



# SUSPENSION FROM WORK POLICY

The Company recognises that there are times when it may be necessary to suspend an employee from work. This policy outlines when such a suspension may be implemented and the processes that the Company will follow, and the requirements the employee must comply with, in the event of suspension.

## Grounds for suspension

Under the terms of the Company's disciplinary procedure, in the event of serious or gross misconduct, an employee may be suspended on full basic pay while a full disciplinary investigation is carried out.

In addition to suspension in these circumstances, an employee may be suspended on full basic pay where:

- The employee's line manager has reasonable concerns about their suitability and/or ability to carry out their job duties on health grounds and, as a result, they would like to obtain a medical report on the employee's current state of health or medical confirmation that they are fit to continue working in their job role. The Company owes all of its employees a duty to take care of their health and safety whilst they are at work and therefore any suspension of this nature will be a neutral act and a temporary measure to protect the employee's health and safety and/or the health and safety of others in the workplace.
- The employee is pregnant, has recently given birth or is breastfeeding a child and, under the terms of the Company's maternity policy, the suspension from work is on maternity grounds where the employee would otherwise be exposed to health hazards in carrying out her normal job duties. If the employee has unreasonably refused an offer of suitable alternative work, the suspension will be without pay.
- The suspension is on medical grounds under relevant health and safety regulations in circumstances where continued exposure to certain hazardous substances might damage the employee's health. Paid suspension in this case is for a maximum of 26 weeks only and if the employee has unreasonably refused an offer of suitable alternative work, the suspension will be without pay.
- The employment of the employee may be unlawful because they no longer have, or appear to have, leave to remain or the right to work in the United Kingdom. Any suspension of this nature will be a neutral act and a temporary measure whilst eligibility to remain and work in the UK is confirmed. The Company reserves the right for the suspension to be unpaid where it is on this ground and it later transpires that the employee was not eligible to live or work in the UK during the period of suspension.

This list is not exhaustive and there may be other reasons why the Company may feel it prudent to suspend an employee. However, a suspension will only be implemented in exceptional circumstances.

## Procedure

Where the Company is considering a suspension, a meeting will be held with the employee to explain the reasons for the proposed suspension. The Company will then confirm the suspension in writing and will also set out any provisions relating to payment during the period of suspension.

A decision to suspend is not a sanction or punishment and should not be viewed as such. In many cases, the suspension will be to protect the employee's health and safety. In the case of a health, maternity or medical suspension, the Company will first consider whether there is any available suitable alternative work for the employee.

The period of a suspension will vary depending on the circumstances of the case. A disciplinary suspension will be in accordance with the terms of the Company's disciplinary procedure. In the case of a health, maternity or medical suspension, it will be for the period of time necessary to ensure the health and safety of the employee and will be subject to ongoing review. In the case of an alleged illegal working suspension, it will be until such time as the employee produces sufficient evidence of eligibility to live and work in the



UK, or until such time as the employee has to be dismissed because they are no longer eligible to live and work in the UK. In all cases, the employee will be kept informed of the position.

### **Employee's obligations**

During a period of suspension from work, the employee should remain available for work during their normal working hours should they be required and they must not perform work for any other employer, or undertake self-employment, during their normal working hours without the express written consent of the Company. The employee must also comply with such conditions as the Company may specify in relation to attending at or remaining away from the Company's premises during the period of suspension.

Where an employee is asked to attend a meeting during a period of suspension, the Company will expect the employee to attend that meeting on the basis that it will only be held at a time and place when and where the employee would normally be working but for the suspension. In the event that the employee fails to attend, or fails to provide a reason satisfactory to the Company for non-attendance, this will be treated as a disciplinary matter.

The employee must also notify the Company if they fall ill or are incapacitated during a period of suspension and they must provide appropriate evidence of incapacity in accordance with the sickness absence provisions in their contract of employment. In this case, as the employee would not be attending work in any event due to incapacity, the suspension will be lifted during the period of medically certified absence from work. The employee will instead be registered as absent on sick leave and paid sick pay for the duration of their sickness absence in accordance with the Company's sick pay provisions.

In the event that the employee wishes to take annual leave during a period of suspension, they should apply for it in accordance with the holiday provisions in their contract of employment. The normal rules on applying for annual leave remain in force during a period of suspension.

The Company reserves the right to take disciplinary action (up to and including summary dismissal) against any employee who breaches any provision of this policy.