



Fierté Multi Academy Trust

Suspension Procedure 2018-2019

(To be used in conjunction with the Whole Trust Pay Policy)

Suspension Procedure

Suspension is a 'neutral' act in that it does not presume guilt or innocence. The decision to suspend a colleague from duty should not be taken lightly or without careful consideration of all the circumstances and the nature of the complaint or allegation made against them. Consideration should also be given to alternatives to suspension such as temporary redeployment or alternative duties. This guide applies to employees, referred to in this guide as colleagues.

If you are suspended, you will receive your normal pay in line with your planned working arrangement.

The following list is not exhaustive but provides an indication of the types of situation when suspension may be appropriate.

- Where gross misconduct is suspected or alleged.
- Where it would not be possible to carry out a thorough or impartial investigation with the colleague still at work.
- Where there is a concern that further instances of misconduct may occur.
- Where an employees continued presence at work may put the individual or others at personal risk.

Whenever possible, an appropriate manager, in line with the Trust's scheme of delegation, will hold a meeting with you to advise you of the decision to suspend you from duty. If you are not available and you cannot be contacted by all reasonable enquiries, we will inform you in writing not to attend work and to contact a named manager. A colleague can be suspended in the absence of a TU representative or work colleague.

If the appropriate manager considers that it would be appropriate to suspend you, they must do the following.

Get appropriate authority to suspend you if they are not authorised to make the decision (details in scheme of delegation).

In the absence of appropriate authorisation to suspend, if your line manager considers you to be unfit and/or, it is inappropriate for you to carry out your duties, they can send you home until an appropriate person is available to provide the relevant authorisation.

If you are suspended, you will also be told:

- why you are being suspended from duty, and that this will be confirmed in writing;
- that your suspension from duty is a neutral act and not a form of disciplinary action;
- to contact your TU representative (if you have one) or a work colleague, if you have not already done so;
- you remain a colleague and therefore are bound by your contract of employment
- to remain contactable and available during normal working hours so that you can attend meetings as required and answer any work related queries;
- to inform us of any change in your contact details immediately while you are suspended;
- to book any annual leave or report sickness absence in line with normal procedure
- under no circumstances to approach, or try to influence, anyone associated with the complaint / allegation against you about the complaint / allegation, or enter any of our office / work premises without authorisation from the Investigating Manager. Failure to comply may result in further disciplinary action being taken against you;
- that your suspension will be reviewed every **15 working days** by the Investigating Manager, in consultation with the appropriate HR representative if necessary; and any decision as to whether a suspension should remain in place will be taken by the Deciding Manager.

If, at any stage in the procedure, it appears that there is a significant medical factor involved, you can be referred to Occupational Health.

Your suspension will end in one of the following circumstances:

- the Deciding Manager decides that there is no case for you to answer and that you do not need to attend a disciplinary hearing;

- if the investigation can continue without you needing to be suspended;
- if the investigation has been concluded and the allegations against you are less serious than originally thought; or
- if the disciplinary procedure has been completed.

Adopted on: September 2018

Reviewed by: September 2019