

How to - Review a Suspension

Regular reviews of a suspension should be undertaken at 20 working day intervals, the Commissioning Officer is responsible for ensuring reviews are conducted within timeframe and making the decision as to whether or not a suspension will continue.

Key activities for Commissioning Officers when reviewing a suspension are to:

- ✓ Keep the suspension period as short as possible. Note, an employee is suspended on full pay and an unnecessarily long period of suspension can be expensive and may have an operational impact on the work of a Service.
- ✓ Use the review periods to consider whether to continue with the suspension. Consideration should be given to the appropriateness of the employee returning to work in some capacity and any risks associated with a return to work. Recent case law has determined that allowing an employee to return to work in “any” capacity will not detract from the findings of gross misconduct and instant dismissal.
- ✓ Keep the employee informed of the progress of any investigations via the investigating officer.
- ✓ Where the decision to extend the suspension has been made, this decision should be confirmed in writing to the employee with detail of a further date of review no later than 20 working days – the Commissioning Officer will confirm this in writing.
- ✓ Further reviews should be undertaken at intervals of 20 working days with any further extensions confirmed in writing to the employee.
- ✓ Where delays in the completion of any investigations have been encountered and have resulted in a continuation of the suspension, the employee should be informed in writing of these delays and the reasons for them, e.g. annual leave or illness of investigating officer or key witnesses etc.
- ✓ If, following a review, the suspension is lifted, and “new evidence” subsequently comes to light, this may be sufficient to consider reinstating a suspension or conversely agreeing an earlier return to work.
- ✓ If the employee has another job with the Council, ensure that the manager is kept informed of any suspension reviews

The outcome of the review of suspension will be:

- ⇒ [Written confirmation of the continuing suspension](#) OR
- ⇒ [Lifting the suspension](#).
- ⇒ Copies of all letters to be forwarded to Human Resources.