

GUIDELINES FOR THE PREPARATION OF WITNESS STATEMENTS FOR USE IN DISCIPLINARY PROCEEDINGS

PART A: GENERAL GUIDELINES

I. Introduction to Witness Statements

- 1) A witness statement is a formal document that provides an account of events, observations, or interactions relevant to a workplace disciplinary investigation. It serves as crucial evidence in determining whether misconduct has occurred and assists decision-makers in ensuring a fair and transparent disciplinary process.
- 2) Witness statements are typically used in cases involving:
 - Employee misconduct or policy breaches
 - Harassment, bullying, or discrimination allegations
 - Workplace conflicts or grievances
 - Health and safety violations
 - Fraud, theft, or other unethical behavior

II. Purpose of a Witness Statement

- 3) The primary objectives of a witness statement in disciplinary proceedings are:
 - To provide a firsthand, factual account of an incident or issue.
 - To help corroborate or refute allegations made against an employee.
 - To assist in ensuring a fair and impartial disciplinary process.
 - To serve as evidence if required for legal or tribunal hearings.
 - To allow the employee being charged to know the exact allegations and evidence against him/her to prepare his/her defence.

A well-prepared witness statement contributes to a balanced assessment of the case and helps avoid misrepresentation or bias in disciplinary decisions.

III. Who Can Provide a Witness Statement?

- 4) A witness statement can be given by:
 - Employees who directly observed or were involved in the incident.
 - Supervisors or managers responsible for overseeing workplace conduct.
 - External individuals (e.g., clients, vendors) if relevant to the incident.
 - Human Resources (HR) personnel or other officers conducting investigations, including Internal Auditors collecting evidence.
 - Only those with direct knowledge of events should provide statements, ensuring accuracy and reliability.
- 5) Where the witness statement is written by someone else other than the witness, the witness statement must be read over to the witness, or the witness must read over the statement and demonstrate agreement with its contents by signing same.

IV. Key Principles for Writing a Witness Statement

6) To ensure clarity and credibility, a witness statement should adhere to the following principles:

a) Objectivity & Accuracy

- Stick to the facts and avoid personal opinions or assumptions.
- Do not exaggerate or speculate—only describe what was directly seen, heard, or experienced.

b) Chronological & Structured Approach

- Clearly outline events in the order they occurred.
- Use specific dates, times, and locations whenever possible.
- Avoid vague terms like "a while ago" or "recently"—instead, use precise references such as "on [date] at approximately [time]."

c) Professional & Formal Tone

- Use clear, concise, and formal language.
- Avoid slang, jargon, or emotional expressions.
- Use the first-person perspective ("I saw...", "I heard...") to ensure clarity.

d) Confidentiality & Compliance

- The statement should be treated as a confidential document.
- Avoid sharing details with colleagues or external parties to maintain integrity in the investigation.
- Ensure compliance with company policies and employment laws when drafting the statement.
- Signing and dating the witness statement.

V. Common Mistakes to Avoid in a Witness Statement

- Including hearsay: Stick to what was personally witnessed (i.e. what the witness saw or heard) rather than what was told by others. (For e.g. "I saw when he entered the room", and not "John told me Mark entered the room").
- Providing opinions rather than facts: Avoid judgmental language or personal biases.
- Omitting crucial details: Ensure all relevant information is included to provide a complete picture.
- Failing to proofread: Spelling or grammatical errors can affect credibility.

VI. Submission & Use of Witness Statements

- Once completed, the statement should be signed and dated by the witness.

- Statements may be submitted to HR, legal representatives, or disciplinary committees for review.
- The witness may be called upon to clarify details or provide further testimony if required during proceedings.
- The witness statement should not be used for any other purpose than which it was intended.

PART B: PREPARING WITNESS STATEMENTS

I. Instructions for Preparing a Witness Statement

A **witness statement** is a formal document providing a factual account of events relevant to a disciplinary investigation. It should be **accurate, objective, and detailed**. Witnesses must **only include information they have directly observed or experienced**.

General Guidelines

1. **Be Truthful & Objective:** Do not include opinions, assumptions, or speculation.
2. **Be Specific:** Include dates, times, locations, and names where possible.
3. **Use Clear & Formal Language:** Avoid jargon, abbreviations, or casual expressions.
4. **Use First-Person Perspective:** Write as "I observed..." or "I was present when..."
5. **Chronological Order:** Present events in the order they occurred.
6. **Attach Supporting Evidence:** If available, refer to emails, messages, CCTV footage, or other documentation.
7. **Sign & Date the Statement:** To confirm authenticity.

Witness Statement

1. Witness Details

- Full Name: _____
- Job Title/Position: _____
- Department: _____
- Contact Information: _____

2. Statement Header

- Case Reference (if applicable): _____
- Name of Employee Under Investigation: _____
- Date of Incident: _____

3. Statement Introduction

- *"I, [Full Name], make this statement of my own free will, and the information provided is true to the best of my knowledge and belief. I understand that this statement may be used as evidence in disciplinary proceedings."*

4. Details of the Incident

- **Date & Time of Incident:** (e.g., "On [date] at approximately [time]...")
- **Location:** (e.g., "The incident occurred in [specific workplace area].")
- **Persons Involved:** (List names and roles, if known)
- **Description of Events** (chronologically presented, including quoting exactly what was said or done)
- **Actions Taken:** (e.g., "I reported the matter to [Manager/Supervisor] at [time].")
- **Witnesses (if any):** (Provide names and contact details, if possible)

5. Supporting Evidence (If Applicable)

- Mention any available evidence (CCTV footage, emails, documents, etc.)
- State how the evidence was obtained and whether it has been submitted.

6. Closing Statement

- *"I declare that the information provided in this statement is accurate and complete to the best of my knowledge. I understand that providing false or misleading information may have legal or disciplinary consequences."*

7. Signature & Date

- **Witness Signature:** _____
- **Date:** _____

Additional Notes

- Witnesses may be called upon to **clarify** or **expand** their statement during the investigation.
- Statements should be submitted in a **timely manner** to assist with the disciplinary process.
- If the witness feels uncomfortable providing certain details, they should seek guidance from the Human Resource Unit or Legal Unit before submission.