# TEMPLATE LETTER 1

**SUSPENSION NOTIFICATION**

## PRIVATE & CONFIDENTIAL

<Addressee>

<Address>

<Date>

Dear <Addressee>

### SUSPENSION FROM WORK

I refer to your meeting with **(INSERT MANAGERS’ NAMES/DESIGNATIONS)** held at **(INSERT VENUE)** on **(INSERT DATE).**

As confirmed at the meeting, issues have been brought to management’s attention, which raise concerns as to your conduct. It is alleged that **(INSERT DETAIL OF** **ALLEGATION(S)).**

In view of the above concerns, and after careful consideration of alternatives to suspension, the decision has been taken that it is considered appropriate you are suspended from work, with immediate effect. This letter serves to confirm that decision. As was explained to you, your suspension from work is a precautionary act, which will enable the Council to further consider this matter and carry out a fair and impartial investigation. It is stressed that your suspension from work is not a form of disciplinary action against you; neither does it serve to presume guilt on your part.

However, you are advised to note and act upon the fact that in the circumstances in which you find yourself there may be a requirement of you to notify your professional body or association of your circumstances.

By way of illustration, the Health and Care Professions Council (HCPC) “Standards of Conduct, Performance and Ethics”, which covers individuals who work in Adult Care, contains an individual responsibility on registrants to immediately notify the HCPC if they are suspended from work or placed under a practice restriction because of concerns about their conduct or competence.

Other professional bodies or associations may have the same or similar requirements and the Council would expect you to comply with these, if such a requirement of you applies.

An appropriate Investigator will be identified shortly and this will be confirmed in writing to you. Following on from this the Investigator will make direct contact with you regarding the investigation. In the course of the investigation you will be interviewed and will be invited to offer explanation or comment on the allegations.

You are encouraged to be accompanied at the interview by a Council work colleague, recognised trade union officer or recognised trade union representative. You are advised, however, that the person who accompanies you is there to provide you with support only. He/she is not permitted to answer questions on your behalf.

Should any additional allegation(s) come to light during the course of the investigation you will be advised in writing that the further allegation(s) will also be investigated. Any information, which is gained during the investigation process, may be presented at a subsequent Disciplinary Hearing, if it is decided to proceed to a Disciplinary Hearing. You will be informed in writing of the outcome of the investigation following its conclusion.

You need to be particularly aware of how suspension from work impacts upon your pay, sickness and leave. Information on this is set out below:

**Pay** - During your suspension you will continue to receive contractual pay, which will be the normal remuneration applicable immediately prior to your suspension. For employees who work irregular hours, pay received during suspension will be based on the average hours worked during the 12 weeks immediately prior to suspension.

Additional allowances are not pay for the purposes of your contract of employment. However, as previously stated, suspension is not a disciplinary action and the Council does not wish for employees who are suspended from work, to suffer any short term unexpected financial loss as a result. Therefore, you will continue to receive any additional allowances you normally receive. You will receive these at the average level paid during the 12 weeks preceding your suspension. You will continue to receive these for a period of 2 months following the effective date of your suspension.

For clarity, additional allowances refer to payments for shifts, sleep in arrangements etc. They do not refer to average expenses or telephone allowances. In addition, the Council’s wish that suspended employees do not suffer a short term unexpected financial loss does not extend to such losses as may arise from an employee not being able to work additional hours as a consequence of not being at work.

**Sickness** – Whilst you continue to receive contractual pay, should you fall ill during your suspension from duty, normal contractual sick pay entitlements will operate for the period of the illness. Therefore, albeit your suspension from work will continue, your pay may be affected by your sickness absence in the same way as if you were not suspended. You must comply with the sickness absence reporting procedures, in full, in the same way you would were you not suspended from work. You may also be referred to Occupational Health if this is felt appropriate.

**Leave** – Annual leave will continue to accrue during your suspension from work and you may request annual leave in the normal way. You are reminded that your contract of employment continues to operate and that, as explained elsewhere in this letter, you are required to make yourself available for any meetings or interviews during your normal working day. Consistent with this, you must obtain the necessary authority to take any leave during your suspension so it will be known that at such times you are not available and you have the necessary authorisation for this. To be unavailable without the appropriate authorisation may be seen as a conduct issue.

It is a term of your suspension that you are not required to attend work, which includes relief work. However, should you wish to visit your place of work or any other Council establishment during your suspension, for any reason, you should do so only by prior permission and arrangement with me. Failure to seek such prior permission may also be treated as a conduct issue.

You should remain available to the Council during your normal working hours over the period of your suspension and attend meeting(s) as appropriate. You are encouraged to be accompanied at the meetings by your recognised trade union representative, recognised trade union officer or Council work colleague.

Your suspension from work will normally be reviewed every two weeks and you will be notified, in writing, of the outcome.

The Council appreciates that suspension from work can cause concern and that you may want to share your feelings and concerns with someone. Therefore, the following support arrangements are available if you wish to make use of them:

* Your Support Officer is **(INSERT NAME/DESIGNATION & CONTACT DETAILS).** If you do not wish this person to act as your Support Officer you must contact me immediately. Unless I hear from you to the contrary it will be presumed you have no objections to this nomination and the Support Officer will be provided with your contact details.
* The Council’s free and confidential Employee Support and Counselling Service, which can be accessed by telephoning (01522) 555440**.**
* You can also make your own independent arrangements for support during the investigation by contacting your staff/union representative.

You are reminded that this matter is strictly confidential. Other than obtaining appropriate trade union and/or legal advice, you are not to discuss any aspect of this matter with anyone other than the support, which is available (as identified above) and/or your manager.

The above is in accordance with the Council’s Disciplinary Policy and Procedure, a copy of which is enclosed. Also enclosed is a copy of the Employee Guidance on Employment Investigations. You are reminded, once again, that suspension from work is not a disciplinary sanction and does not imply any presumption of guilt on your part.

If you require any advice or clarification on the operation of the procedure please contact **(INSERT NAME & TELEPHONE NUMBER OF HR ADVISER),** who will look to assist you.

You should note that Human Resources and the Investigator will each be provided with a copy of this letter for their information.

Yours sincerely

Name

Manager **(at least Head of Service authority is required)**

Updated January 2018