

How to Choose an Investigator

for a Workplace Investigation



The best person to conduct an internal investigation isn't always the next available company investigator. Different investigations require different skill sets and circumstances sometimes require the services of an outside resource.

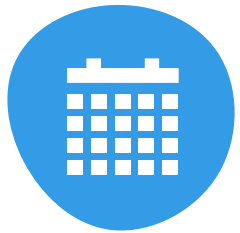
When choosing an investigator, the focus should always be getting the right people with the right skills and knowledge. But there are other considerations to be weighed.

Here are five elements to consider when choosing an internal investigator for a workplace investigation.



Skills & Experience

A serious allegation of fraud or embezzlement may require specialized forensic investigation skills. A sexual harassment accusation may require an investigator with sensitivity training or experience with workplace harassment investigations. Consider all of these.



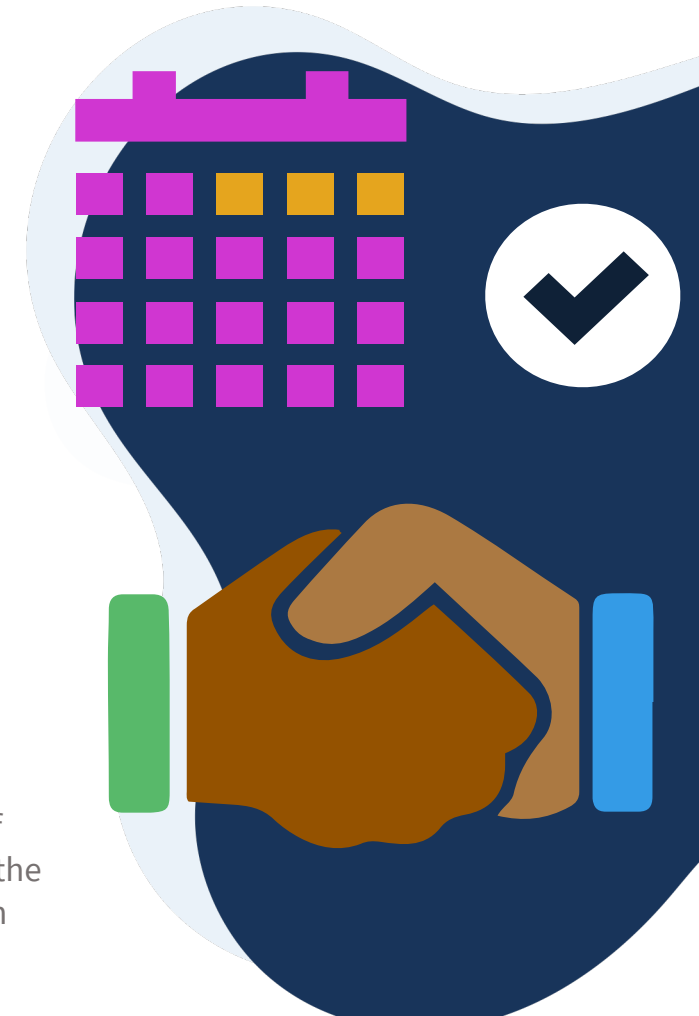
Availability

Investigations should be undertaken quickly to ensure fair treatment of the person being investigated. Delays due to lack of resources can have a negative impact on the whole process. Sometimes the best investigator for the job isn't available, and this may require that you choose your next best option.



High-Level Subject

It may not be appropriate for an internal investigator to conduct an investigation of high-level staff members. If an investigator's job could be impacted by conducting the investigation, choose a different investigator. In these cases it's often best to use an external investigator with no ties to the company or person being investigated.





Objectivity

An internal investigator must be able to investigate a case objectively, and this means that he or she cannot have a vested interest in the outcome. If there's any question that a particular investigator may be impacted by the outcome of the investigation, it's best to find another investigator, no matter how well the internal investigator's skills and experience fit the case. It's important to avoid even the appearance of bias to preserve the integrity of the investigation and its outcome.



Work Relationships

Along the same lines, it's a terrible idea to choose an investigator who has any type of relationship with the subject. Even the most benign working relationship can color the investigator's perspective, no matter how hard he or she tries to be objective. One solution is to assign an investigator from a different division of the company, who has no knowledge of the subject. In small companies this can be a challenge and it's often best to bring in an outside investigator with no ties to, or knowledge of, the subject of the investigation.



Specialization

Some investigations require the services of an investigator with a high level of specialization in a particular area. Serious cybercrime, for example, may require an investigator with very specific skills and knowledge and which may only be available through outsourcing. Some investigations may require a understanding of a particular area of law, and this may necessitate choosing an investigator who is also a lawyer.

