Template letter: Decision on unpaid suspension

[Address]

Dear [insert name],

I refer to my letter dated [insert date of show cause on suspension letter] where I invited you to show cause about why you should not be suspended from duty without remuneration in relation to the following allegation[s]:

* [insert allegation[s]

[**Option one** – use this content when decision is to place employee on unpaid suspension –Use this option in conjunction with the circumstances outlined in the directive]

I have carefully considered the material before me, including your response received [insert date received]. I note in particular [insert summary of relevant response information, how delegate has considered or weighed this up against clause 8.2 of the Suspension directive and the response to these factors].

In accordance with section 101(4) of the *Public Sector Act 2022* (the Act), I have decided to suspend you from duty without remuneration, because on preliminary consideration of the material I reasonably believe you are liable to discipline.

Your suspension without remuneration will take effect immediately on your receipt of this letter and will remain in place until [insert end date of suspension. This must be either a specific date or period of weeks/months]. During your suspension you are not entitled to receive normal remuneration.

If you believe my decision to suspend you without remuneration is unfair and unreasonable, you may appeal the decision to the Queensland Industrial Relations Commission (QIRC), as provided by section 131(1)(f) of the Act. Your appeal must be made within 21 calendar days of my decision.

The QIRC Industrial Registry can provide you with further information about public sector appeal procedures and your appeal rights. Visit [www.qirc.qld.gov.au](http://www.qirc.qld.gov.au/) or telephone 1300 592 987 or (07) 3227 8060.

[**Option two** – use this content when decision made to continue paid suspension.]

I have carefully considered the material before me, including your response received [insert date received]. I note in particular [insert summary of relevant response information, how delegate has considered or weighed this up and the response to these factors].

In accordance with section 101(1) of the *Public Sector Act 2022* (the Act) I have decided to continue your suspension with remuneration. As communicated to you in the letter dated [date of original suspension letter] your suspension will remain in place until [insert end date of suspension. This must be either a specific date or period of weeks/months].

[Include this paragraph and the next only for matters that have not been assessed as corrupt conduct and subject to oversight by the Crime and Corruption Commission]

In my first letter to you regarding your suspension, I advised your suspension would be reviewed at regular intervals as required under the Suspensions directive, to determine whether it should remain in place. These reviews will continue for the duration of your suspension, and the suspension will remain in place while any review is completed.

[Include if decision is for suspension to be without remuneration] However, as I have decided to place you on suspension without remuneration, and you now have a right to appeal this decision to the (QIRC), the option of seeking a procedural review of your suspension by the Public Sector Commission no longer applies.

{Correspondence must include an assessment of human rights] I acknowledge that my decision to suspend you from duty on normal remuneration/without remuneration and the lawful directions issued to you may potentially limit your human rights under the *Human Rights Act 2019*, including [include each human right that is potentially limited e.g. right to take part in public life, right to privacy and reputation or right to freedom of movement].

I am of the view that any limitation of your human rights is justified [include rationale and what was considered, including risks and how this outweighs the potential impact on the employee’s human rights].

As previously advised, to assist in protecting the integrity of this process you are directed to not discuss this matter with your work colleagues, or any person likely to have information relevant to the allegation[s] against you, other than your union, legal representative or support person.

If, however, to assist you in your response, you wish to approach particular colleagues, please discuss this with your contact officer, [name] to determine appropriate arrangements.

You are further reminded that your obligations under the Code of Conduct continue to apply throughout and following the conclusion of this process.

The [insert name of department, agency or entity’s employee assistance service] is available to departmental employees. The service is a confidential counselling and support service and is available on [insert telephone number]. You may also wish to seek advice and assistance from your union.

If you have any questions about the contents of this letter please do not hesitate to contact [contact officer] on [insert telephone number].

Yours sincerely

Decision maker

[Address]