meeting. Any mitigation you provide will be taken into account in considering whether any further action is necessary under the policy.

What have my colleagues been told?

Details of the allegations and investigation are only shared with individuals who are involved in the process. It is expected that all parties will be sensitive to the nature of such proceedings, including matters discussed and any evidence provided. Breach of confidence, on either side, may compromise the integrity of the procedure and may itself be subject to disciplinary action. This does not stop individuals from seeking appropriate advice, support and information in relation to the case, such as from their Trade Union representative or their nominated workplace companion. Unless your colleagues have been asked to participate as a witness, they should not have been told anything about the case.



Investigation process

I do not believe that the appointed Investigating Officer is impartial, or I believe others involved in the process may have a conflict of interest. How do I share my concerns?

If you believe that the Investigating Officer assigned to your case has a conflict of interest, you should raise this with the People Partner at the earliest opportunity, explaining what your concerns are and any proposals you wish to be considered. Please note that whilst your concerns will be listened to and considered, it is decision of the University as to whom is appointed as Investigating Officer.

If you have concerns about other individual's involvement you can speak to the People Partner. If you do not feel able to do so, your alternative point of contact is the Head of People Partnering and Advisory, and details of post holders can be found here: [People Team Contacts](#)

What should I do if I forget to mention something in the investigation meeting?

We understand that the investigation meetings can feel stressful. If something comes to mind after the investigation meeting, you are welcome to add this as an addendum to the notes from your meeting. Alternatively, you can email your additional comments or documents directly to Investigation Officer, copying in the People Partner, or send directly to the People Partner who will ensure that these are shared with the Investigating Officer.

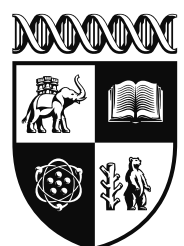
I am concerned that the notes from the meeting don't accurately reflect the conversation, and I am not happy to sign them.

You are welcome to take your own notes at the meeting, but the official record of the discussion will be that which is taken by the University notetaker. These notes will be shared with you following the meeting, so that you have an opportunity to review and correct any errors, using track changes. However, you will not normally be able to remove anything from the record that was discussed and accurately recorded. In the case that you disagree with the notes, the Investigating Officer may agree to append two versions of the notes to the final investigation report.

What happens after the meeting?

After the Investigating Officer has met with all parties, they will compile a written report outlining the findings of the investigation. This will be reviewed by the Disciplinary Review Group (DRG), who will decide whether there is sufficient evidence for the matter to be considered at a disciplinary hearing.

You will receive a letter confirming the outcome and advising on any next steps.



Right to be accompanied

Who can accompany me?

You are welcome to be accompanied at the meeting by one of the following:

- a. a Liaison Officer from the [Report and Support Team](#).
- b. a University of Warwick work colleague
- c. a Trade Union representative or an official employed by the Trade Union. You can find further information on Trade Unions at the University of Warwick here: [Trade Union Support with a Workplace Issue](#).
- d. an Independent Sexual Violence Adviser.

My chosen companion is unable to make the scheduled meeting. What are my options?

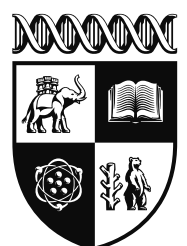
Every effort should be made to attend the scheduled investigation meeting; however, we understand that there will be occasions where this is not possible due to prior commitments. If your chosen companion cannot attend the meeting, and another Union representative / work colleague is unavailable, you should advise the People Partner as soon as possible so that consideration can be given as to whether the investigation meeting can be rescheduled.

Normally, a rescheduled meeting will be offered within 7 calendar days of the original date, unless this is not reasonably practicable. Availability of a work colleague, Trade Union representative or other permitted companion should not cause unreasonable delay, and you may be asked to identify an alternative representative in the event of delay of more than 7 calendar days.

I would like my colleague to support me at the meeting, but I have been advised that they are not able to because of a perceived conflict of interest. What can I do?

There may be circumstances where you will be asked to choose an alternative colleague or representative in order to preserve the integrity of the investigation, for example, where your chosen colleague has been asked to attend an investigation meeting as a witness. If this happens, you are welcome to approach another work colleague or a Trade Union representative to accompany you. If you are experiencing difficulties in identifying a work colleague, representative or other companion to accompany you at the meeting, please contact your People Partner who can offer advice.

Outcome



Will I be dismissed?

If after investigation the matter proceeds to a disciplinary hearing, there are a number of possible outcomes or sanctions:

- Dismissal - The University considers all allegations of Sexual Misconduct as serious breaches of discipline, which could potentially lead to dismissal for a first offence.
- Final Written Warning
- First Written Warning
- No Further Action - If there is insufficient evidence to support the allegations of Sexual Misconduct no sanction will be issued

Further details can be found in Section 6.7.8 of the Disciplinary Policy.

What will the reporting party be told?

The reporting party will be informed of the decision made by the Disciplinary Review Group and the next steps. They will also receive a copy of the Investigating Officer's report, which will include the notes from your investigation meeting. In certain circumstances, such as situations where sharing full details might negatively affect those involved some information may be redacted to protect the wellbeing of the parties.

If the matter proceeds to a disciplinary hearing, the reporting party will be given the option to attend and will be advised on the outcome.

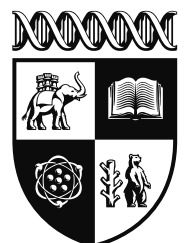
Support

I have been notified about the allegation against me. I feel worried and don't know where to access support.

We understand that being involved in a sexual misconduct investigation can be a worrying and stressful time. The investigation itself is designed to ensure that all the facts related to the allegation are gathered, and that anyone who may have knowledge on events relating to the allegation has the opportunity to share any pertinent information so that this can be considered when deciding if any further action is necessary under the policy.

In addition to talking to the People Partner named in the correspondence regarding the investigation, you can access the following forms of support:

- **Report and Support:** [Report + Support - University of Warwick](#). For further information, please see the next question.
- **Trade Union support:** [Trade Union Support with a Workplace Issue](#).
Employee Assistance Programme: [Employee Assistance Programme](#)
Wellbeing Hub: [Staff | Wellbeing & Wellbeing Support](#)



Can I approach Report and Support for assistance with my case?

Yes, Report and Support can offer assistance if you have been notified of allegations relating to sexual misconduct made against you. They will assign you a Liaison Officer who can accompany you to the investigation meeting if you wish.

Further details on Report and Support can be found here: [Report + Support](#)

