

Suspension during a work investigation

Deciding to suspend

Suspension is when an employer tells an employee to temporarily stop carrying out work.

An employer can consider suspending someone while carrying out a disciplinary or grievance investigation. This is sometimes called 'suspension pending an investigation'.

Suspension will only be appropriate in some situations. An employer should consider each situation carefully before deciding whether to suspend someone.

Suspension does not mean an employee has done anything wrong, and should not be used to discipline someone.

Being suspended can be stressful for an employee, so it's important that employers:

- consider the wellbeing and [mental health of anyone they're thinking of suspending](#)
- only suspend someone if there's no other option
- plan what support they'll provide to anyone they suspend

Start looking into the situation

As an employer, you should not use suspension automatically.

You should start getting some initial information about:

- what's happened
- who's involved
- how serious it might be

This will help you understand the situation and work out whether suspension might be appropriate.

Consider whether to use suspension

Suspension can have a significant effect on working relationships and the mental health of the people involved.

You should only consider suspension if you reasonably believe it would protect any of the following:

- the investigation – for example if you're concerned about someone damaging evidence or influencing witnesses
- the business – for example if there's a genuine risk to your customers, property or business interests
- other staff
- the person under investigation

Once you have enough information, carefully consider what you've found. This can help you decide whether suspension is a reasonable way of dealing with the situation.

If a decision to suspend is not reasonable, there's a risk you could be breaching the employment contract. This could lead to legal action.

Whether a decision to suspend is reasonable depends on the individual circumstances and whether both of the following apply:

- you took steps that led you to believe suspension was a reasonable decision
- other employers in a similar industry, with the same information as you, would see that a decision to suspend was reasonable

In all circumstances, you should check if there is an alternative to suspending someone.

Consider alternatives to suspension

As an employer, it's usually best to avoid suspension if possible. There might be a way to handle the situation without suspending someone.

You could arrange for someone to temporarily:

- change shifts
- work in a different part of the organisation
- work from home
- work from a different office or site
- stop doing part of their job – for example stop handling stock if you're investigating a large amount of stock going missing
- work with different customers or away from customers – for example if you're investigating a serious complaint from a customer
- stop using a specific system or tool – for example removing access to the organisation's finance system if you're investigating a large amount of missing money

You should keep the reason for any temporary change confidential wherever possible. You should discuss with the employee what you'll tell others at work about the temporary change.

You should make sure any temporary changes do not breach the employee's contract.

If there are 2 people you might move

If you're deciding between moving 2 people, you should:

- consider the situation carefully
- act fairly and reasonably when making a decision

Depending on what's fair and reasonable in the circumstances, you might decide to:

- move both people
- only move 1 person
- not move either person

If you need to separate 2 people after one of them makes a serious complaint, usually you should not move the person who made the complaint. It could lead to a legal claim if it's seen as a punishment.

Moving the person who made the complaint might be appropriate in some circumstances. For example, if they ask to be moved and you agree.

In all situations you should support the wellbeing and mental health of both people involved. You should encourage them to get support if they need it.

If an external body is investigating

In some cases, an external body might also be looking into the matter. For example:

- the police, if it's a criminal matter
- a regulatory body, if professional standards for your industry might have been broken

As an employer, it does not mean you automatically need to suspend someone. But you should take this into account if it's relevant to your investigation.

If you're considering suspension, you should make a decision based on the specific situation and what you've found so far.

Make your decision

You should only suspend someone if it's a reasonable way of dealing with the situation. If it's not reasonable, there's a risk you could be breaching the employment contract. This could lead to legal action.

To help decide whether suspension is reasonable, you should consider:

- what you've found so far
- the wellbeing of the person under investigation, and how their mental health might be affected if they're suspended
- the risks if you do not suspend an employee – this might be a risk to others at work, the business or the investigation
- how serious those risks are
- any alternatives to suspension you could use

Once you've considered all these things, you should decide whether to:

- suspend someone
- make a temporary change, as an alternative to suspension
- not suspend anyone

If you decide to not suspend anyone, you can still consider suspension later in the investigation if circumstances change.

If you decide to suspend someone, it's important to support them during suspension.

Get more advice and support

[Contact the Acas helpline](#) for more advice if you're unsure whether suspension is appropriate.

You can also find out more about:

- [the process to follow when suspending someone](#)
- [supporting an employee's mental health during suspension](#)