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Quick reference: a desk guide for active matters

POSH INVESTIGATION TIMELINE · QUICK REFERENCE GUIDE

EVERY STEP, AGAINST THE CLOCK.

The statutory milestones under the PoSH Act, 2013 and the 2013 Rules, with the record each one should leave in the case file. Where a deadline is missed, the file should show why.

STAGE	TIMEFRAME	PROVISION	WHAT THE FILE SHOULD SHOW
Complaint filed	**Within 3 months of the incident (or the last in a series). The IC may extend by a further 3 months, recording its reasons in writing.**	Sec. 9(1)	Date received, written acknowledgement, limitation check and any extension reasons.
Copy sent to respondent	**Within 7 working days of receiving the complaint.**	Rule 7(2)	Dated covering notice and proof of delivery.
Respondent's reply	**Within 10 working days of receiving the copy, with documents and witness names.**	Rule 7(3)	Reply received, date stamped; any extension request and decision.
Conciliation	**Before the inquiry begins, only at the complainant's written request. No monetary settlement.**	Sec. 10	Written request, settlement terms, copies to both parties.
Interim relief	**At any point while the inquiry is pending, on the complainant's written request.**	Sec. 12, Rule 8	Request, IC recommendation (even if declined), employer action.
Ex parte inquiry	**After 3 consecutive missed hearings without sufficient cause, and only with 15 days' written notice, the IC may end the inquiry or decide ex parte.**	Rule 7(5)	Hearing notices, attendance record, the 15-day notice.
Inquiry completed	**Within 90 days.**	Sec. 11(4)	Timeline sheet showing every step against the clock.
Report to employer	**Within 10 days of completing the inquiry, and made available to both parties.**	Sec. 13(1)	Signed report, dates it was issued to the employer and parties.
Employer acts	**Within 60 days of receiving the report.**	Sec. 13(4)	Action taken, dates, and communication to the parties.
Appeal window	**Within 90 days of the recommendations.**	Sec. 18	Date recommendations were communicated; any appeal notice.
Annual reporting	**IC annual report to the employer and District Officer; case numbers in the employer's annual report.**	Sec. 21–22, Rule 14	Report filed, acknowledgement, consistency with other disclosures.

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Process checkpoints

The requirements that sit alongside the timelines – and where challenges most often start.

Running the inquiry

- **Quorum:** at least three members, including the Presiding Officer, at every hearing (Rule 7(7)).
- **Natural justice:** each party sees the other's statements and can respond (Rule 7(4)).
- **No lawyers:** parties cannot be represented by a legal practitioner (Rule 7(6)).
- **Service rules:** where they apply to the respondent, the inquiry follows them (Sec. 11(1)).
- **Conflicts:** every member screened before the first step, on the record.

Keeping the record

- A timeline sheet, updated at every step – not reconstructed later.
- Notices, with dates and proof of delivery.
- Proceeding sheets and statements, signed by the parties and IC members.
- Findings that state the standard of proof and the reasons for credibility assessments.
- **Confidentiality:** identities and proceedings not made public (Sec. 16), with safeguards documented.

Counting days. The Rules set the 7- and 10-day periods in working days. Record the date each step starts and ends, so anyone reviewing the file can check the count without asking you.

Every step on time. Every step on the record.

Not sure your most recent case file would hold up? Book a complimentary 20-minute Defensibility Review at worqsense.com/resources.html. Independent investigations to an AWI-aligned standard. Internal Committee and GRC training, with investigative interviewing delivered in partnership with IMS Australia. Governance support, from External Member services to annual IC report quality assurance.

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This guide summarises the PoSH Act, 2013 and the Sexual Harassment of Women at Workplace Rules, 2013 for quick reference. It is not legal advice. Service rules, sector-specific rules, and later court decisions may affect how these provisions apply to a specific matter.