

Agenda item:

Report to: Governance and Audit Committee (Appendix A. exempt)

Date: 28th June 2012

Subject: Summer report on suspended staff

Report by: Head of Human Resources

Wards affected: NA

Key decision: No

Full Council decision: No

1. Purpose of the report:

To report to Governance and Audit Committee on current numbers of staff suspended from duty as requested by Committee to be reported twice per annum .

2. Recommendations:

It is recommended that Members:

- i. Note the circumstances of the current suspended staff cases
- ii. The Unions have agreed that the term Precautionary Special leave is no longer required and would prefer the term suspension of staff.

3. Background:

Information on the current cases of suspended staff was circulated to members of the Governance and Audit Committee on the 27th January 2012 and the Committee requested a report on the numbers, timeframe and reasons for staff suspensions twice per annum.

Staff are suspended when serious allegations are made about their conduct or performance and the continuation of their current duties may be seen to place themselves, clients, customers or the council at risk.

The procedures for the suspension of staff and formal action are designed to minimise any financial risk associated with the outcomes of formal procedures as the suspension procedure is used to protect the groups mentioned above and the process requires investigation prior to decision.

4. Circumstances of staff suspended from duty as at 7th June 2012

There are several ways that an allegation is notified to the City Council which may lead to a member of staff being suspended from their normal duty, the recent cases have been a mixture of those reasons.

Once an allegation has been made the Manager or Head teacher will make a decision on the application of the suspicion of staff in consultation with the Senior Manager – Employee Relations, taking into consideration the nature of the allegation, the work the staff member is involved in and the associated risks. Where there is an allegation made in relation to safeguarding it would be very unusual for the member of staff to remain in the working environment.

Some safeguarding cases impact on the contract of employment but the evidence is purely based on the criminal activity, for example downloading indecent images of children.

5. Conclusions

There are currently 8 staff across the City Council (including staff in schools) suspended from duty. Not every disciplinary issue results in the member of staff being placed on suspension and there is no requirement for all staff that may face dismissal to be suspended, cases are judged on the individual allegation and associated risk.

HR have established a revised monitoring process as reported to Employment Committee and to G and A

There have not been any significant developments with Police activity since the last report to Committee in January 2012.

6. Equality Impact Assessment

An EIA has been completed.

7. Head of Finance Comments

Procedures in place with regard to the suspension of staff are designed in such a way as to minimise the risk associated with financial loss (particularly via Employment Tribunal cases) and reputational damage in relation to employment matters.

8. Head of Legal Comments

There are no immediate legal implications arising from the recommendations of this report. It is clearly good HR practice to monitor and review working policies. However, if any disciplinary issues arise they will be assessed on individual merits and facts of the matter, if any legal implications arise these will be brought to the attention of members if appropriate.

Signature:

Date:

