

## **Suspension Under The School's Disciplinary Procedure**

### **Guidance Notes For Employees Who Have Been Suspended From Duty Under The Disciplinary Procedure**

1. Suspension under the School'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. In a school, the Headteacher 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), a Solicitor or a friend. Contact numbers for Trade Union Representatives may be obtained from Education Personnel Services at County Hall.
- A suspended employee may also have access to County Council's independent counselling service. 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.

All teachers are covered by the service. Non-teaching staff will be covered if the employing school has made this option. The Headteacher will be able to confirm whether or not an employee is covered by the service. Contact telephone numbers for the service may be obtained from the Headteacher or Education Personnel Services.

- The letter confirming your suspension will give the name and telephone number of a senior member of staff at the school who will keep in touch with you in order to minimise, as far as possible, any sense of isolation. A member of the LEA's Well Being Team will also contact you to offer general support.
  - There will also be contact details for a member of Education Personnel Services who can be approached for guidance on procedural matters.
4. During a period of suspension you should not attend work nor make contact with pupils, parents, governors or members of staff without the Headteacher's authority. This does not include your Trade Union Representative nor members of staff of Education Personnel Services.

5. 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.
6. As the disciplinary investigation progresses it is very likely that the Investigating Officer (who will probably be the Headteacher) will wish to see you to raise certain questions, and give you an opportunity to respond to the allegation(s). You have a right of Representation during the interview(s), and the Investigating Officer will ensure a convenient time is arranged for any meeting(s). This would normally be your workplace although an alternative venue may sometimes be considered appropriate.
7. 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.
8. All correspondence relating to the disciplinary procedure will be sent to you at home. If the Headteacher is aware of your representative's name, a copy will normally be sent direct to the representative, thereby avoiding the need for you to forward a copy on. If the representative is not known to the Headteacher you will be sent two copies of correspondence, in order that you may pass a copy to your representative if you wish.
9. 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 Headteacher of the duration of the holiday period. Likewise if you are not at your normal address whilst suspended you must inform the Headteacher 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.
10. On completion of the Investigation, the Headteacher will make the decision as to whether or not a disciplinary interview or hearing will be convened.
11. If it is decided *not* to proceed to a disciplinary hearing, you will be seen and the Headteacher will need to recommend to the governing body that suspension be lifted. 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.
12. If the Headteacher decides to proceed to a disciplinary hearing, you will receive a letter requesting your attendance. You and your representative will receive a copy of the case to be considered prior to the hearing, including all evidence to be referred to and the names of any witnesses to be called.

13. You have a right to at least ten 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 Headteacher without delay. If the Headteacher accepts there is a legitimate reason why the proposed date and time is not acceptable, then alternative arrangements will be made.
14. If you decide not to attend the disciplinary hearing it may be held in your absence.
15. 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 Governors reserve their right to obtain a medical report from the Council's Medical Advisor in this situation.

*Education Personnel Services  
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