

OUR INVESTIGATION PROCESS

At Falcongate we believe that having a consistent and high-quality process for our investigations serves our clients, complainants and respondents well to create a fair, and transparent process. Our process involves the following steps for each investigation. There are five principles that are critical to successful investigations.

Fairness: It is critical to use procedural fairness in all investigations. (Supreme Court of Canada: (Nicholson v. Haldimand Norfolk (Regional) Police Commissioners, [1979] 1 S.C.R. 311)

Accuracy: It is important that acquired information and evidence be accurate. As such, we record all important interviews to enhance clarity and accuracy.

Trauma- Informed: Often people involved in an investigation have experienced a trauma or are at risk for trauma and may also experience disruptive personal and workplace consequences. Our procedures always involve trauma-informed practices to reduce stress associated with investigations.

Unbiased: Bias must be guarded against during the entire process. We have procedures involved that reduce risk of bias (e.g., multiple investigators with different professional backgrounds, training and gender).

Prompt and Transparent: Given the serious implications an investigation can have on all parties, we endeavour to investigate and complete the report in a timely manner.

THE PROCESS

1. We begin with a meeting with the client to understand the mandate and scope of the investigation. A contract is established to articulate the mandate, scope, process and fees.
2. We ensure that the employer has taken the appropriate steps at their intake of the complainant such as informing the complaint and respondent.
3. We establish the investigative strategy.
4. All pertinent organizational policies and procedures are obtained.
5. Written, informed consent is obtained from all interviewees that speaks to the purpose and method of the investigation, privacy/confidentiality, our role as external investigators, and the process of the procedures.
6. Evidence pertinent to the complaint is obtained from the employer, complainant, witnesses, and respondents via interviews, statements, and requests for other information such as documents, emails, photographs, etc. Evidence may also be gathered with site visits
7. An analysis of the witness credibility, facts and evidence is conducted to establish whether the data supports the allegations.
8. A report is produced that covers all aspects of the investigation including an introduction, allegations, laws and policy pertinent to the allegations, our methodology, facts in agreement or dispute, the position statements from the complainant and respondent, our findings and proposed recommendations for remediation.