

## **Appendix 2**

### **Procedural Guidelines for the Investigator**

The Investigator shall adopt and follow procedures consistent with these Procedural Guidelines.

- i. The Investigator will normally acknowledge receipt of the formal complaint within 7 working days of receipt of it. If further information is required to consider the complaint, the Investigator will request this in writing from the Complainant.
- ii. The Investigator will ask the Head of Unit, where applicable, to outline his/her own response to the complaint, including what steps were proposed to resolve the complaint, if any.
- iii. The Investigator will, within 7 working days of receipt of the formal complaint and all relevant documentation, notify the Respondent and Complainant, as appropriate that a formal complaint has been received and will furnish a copy of the complaint and any relevant documentation to both Parties. The Investigator will request a response in writing from the Respondent.
- iv. The Investigator will, in his/her absolute discretion, carry out the investigation in such manner as s/he deems appropriate to the circumstances of the case, having regard to fairness and due process.
- v. The Investigator may decide in his/her sole discretion whether the complaint can be dealt with by way of signed witness statements and/or orally and shall also decide in his/her sole discretion who s/he deems relevant to seek a signed written statement from and/or interview.
- vi. Should the Investigator decide to proceed to a meeting, the Investigator shall as soon as practicable and usually not later than 5 working days before the date of the meeting, provide the Parties with copies of all relevant materials.
- vii. If the Investigator decides to arrange meeting(s), these will normally take place at the University at dates and times notified by the Investigator in writing to the Parties and relevant witnesses/persons. As much notice as possible will be given, but discretion will be reserved to the Investigator who will exercise this discretion dependent upon the circumstances being investigated and the urgency of the complaint.
- viii. The Investigator will advise the Parties of the names of any persons s/he intends to invite to a meeting and will furnish a copy of any statement obtained from the said person(s) and to be referred to at the meeting.
- ix. If the Parties wish to provide documents to the Investigator, they will supply copies of such documents to the Investigator not later than 5 working days before the hearing and s/he shall also furnish one set of such documents to the other party as soon as possible. The Investigator may at his/her discretion allow time to examine documents by adjourning the meeting.
- x. Each Party may be accompanied by one other person to provide support at meetings with the Investigator; this may be a tutor, student advisor or Student Union representative in the case of a Student and in the case of a Respondent by a staff representative.
- xi. Where the Parties choose to be accompanied at a meeting with the Investigator, they will notify the Investigator of the name and address of the person

accompanying him/her not less than 24 hours prior to the meeting with the Investigator.

- xii. At meetings where the Parties are both present and/or others are present, the Parties may be permitted to put questions to each other and/or other persons present but, for the avoidance of any doubt, such questions will be put through the Investigator, who will ask any such questions and who will have the sole discretion to decide whether to put the questions or not.
- xiii. Unless the Investigator has agreed otherwise, should the Parties and/or relevant witnesses/persons fail without a good reason to attend the meeting, the Investigator may proceed to deal with the matter in their absence.
- xiv. The Investigator will be given absolute discretion to regulate his/her own procedures subject to keeping within the spirit and general limit of these Procedural Guidelines.
- xv. The Investigator will normally complete his/her investigation within 20 working days of meeting the parties and/or receipt of all relevant documentation.
- xvi. The investigation will be conducted in a timely manner and shall be brought to a conclusion with the minimum of delay.
- xvii. The Investigator shall be entitled to consult or seek such advice as s/he deems appropriate and shall ensure that both student and staff perspectives are taken into consideration.
- xviii. Once the investigation is complete, the investigator shall submit a report to the Head of School/College. This shall include a summary of the complaint, the findings of the investigation and recommendations, if any.