

Human Resources

Leavers Procedure



Table of contents

1. Introduction	1
2. Scope	1
3. Resignation Process	1
4. Retirement.....	3
5. Expiry of Fixed Term Contract	4
6. Failure to give Notice	4
7. Information for all Leavers.....	5
8. Appendices.....	8

1. Introduction

- 1.1.1 Chelmsford City Council recognises the value of its workforce and aims to, as far as possible, retain skilled and valuable employees. Employees who leave the Council may possess important information in relation to recruitment and retention which may influence future Council strategies.
- 1.1.2 The aim of this procedure is to ensure that all leavers are managed sensitively and to ensure that the end of their employment is a positive experience. This procedure will provide a framework through which information can be collected and recorded, ensuring that the internal employee database is regularly maintained. The aim of this procedure is to ensure that a uniformed and consistent approach will be used throughout the Council.

2. Scope

- 2.1.1 This procedure applies to all employees within Chelmsford City Council who leave employment, regardless of length of service. This includes employees who leave due to voluntary resignation, expiry of a fixed term contract, retirement and redundancy. This procedure does not apply to those employees whose contract has been terminated through disciplinary procedures.

3. Resignation Process

3.1 Notice

- 3.1.1 Employees should inform their managers of their intention to resign at the earliest practical moment. In all circumstances, intention to resign should be submitted in writing, either handwritten or via email. Letters of resignation should be addressed to the employee's manager, be dated and state the intended last day of duty. No other form of resignation will be accepted.
- 3.1.2 Upon receipt of an employee's resignation, the manager should immediately arrange to have an informal conversation with the employee to discuss the reasons for leaving.
- 3.1.3 If there is any indication in the resignation that the reason for leaving is linked to an area of concern e.g. harassment or bullying, then further investigation should be made.
- 3.1.4 Once an employee's resignation has been confirmed, the Manager should forward the letter to their HR Business Partner so that an acknowledgement letter can be sent to the employee which acknowledges receipt of the resignation letter and which details the employee's final day of employment. HR can then advise of any outstanding leave.

Notice Period

- 3.1.5 The period of notice that employees are required to give is set out in the employee's contract. The notice period will vary depending on employee position, grade and length of service.
- 3.1.6 All staff will be required to give a minimum of one month's notice.

An employee must give the following minimum period of notice to terminate employment.

- Up to and including Grade 6 - one month's calendar notice
- Grade 7-9 - two months' notice
- Grade 10 – 13 including SMG1 and 2 - three months' notice

Employees will be entitled to receive from the Council either the equivalent period of notice specified above or the statutory minimum period of notice specified below if this is greater.

You should note that nothing shall prevent the Council from terminating your employment without notice or payment in lieu thereof in cases of gross misconduct or other appropriate circumstances.

Period of Continuous Employment Minimum Notice

- Four weeks or more, but less than two One calendar month years:
- Two years or more, but less than twelve One week for each years year of continuous employment, but not less than one calendar month.
- Twelve years or more Twelve weeks

- 3.1.7 In exceptional circumstances, the employee can request for the notice period to be waived or shortened. This request will be granted at the discretion of the Manager, in consultation with Human Resources. In these circumstances the employee will not receive payment in lieu of notice for leaving early at their own request.

3.2 Informing Human Resources

- 3.2.1 It is the manager's responsibility to inform Human Resources and Payroll of an employee's resignation, as soon as practically possible. The Manager is expected to send a copy of the resignation letter to the relevant Business Partner (see appendix one) along with confirmation of the employee's leaving date.
- 3.2.2 The Manager should commence the Leavers form which is available on the Intranet by inputting the last day of service and personal information on the leaver.
- 3.2.3 Once Human Resources have received notice of the employee leaving, they will advise the manager of any outstanding leave on iTrent. The manager will then agree with the employee whether any outstanding leave will be taken before they leave or whether some or all of this will be paid. It is expected that where reasonably practicable that any outstanding leave should be cleared before the

employee leaves. The Manager should then complete the remainder of the leavers form. Once submitted, an email is sent to Payroll to input payments or deductions as applicable, an email is sent to the authoriser of any payments or deductions, and a checklist which should be completed on the employees last day will be emailed to the Manager.

It is essential that this is done as soon as possible to ensure that the employee's final salary is correct.

- 3.2.4 A 'leavers pack' will then be sent to the employee which will contain vital information for the employee, to ensure that their exit from the organisation is as smooth as possible.
- 3.2.5 Human Resources are responsible for using information on leavers to update the employee database.
- 3.2.6 On the employee's final working day the manager should use the emailed resignation checklist to ensure that all the relevant areas of the Council are advised of the leaver and that any Council equipment is returned. This should then be returned to Payroll.
- 3.2.7 The Manager will need to identify and inform Digital Services of all the systems that the employee has access to. They will also need to ensure that any personal emails are deleted from the mailbox and any personal files are deleted from the PC and Server.
- 3.2.8 The Manager will also need to ensure that any Council equipment including keys, mobile phone, procurement card, identity cards, uniform and PPE and car parking passes are handed in.
- 3.2.9 The Manager will also need to ensure that where the employee is an authorised signatory that their record is deleted from the authorised signatory records accessed through the Intranet under Finance/Financial Authorisations.

4. Retirement

4.1 Retirement & Flexible Retirement

For further guidance on retirement please refer to the 'Planning for Retirement' document located on the HR Intranet site.

- 4.1.1 To notify the Council of your intention to retire please follow the guidance given above in 3.
- 4.1.2 Information on flexible retirement is documented in the 'Planning for Retirement' document.

5. Expiry of Fixed Term Contract

- 5.1.1 One month before an employee's fixed term contract is due to expire Human Resources will contact the employee's Manager informing them of the employee's final date of employment. The manager should discuss their intention with the HR Business Partner – it is important to do so, as the employee may have or will accrue employment rights that may have implications on the individual employment and termination thereof.
- 5.1.2 If the intention is to renew the employee's fixed term contract or to place the employee on a full contract, this should be detailed on a Terms and Conditions Change form and should be authorised by their accountant and the form returned to HR. This intention will then need to be confirmed by HR with the Director of service. The Manager is responsible for filling this out and returning it to Human Resources.
- 5.1.3 If the intention in 5.1.2 is confirmed by the Director of service then either a letter confirming the new expiry date or a new contract will be issued.
- 5.1.4 If the employee accepts the proposed new contract, Human Resources will be responsible for updating the staff database. If the employee declines the offer of continued working, the process described in section 5.15 will take place.
- 5.1.5 If the employee's contract is not to be renewed, Human Resources will send a letter confirming their last day of employment, along with a leavers pack.

6. Failure to give Notice

- 6.1.1 An employee may request to leave without notice, please see 3.2.3.
- 6.1.2 If an employee fails to turn up to work without notifying their Manager, it is the Manager's responsibility to try to contact the employee. This may involve telephoning and delivery of an absent without leave letter to the last known residence of the employee. Attempts to contact the employee should be continued until contact is made. No contact will mean that the Council has no other alternative but to treat the employee's continued absence as their resignation.
- 6.1.3 If contact can not be made with the employee, Human Resources should be contacted and informed of this immediately. Human Resources will provide support in trying to establish contact with the employee; this support will remain until contact has been made. If there is any fear for the employees wellbeing then Human Resources will contact the Police.

7. Information for all Leavers

7.1 Final Salary

7.1.1 Regardless of the employees leaving date, the final salary will be paid as normal via Bacs into the employee's bank account. They will receive their final salary on the 23rd of the month. Salary will be calculated from the 1st of the month to the last date of employment.

7.2 Annual Leave

7.2.1 Where possible and operational requirements allow, managers should manage any outstanding leave during the notice period.

7.2.2 Managers are responsible for discussing the final holiday entitlement with employees. All holiday entitlement should be calculated on a pro rata basis.

7.2.3 If the employee has holiday outstanding, they can arrange to take this before their final day of work or in exceptional circumstances it can be arranged for them to be paid for this time. Payment will be made with the employee's final salary.

7.2.4 If an employee has taken more than their final holiday entitlement, this money will be claimed back from the employee's final salary.

7.3 Accrued time

7.3.1 Employees are expected to, reduce any accrued hours down to zero before their last working day.

7.3.2 No compensation will be given for any untaken time. Accrued hours that have not been taken by the employee's final day of work will be lost.

7.4 Other Final Salary Adjustments

7.4.1 Employees will be informed if they have any outstanding balances at the date of leaving and this will be deducted from their final salary. In any case upon where the final salary has already been paid, a debtor invoice will be raised and sent to the employee.

7.4.2 Outstanding balances can relate to;

- Lease Car
- Buying additional annual leave
- Cycle to work scheme
- Car loans
- Season ticket loan scheme
- Sundry Debtor Accounts
- Post Entry Training
- Mortgage Subsidy
- Relocation Expenses

- Subsidised Car Park Space
- Salary overpayment
- Annual leave overpayment
- Unpaid leave or unauthorised absence days

7.5 Returning Council Property

7.5.1 All employees leaving the Council are expected to return Council property to the Council on their final day of work.

7.5.2 Property which should be returned to the Council includes;

- Security badge
- Identification card
- Corporate Clothing (bearing the CCC logo)
- Laptops
- Mobile Phones
- Headsets
- Keys
- Procurement / Credit Cards

7.6 Exit Questionnaires

7.6.1 It is Council policy that all employees leaving the Council are asked to complete an exit questionnaire. The only exceptions are those employees who are dismissed through disciplinary procedures.

7.6.2 The exit questionnaire will be contained within the leavers pack, sent to the employee by Human Resources.

7.6.3 When completing exit questionnaires, employees are encouraged to be as open and honest as possible.

7.6.4 Employees should return the completed questionnaire to the relevant Business Partner in Human Resources.

7.6.5 The information collected from the exit questionnaire will remain confidential. All information collected will remain within Human Resources for monitoring purposes.

7.7 Exit Interviews

7.7.1 Employees will be given the opportunity to have an exit interview. Requests for exit interviews will be positively embraced and a meeting will be arranged as soon as possible. Exit interviews will be conducted in a private location and can be conducted by the employee's line manager or a member of Human Resources.

7.7.2 The exit interview is not intended to be used as an opportunity to raise grievances, bullying and harassment or discrimination complaints. Employees

should refer to the appropriate procedures specifically designed for raising and dealing with these issues at the time when such issues arise.

- 7.7.3 Any serious allegations which emerge from an exit interview must be referred to the appropriate director, providing the employee gives consent to this. In such cases, the employee will be given the opportunity to retract their resignation while the matter is under investigation.
- 7.7.4 The information collected from the exit interview will remain confidential. All information collected will remain within Human Resources for monitoring purposes (unless the employee has advised that the information can be shared ie. To follow up a complaint).

7.8 Monitoring of Leavers

- 7.8.1 Human Resources are responsible for monitoring leaver statistics.
- 7.8.2 Strategic Human Resources will produce a quarterly report for directors providing information in respect of leavers. This report will include leaver statistics as well as confidentially including findings from exit interviews and questionnaires.
- 7.8.3 It will be Directors' responsibility to ensure that Managers are informed of the findings of these reports. It is the Directors' responsibility to ensure that action is taken to resolve any issues that were raised.

7.9 References

- 7.9.1 All reference requests should be made as per the External Reference Requests Policy.

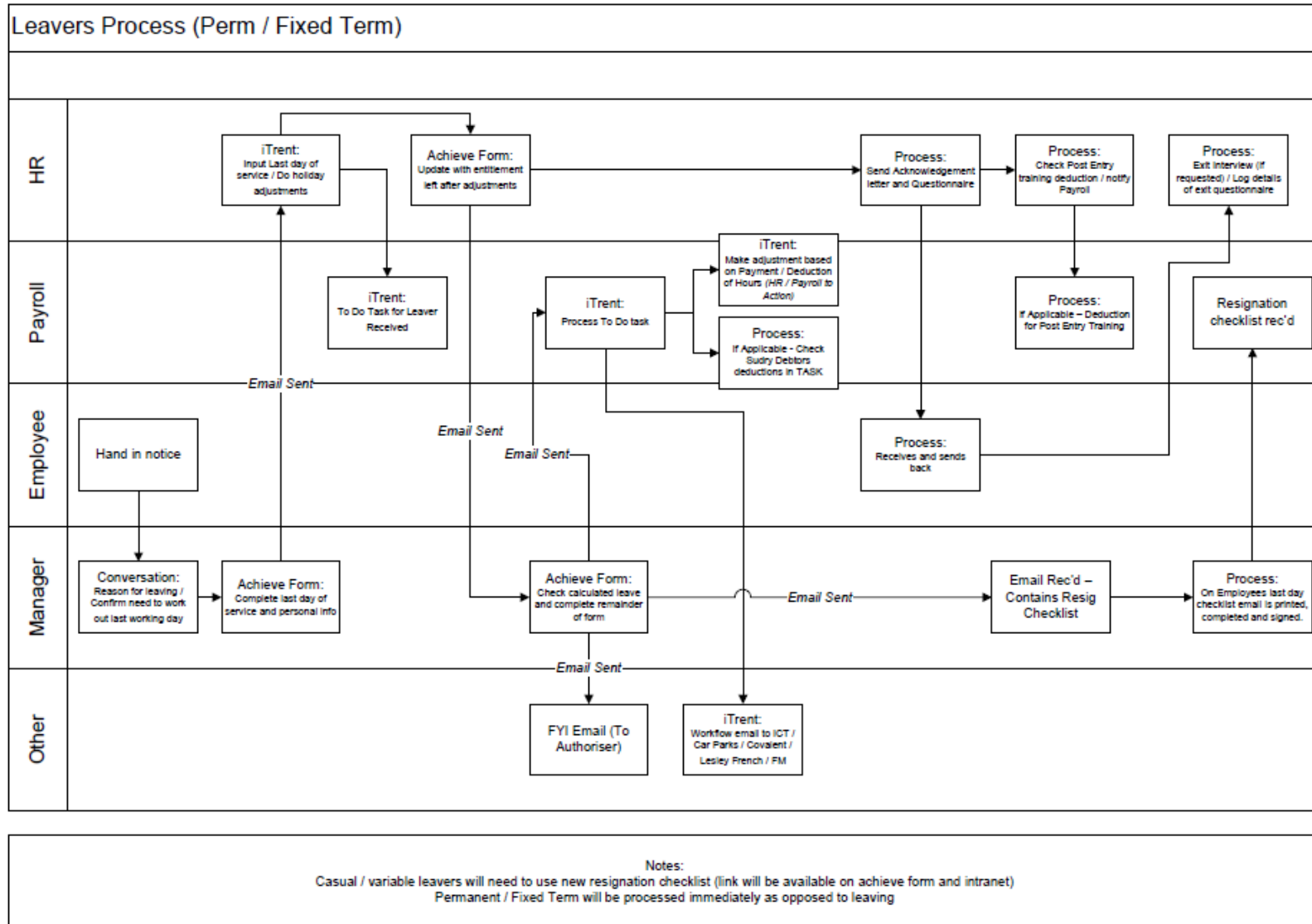
8. Appendices

8.1 Appendix I – Senior HR Business Partners

Senior Business Partners should form the first point of contact for all HR enquiries.

Directorate	Responsible Business Partner	Business Partner's Extension Number
Connected Chelmsford (excl Culture, Theatres and Museums)	Andrew Cartwright	6309
Connected Chelmsford (Culture, Theatres and Museums only) Financial Services Sustainable Communities	Beretta Hawkins	6735
Public Places	Alison Felton	6314

8.2 Appendix 2 – Flow Chart Leavers Process



Version Number	Creation Date	Changes Made	Changes Made By:	Authorised And Checked?	Date of Changes
3.4	March 21	Updated to reflect changes to flexi	HR	Y	Mar 21
3.3	May 15	Appendix I update	HR	Y	Dec 16
3.2	May 15	Replaced two ticks with disability confident	HR	Y	Oct 16
3.1	May 15	Changes to Appendix I-HR Business Partners	HR	Y	May 16
3.0	May 15	Changes to resignation checklist and process for	HR	Y	May 15

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