

**WRITTEN QUESTION TO THE CHIEF MINISTER  
BY DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT**

**ANSWER TO BE TABLED ON TUESDAY 14th FEBRUARY 2006**

Would the Chief Minister –

- (a) advise whether he will be discussing the matter of long term suspension from public service and the effects this has on the individual and the employer with his fellow Ministers?
- (b) identify and explain the reasons why some suspensions are so lengthy? and,
- (c) put in place measures to ensure that lengthy suspensions are confined to complex financial or international investigations and do not happen for clearly less complicated cases?

Answer

- (a) Yes, the issue of long term suspensions, including their effects, was discussed at a meeting of the Council of Ministers on 9th February 2006.
- (b) There are a number of reasons why some suspensions are lengthy.

Individual cases may require police investigation, and this can take some time in the more complex cases. Depending on the outcome of an investigation, it may then be necessary to refer a case file to the Law Officers' Department for a decision on a possible prosecution.

Any decision by the employer to suspend a member of staff is subject to an agreed disciplinary framework. This framework has been developed over an extended period and is compliant with the ACAS Code of Practice. This means that disciplinary procedures are subject to a process of investigation and hearings, with provision being made for the right of representation and appeal. Whilst this process may take some time, it is important that such matters are dealt with properly and do not expose the employer to the risk of legal challenge and claims for compensation.

- (c) The Council of Ministers fully shares my deep concern about the number of long term suspensions, and wishes to ensure that all cases are dealt with as expeditiously as possible. I have accordingly asked my Chief Executive to carry out an urgent investigation into the matter, and to report back to me with recommendations as to how the current situation can be improved.