



## FACT SHEET



# Disciplinary Processes

## Interview

### Prior to the Interview

The investigator should write to the member

- Detailing the nature of the allegations. This includes giving sufficient details to enable an accurate response such as the time, date and location of the allegation.
- Advising the time and place of the proposed interview – at least 24 hours' notice must be given.
- Advising that the member may bring any written submissions of other documents that may assist you.
- Advising that a support person (not a legal practitioner) may be brought to the interview.

### The conduct of the Interview

- The interview may be recorded but only with the knowledge of the member.
- A copy of the interview (both audio and transcribed) will be made available usually 7 days after the interview for you to review and make any corrections.
- The investigator will put each of the allegations to you and request your response to them.
- You have a right to be able to request the interview be halted to allow for you and your support person to have a private discussion
- The role of the support person is as a witness and to ensure that the interview is conducted in accordance with procedural fairness

### During the Interview

#### The member should

- Listen carefully to the questions asked and restrict the response to that question.





## FACT SHEET



- Avoid bringing up other matters or pre-empting what the investigator is leading up to. Try and answer questions as simply and directly as possible.
- Avoid making disparaging remarks about other staff or the agency or comparing their treatment to the treatment of others. It is important to come across as professional, calm and straightforward
- Ask for any question to be repeated or ask the investigator to re-phrase the question if a question is not understood.
- Not guess or speculate. If the member does not know this should be said.
- Say that they do not recall if asked about a matter that occurred some time ago.
- Insist on the right to be able to fully respond to each of the allegations.
- Insist on and make good use of the opportunity at the end of the interview to add anything that assists in their matter that may not have been covered in the questions. If appropriate it is also a good time to explain any mitigating circumstances.

### End of the interview

#### The member

- Should be advised that any written submissions can be provided to the investigator (usually 7 days) from the date of the interview.
- Should be advised that when the investigation is completed a report will be prepared for the decision maker and of the notification in writing of the outcome.
- Should be advised by the interviewer of the agency contact if there are complaints about the conduct and content of the interview.

### After the interview

#### The member

- Should meet with the support person and compare notes & debrief.
- Should provide any requested documents to the interviewer as soon as possible.
- Should prepare any written submissions to make to the investigator If appropriate.



## FACT SHEET



- Should maintain confidentiality of this matter and under no circumstances discuss it with people who are involved or potential witness. Discussions should only occur with a support person or (union) representative.