

## **POLICY TITLE**

Suspension Procedure

## **REVISION DATE**

September 2020

## **REPLACES POLICY**

May 2018

## **POLICY AIM**

The aim of the suspension policy is to clarify the reason, processes and purpose for suspending employees.

## **EXECUTIVE SUMMARY**

The main points of this policy are to ensure that:

- Staff are aware of the guidelines and procedures imposed in this policy.
- Staff are aware that suspension is neither disciplinary action nor an indication of guilt.
- Suspension should be used as a last resort in cases of known or suspected gross misconduct or if the relationship between the employer and employee has broken down or if there is a risk to property or other people.
- Suspension allows an objective investigation of an incident to be carried out, before disciplinary action, if any, is taken.
- Suspension is not used as a sanction before disciplinary action.
- Any decision to suspend an employee must be reasonable in all the circumstances and must not be discriminate on grounds of age, race, sex, disability, sexual orientation or religion or belief.

## **WHO IS AFFECTED BY THE POLICY?**

This policy applies to all employees of Skegness Town Council.

## **POLICY STATEMENT**

Skegness Town Council recognises the value of its staff and aims to put policies in place to ensure that they are treated fairly and consistently.

## **PROCEDURE**

### **What is suspension?**

‘The definition of suspension is a period of uncertainty or temporary cessation of a right until further information is available.’

Suspension is likely to be appropriate:

- in cases of known, or suspected, gross misconduct, in which case it is usually prudent to ask the employee to leave the premises at once and to stay away until called back to the workplace for a hearing. Gross misconduct could include but is not limited to:
  - theft
  - fraud
  - serious bullying and harassment
  - misuse of the organisation's property
  - deliberate or flagrant failure to follow the organisation's procedures
  - bringing the employer into serious disrepute.
- if it is thought that the employee's continued presence in the workplace could create risks to the employer's property or in respect of the employer's responsibilities to other parties
- if the integrity of an investigation may be undermined by the accused employee continuing to work with witnesses.

Skegness Town Council ensures any decision to suspend an employee must be as objective as possible. Skegness Town Council is committed to ensure that suspension is used as a last resort and that suspension is not disciplinary action nor an indication of guilt but a procedure to ensure an objective investigation of an incident can be carried out, before disciplinary action, if any, is taken.

Suspension, however, is stressful for the individual and has a stigma attached to it. Therefore, Skegness Town Council ensures provisions are available regarding counseling services to support them if required.

Skegness Town Council are committed to ensure any decision to suspend an employee must not discriminate on grounds of age, race, sex, disability, sexual orientation, gender reassignment, marital or civil partnership status, religion or belief.

### **Points to Consider Before Suspending**

Before considering suspending staff the manager must conduct a small investigation to ascertain the preliminary facts of the matter. Before making the decision to suspend the following points must be considered and documented by the Town Clerk or where the Town Clerk is to be suspended by the Chairman of the HR Committee.

- What pre-investigation has been carried out by whom and over what period of time?
- Why suspension is appropriate?
- Could the employee be transferred to different duties as an alternative whilst the full investigation is being carried out?

### **The Suspension Procedure:**

- 1 The Town Clerk has delegated authority to suspend any member of staff on full pay.
- 2 The Town Clerk may only be formally suspended by agreement of Council. Where there is an urgent and extreme need to remove the Town Clerk from Council premises, the Mayor in conjunction with the Deputy Mayor and the Chairman of the

HR Committee may suspend the Town Clerk and seek retrospective approval from Council by calling a meeting within 4 working days.

3 The employee should be verbally informed of the following, in a clear and precise manner:

- That they are to be suspended from work to allow a thorough investigation to take place.
- Why they have been suspended.
- How long it is anticipated that the suspension will last.
- That their contract of employment will continue and that they will receive their normal pay and benefits.
- They must not report to work or have any discussions with colleagues or customers during this time.
- Their agreed point of contact during suspension.

This must be followed up in writing within 3 days and sent to the individual at their home address, marked strictly private and confidential and sent by recorded delivery. The recorded delivery slip should be attached to the copy of the letter for the investigation file.

4 The employee must be given assistance in gathering any personal belongings and that the employee surrenders all property of Skegness Town Council before they leave the premises. This can include items such as identity badge, keys, files, passes etc.

5 The Town Clerk/Mayor must ensure the employee leaves the premises in an appropriate manner, ensuring that no other conversation is engaged.

6 The employee must be provided with information regarding counseling services to support them if required.

7 The employee must make themselves available to discuss any issues arising from the suspension.

8 Suspension should be kept continuously under review, and time limits should be set for reviews to take place. The suspension should be as short a period as reasonably possible.

#### **Information regarding Accompaniment**

Employees attending an investigatory meeting whilst suspended can be accompanied by a trade union official or a person of their choice.

### **POLICY APPROVAL**

Approved by Council 7<sup>th</sup> October 2020

### **POLICY REVIEW**

Next due October 2022.