

Guidance for employees suspended under the Disciplinary Policy/Procedure

This guidance covers all staff directly employed by the Eastern Multi-Academy Trust. Please therefore note that the following applies –

- where an employee of the Academy Trust is involved, all references to the Principal should read Chief Executive and
 - for Principals, themselves, all references should read Chair of Governors/Trust Board.
1. Suspension under the Academy's Disciplinary Procedure is not in itself a disciplinary penalty. Suspension is necessary when the employer feels unable to keep the employee at work during the investigation into the alleged breach of discipline - either because of the seriousness of the allegation, or because the employee's presence at work may hinder the investigation. The Principal makes the decision as to whether suspension is appropriate.
 2. It is recognised that a period of suspension is a stressful experience for any employee and it is important that support is available.
 - You are entitled to representation during the disciplinary investigation. This would normally be a Trade Union Representative (if you belong to a Trade Union) or a work colleague.
 - A suspended employee will also have access to the Trust's Employee Assistance Plan. This service will not be able to involve itself in the actual disciplinary process but it can provide general counselling support in order to help you come to terms with and cope with the pressures that a period of suspension can bring.
 - The letter confirming your suspension will give the name and telephone number of a senior member of staff at the Academy or in the Academy Trust who will keep in touch with you in order to minimise, as far as possible, any sense of isolation.
 - There will also be contact details for a Human Resources member of staff who can be approached for guidance on procedural matters.
 3. During a period of suspension you should not attend work nor make contact with pupils, parents, governors or members of staff without the Principal's or the relevant member of the Trust's Leadership team's authority.
 4. You should, when asked, return any school property with which you have been issued. In any event school property must not be used during a period of suspension. Conversely if you wish to have any personal belongings which remain at

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the Academy or the Trust offices, you should contact HR in order to arrange access to gain the items.

5. As the disciplinary investigation progresses the Investigating Officer (who will be notified to you) will wish to see you to raise certain questions, and give you an opportunity to respond to the allegation(s). You have a right to be accompanied and/or represented during the interview(s), and the Investigating Officer will ensure a convenient time is arranged for any meeting(s). This would normally be held at your workplace although an alternative venue may sometimes be considered appropriate. A full written statement will be produced from that meeting for you to sign.
6. The suspension from work would normally be for up to 28 days in the first instance on full pay. Every effort will be made to complete the investigation within the timescale, but it could be necessary for the period of suspension to be extended. If this is the case, you will receive a letter confirming the details and time period of the extension. Any extension will also be with full pay.
7. All correspondence relating to the disciplinary procedure will be sent to you at home. Upon request, if the Investigating Officer/HR is aware of your representative's name, a copy will be sent direct to the representative, thereby avoiding the need for you to forward a copy on. If the representative is not known you can request to be sent two copies of correspondence, in order that you may pass a copy to your representative if you wish.
8. If you have pre-booked any leave during the period of suspension, and are therefore not at home and not contactable, it is extremely important that you inform the Principal/HR of the duration of the holiday period. Likewise if you are not at your normal address whilst suspended you must inform the Principal of the alternative address and, if appropriate, alternative telephone number. It will not be regarded as acceptable for you to take leave, which has not been pre-booked, where this interferes with the setting of a hearing date.
9. On completion of the Investigation, the Principal or relevant member of the Trust's Leadership Team will make the decision as to whether or not a disciplinary hearing will be convened.
10. If it is decided *not* to proceed to a disciplinary hearing, you will be seen and the Principal will decide to lift the suspension. You will then be informed of the outcome. Any remaining concerns regarding the investigation will be addressed with you. Arrangements will then be made for you to return to work.
11. If it is decided the matter needs to proceed to a disciplinary hearing, you will receive a letter requesting your attendance. You will receive a copy of the case to be considered prior to the hearing, including all evidence to be referred to and the



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names of any witnesses to be called. A second copy can be requested to be shared with your representative.

12. You have a right to at least five working days' notice of the date and time of the hearing. If you are unable, with good reason, to attend the hearing at the date and time stated in the letter, you must contact the Principal without delay. If the Principal accepts there is a legitimate reason why the proposed date and time is not acceptable, then alternative arrangements will be made.
13. If you decide not to attend the disciplinary hearing it may be held in your absence.
14. If you are unwell either during the investigation or on the date of the disciplinary hearing, and an adjournment is requested, it is necessary for you to provide documentary evidence to this effect. The management reserves its right to obtain a medical report from an Occupational Health Advisor in this situation.