



8 Tips for Interviewing the Reporter

by Meric Craig Bloch



When a company receives a report of wrongdoing, the reporter is usually the first person the investigator interviews. Interviewing the reporter has some similarities to interviewing other witnesses, but it also has some important differences. The following eight tips will help you get the most from your initial interview.

Get as much detailed information as possible about the report. Ask for specific facts, actions taken so far, and ask him or her to identify company employees who may need to be interviewed. The reporter's information is used to decide whether an investigation is needed. Therefore, determine the basis of the reporter's information. How does the reporter know the facts are accurate? Is the information first-hand or hearsay? Also, corroborating the reporter's information is critical. Ask where you can look or to whom you can speak in order to verify that the information is accurate.

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Obtain specific facts, and don't settle for conclusory words like "harassment" or "discrimination." The reporter may incorrectly use words freighted with legal or emotional meanings. He or she may use those words without understanding them, to give the report some heft, or to lay the foundation for a legal claim.

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Ask what steps the reporter has already taken to resolve the matter. Other internal departments may have tried to address the matter, or may have made statements that could be seen as an admission of liability. Others may have inadvertently compounded the problem by taking well intentioned, but inadequate, steps.

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Find out as much as you can about the relationship between the reporter and the person against whom the allegation was made. The reporter may have motives. Not every motive undermines a report, but don't assume the reporter made the report solely out of good corporate citizenship.

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Do not offer any opinions to the reporter about whether you believe the allegations are correct. Remind the reporter that you are just gathering information at this stage. The reporter likely seeks validation for his or her feelings and might misunderstand your solicitousness as agreement.

6

Instruct the reporter to take no further action without discussing it with you first. You need to maintain the status quo without facts changing as you are trying to determine what happened. However aggrieved the reporter may feel, establish your authority to control his or her actions related to the reported incident, as these might affect your investigation.

7

Advise the reporter to contact you immediately if he or she believes that someone is retaliating against him or her for making the report to your company.



Manage the reporter's expectations now. Don't let the reporter walk away from your conversation believing that you may do something you know from the outset you will not do. Disappoint the reporter now, not later when it will appear that you are whitewashing the investigation findings to protect management. Explain the steps in the investigation process, including estimated time frames. Remind the reporter that you may have additional questions or information requests. Obtain contact information from the reporter.

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