ANNEX A

FOI DOF/2026-0517

Request

RE: NICS HR/HRConnect Suspension Assessment Procedures and Internal Workflow

Please treat this correspondence as a request for recorded information under the Freedom of Information Act 2000.

For routing purposes, this request specifically concerns information held by NICS HR / HRConnect Employee Relations concerning the internal procedures, operational guidance and workflow used when assessing and advising upon the suspension of an NICS employee pending investigation.

I understand that NICS HR is a centralised function within the Department of Finance. I would therefore be grateful if this request could be routed to the appropriate NICS HR Employee Relations / HR policy business area for searches to be undertaken.

For the avoidance of doubt, I am not requesting another copy of NICS HR Handbook policy 6.03 – Discipline. My request concerns the underlying internal operational procedures, guidance, workflows, checklists, templates, decision-making criteria and recording requirements used by NICS HR/HRConnect when applying that policy in practice.

I am specifically requesting the recorded information, procedures and guidance that were in force on 19 February 2025. Where any relevant document has subsequently been amended, replaced or withdrawn, please also provide the version in force on that date and, where readily identifiable, the current or replacement version.

Please provide copies of all recorded information held concerning the following:

1. INITIAL REFERRAL TO NICS HR / HRCONNECT

Any procedure, guidance, desk instruction, checklist, referral form, process map or other instruction specifying what information a Department or manager must provide to NICS HR/HRConnect when asking HR to consider or advise upon suspension pending investigation.

This includes any requirements concerning the nature and particulars of the alleged conduct; evidence or information available at that stage; seriousness of the concern; safeguarding implications; risk to service users, colleagues or the organisation; risk to the integrity of an investigation; risk of witness interference; risk of repetition; and operational considerations.

2. HR ASSESSMENT BEFORE SUSPENSION

Any procedure or guidance specifying what NICS HR/HRConnect Employee Relations staff are required or expected to assess before advising upon, recommending, approving or otherwise supporting suspension.

Please include guidance relating to whether HR should:

- verify or clarify the allegation;
- obtain sufficient factual information;
- consider the evidence available at that point;
- assess the seriousness of the allegation;
- assess risks associated with the employee remaining at work;
- assess risks to an investigation;
- assess safeguarding risks;
- seek further information where the original referral is insufficient;
- distinguish allegations or concerns from established facts; and
- record the reasons supporting the advice or decision.

3. ALTERNATIVES TO SUSPENSION

Any procedure, guidance, checklist or decision-making criteria requiring consideration of alternatives before suspension is advised or imposed, including alternative duties, temporary transfer, no-contact arrangements, restricted duties, restricted access to particular locations or systems, increased supervision, or any other less restrictive measures.

Please also provide any guidance specifying whether the reasons why such alternatives are considered insufficient must be recorded.

4. NECESSITY, REASONABLENESS AND PROPORTIONALITY

Any internal guidance explaining how NICS HR/HRConnect assesses whether suspension is necessary, reasonable and/or proportionate, including any criteria or tests used to establish whether suspension is justified as a precautionary measure rather than a disciplinary sanction.

5. AUTHORITY AND DECISION-MAKING

Please provide any recorded procedure identifying:

- who has authority to decide that an employee should be suspended;
- who has authority to recommend or advise suspension;
- the respective roles of the employing Department and NICS HR/HRConnect;
- whether approval from a particular grade or role is required;
- whether safeguarding personnel or other specialists must be consulted in safeguarding-related cases;
- whether more than one person is required to approve or review the proposed suspension; and
- how the identity of the decision-maker and/or adviser is recorded.

6. RECORDS REQUIRED TO BE CREATED

Please provide any guidance specifying what records should be created or retained when suspension is considered or advised, including, where applicable:

- suspension assessment forms;
- risk assessments;
- referral forms;
- decision records;
- checklists;
- case notes;
- chronologies;
- HR recommendations;
- approval records;
- written rationale;
- consideration of alternatives;
- records of telephone advice or consultation; and
- entries made on HRConnect/NICS HR electronic case-management systems.

Please provide blank copies of any relevant templates, forms or checklists in use on 19 February 2025.

7. TELEPHONE OR VERBAL REFERRALS

Please provide any procedures governing circumstances where a Department or manager contacts NICS HR/HRConnect by telephone or verbally to discuss possible suspension.

In particular, please provide guidance on:

- questions HR staff are expected to ask;
- information that must be obtained before advice is given;
- how the call or consultation must be documented;
- whether written confirmation or supporting evidence must subsequently be obtained; and
- how such records are retained.

8. SAFEGUARDING-RELATED REFERRALS

Please provide any additional procedures or guidance applying where suspension is being considered because of an alleged safeguarding concern involving a child, young person or vulnerable person.

Please identify whether NICS HR/HRConnect is expected to establish whether the employing Department has completed any safeguarding assessment, safeguarding risk assessment or other formal assessment before suspension is advised.

9. TRAINING AND GUIDANCE FOR HR STAFF

Please provide any training materials, presentations, manuals, internal FAQs, worked examples, knowledge articles or other materials supplied to NICS

HR/HRConnect Employee Relations staff concerning:

- when suspension should or should not be considered;
- the information/evidence required before advising suspension;
- necessity and proportionality;
- alternatives to suspension;
- recording the rationale; and
- safeguarding-related suspensions.

10. HRCONNECT / NICS HR CASE-MANAGEMENT WORKFLOW

Please provide any process map, user guide, workflow instruction or other recorded information showing how a proposed suspension is processed through the relevant HRConnect/NICS HR case-management system.

This should include, where applicable, mandatory fields, approval stages, case-note requirements, rationale fields, prompts, checklists and supervisory approval or review stages.

I am not seeking passwords, security credentials or technical information that would compromise system security, and any genuinely security-sensitive material may of course be redacted.

11. QUALITY ASSURANCE / SUPERVISORY REVIEW

Please provide any procedure requiring suspension advice or decisions to be reviewed by a supervisor, senior Employee Relations officer, HR Business Partner or other person before or after the suspension is imposed.

12. REVIEW OF SUSPENSION AFTER IMPOSITION

Please provide any internal procedure or guidance concerning review of an employee's suspension after it has commenced, including:

- frequency of review;
- factors that must be reconsidered;
- who carries out the review;
- whether continued necessity and proportionality must be assessed;
- whether alternatives to suspension must be reconsidered; and
- how each review must be documented.

SEARCH LOCATIONS AND TERMINOLOGY

To assist with locating the information, I would ask that reasonable searches are undertaken within relevant NICS HR Employee Relations, HRConnect Employee Relations/Case Management, Department of Finance HR policy/procedure, operational manuals, internal knowledge systems and training materials.

Potentially relevant search terms may include:

suspension; suspension assessment; consider suspension; suspension pending

investigation; precautionary suspension; suspension referral; risk assessment; alternatives to suspension; Employee Relations; discipline referral; case referral; case management; decision to suspend; suspension authorisation; suspension checklist; suspension workflow; desk instruction; operating procedure; work instruction; process map.

For avoidance of doubt, I am not requesting an explanation of why any particular individual was suspended, nor am I requesting personal information through this FOI request. I am seeking the general recorded policies, operational processes and instructions that governed how NICS HR/HRConnect staff were expected to assess suspension decisions on 19 February 2025.

If no separate internal procedure, checklist, workflow, assessment form, desk instruction, operating instruction or other guidance existed beyond NICS HR Handbook 6.03 Discipline, please expressly confirm that this is the case. In particular, please confirm whether there was no prescribed internal NICS HR/HRConnect process in force on 19 February 2025 specifying what evidence or information HR staff should obtain, assess and record before advising upon or supporting suspension.

If any part of the requested information is considered exempt, please identify the particular document or information being withheld and the specific exemption under the Freedom of Information Act 2000 being relied upon. Where an exemption is qualified, please provide the outcome of the public-interest test. Please provide the remainder of any document in redacted form wherever possible rather than withholding the document in full.

If any aspect of this request is considered unclear or is likely to exceed the appropriate cost limit, please contact me under your duty to provide advice and assistance under section 16 of the Freedom of Information Act 2000 so that the request can be refined without unnecessarily excluding relevant information.

DoF response

I can confirm the department holds the information requested.

I understand from your question that you have access to the NICS HR Handbook 6.03 Discipline Policy.

I would like to bring your attention to the Disciplinary guide attached at Annex C, which outlines answers to a number of the questions you have enquired about.

1. This is covered in the NICS HR Handbook 6.03 Discipline Policy.

   There is no additional written procedure, guidance, desk instruction, checklist, referral form, process map or other instruction specifying what information a Department or manager must provide to NICS HR/HRConnect when asking HR to consider or advise upon suspension pending investigation.

2. This is covered in the Discipline Policy User guide.

   The decision to suspend will normally be taken by an officer of at least Grade 7 level who is experienced in HR matters.

   There is no additional written procedure or guidance specifying what NICS HR/HRConnect Employee Relations staff are required or expected to assess before advising upon, recommending, approving or otherwise supporting suspension

3. This is covered in the NICS HR Handbook 6.03 Discipline Policy.

   There is no additional procedure, guidance, checklist or decision-making criteria requiring consideration of alternatives before suspension is advised or imposed, including alternative duties, temporary transfer, no-contact arrangements, restricted duties, restricted access to particular locations or systems, increased supervision, or any other less restrictive measures.

   There is also no additional guidance specifying whether the reasons why such alternatives are considered insufficient.

4. Placing the member of staff on suspension with pay will normally be reserved for cases of alleged gross misconduct. NICSHR (Grade 7) will decide on the appropriateness of suspension with pay and will action where appropriate and inform the member of staff.

   There is no additional internal written guidance on how NICS HR/HRConnect assesses whether suspension is necessary, reasonable and/or proportionate, including any criteria or tests used to establish whether suspension is justified as a precautionary measure rather than a disciplinary sanction.

5. Approval from an officer of at least Grade 7 in NICSHR is required in order to suspend a member of staff.

   A DCP1.10 form outlining the requirement for suspension would be forwarded to HR Connect who would hold it on record. It would also be held on Content Manager, the Department's internal file record system.

6. A DCP1.10 form outlining the requirement for suspension would be forwarded to HR Connect who would hold it on record. It would also be held on Content Manager, the Department's internal file record system. There is no written guidance outlining what is to be recorded, other than the form above and following the Policy.

7. HR Staff would be required to obtain specific information on the alleged misconduct and/or details of any Criminal Conviction imposed by a Court. Details of the call may be retained on the Department's Content Manager record system. These are subject to the Department's retention Policy.

8. The Department has a separate Child Protection Policy.

9. This is covered in the Discipline Policy User guide. When dealing with a case of potential Gross Misconduct the NICSHR G7, should initially consider whether it is appropriate for the member of staff to remain in their post while the process is taken forward and/or where it may be necessary to remove them from the workplace.

10. This is covered in the Discipline Policy User guide. I have also attached (Annex D) the following procedure, outlining HRConnect processes, with some names redacted, for the reasons highlighted below.

    This information is withheld because it is exempt under section 40(2) of the Freedom of Information Act. Section 40(2) exempts personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would contravene one of the data protection principles in schedule 1 of the Data Protection Act 2018.
    In this case, I believe disclosure would contravene the first data protection principle, which provides that personal data must be processed lawfully and fairly.

    Having considered all the information contained within the Legitimate Interest Test – lawful, fairness and transparency test (attached as a separate document – Annex E), the department has established that, on balance, there is no lawful basis for the disclosure of third-party personal data falling within the scope of the request of which the requester is not the data subject.

11. This is covered in the NICS HR Handbook 6.03 Discipline Policy.

    There is no additional wirtten procedure requiring suspension advice or decisions to be reviewed by a supervisor, senior Employee Relations officer, HR Business Partner or other person before or after the suspension is imposed.

12. The suspending officer would review the suspension.

    There is no written internal procedure or guidance concerning review of an employee's suspension after it has commenced.