

Leavers Policy and Procedure

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CONTENTS

1	SCOPE & PURPOSE	3
2	NOTICE PERIODS.....	3
3	RESPONSIBILITY OF LINE MANAGERS	3
4	RESPONSIBILITY OF STAFF.....	3
5	EXIT QUESTIONNAIRE.....	4
6	REFERENCES.....	5
	Appendix	6

LEAVERS POLICY AND PROCEDURE

1 SCOPE & PURPOSE

- 1.1 The purpose of this Policy is to provide guidance for managers and employees leaving the Trust, to ensure that an effective and consistent approach is adopted.
- 1.2 This Policy applies to all staff employed within the Trust who are planning to resign, retire or whose fixed term contract is coming to an end.
- 1.3 Staff who are being made redundant, should refer to the specific policies for further information. These can be found on the Trust Staff Intranet.

2 NOTICE PERIODS

- 2.1 An employee may terminate their contract of employment at any time by giving the Trust appropriate notice of their intended resignation which must be in writing. The letter should be addressed to the line manager and copied to the HR Department.
- 2.2 The length of their notice period is determined by the position held and the contractual notice period which is specified in the contract of employment.
- 2.3 Where an employee provides verbal notification that they are leaving, this must be formally followed up in writing in order to satisfy the requirements for resignation as contained in contracts of employment. Employees are advised to obtain a written acknowledgement of their resignation date, normally from their line manager, so as to avoid any misunderstandings in relation to the commencement of the notice period.

3 RESPONSIBILITY OF LINE MANAGERS

- 3.1 Managers are required to familiarise themselves with this Leavers Policy and Procedure.
- 3.2 Managers should discuss the resignation and the reasons for it, with the employee. If the line manager has any concerns regarding the reason for the resignation, they should discuss it with their designated HR Business Partner.
- 3.3 Managers must ensure that employees due to leave the Trust return their ID card together with any Trust equipment/property they may have been issued with, by no later than their last working day.

4 RESPONSIBILITY OF STAFF

- 4.1 Annual Leave
 - 4.1.1 Employees with contracts which are not solely term time who leave the Trust before the end of the annual leave year, should provide evidence of any outstanding annual leave entitlement (normally in the form of their annual leave card or by confirmation from the line manager) to the Human Resources department.
 - 4.1.2 If, on the termination of employment, an employee has exceeded their accrued holiday entitlement, the Trust will seek to claw back the financial equivalent of leave which has been taken in advance of the entitlement.
 - 4.1.3 If the employee has holiday entitlement outstanding, the Trust will require that the majority of this is used prior to the agreed termination date, adhering to standard annual leave request procedures. No more than 5 days annual leave entitlement will normally be paid as part of an employee's final salary payment.
 - 4.1.4 In the rare event that line managers need the member of staff not to use up all of their outstanding annual leave entitlement and this results in them having more than 5 days annual leave outstanding, line managers must obtain Executive Head Teacher

approval, managers should liaise with their HR Business Partner to arrange this. If approved, this arrangement will form an exceptionally agreed arrangement to increase the number of days to be paid to the employee, as part of their final salary payment.

4.1.5 The annual leave year runs from 1 September to 31 August and outstanding annual leave for all year round staff will be calculated to reflect the number of working days they will have been employed from the start of the leave year up until their last day of service.

4.1.6 Term time only staff receive payment for annual leave entitlement, as part of their salary, which is spread equally over twelve monthly instalments. It is therefore possible that staff may have received more or less annual leave for the actual weeks worked. In these circumstances, an adjustment to final salary will be necessary.

4.2 Trust Equipment

4.2.1 Staff are required to return to the relevant department any Trust property, including but not limited to, ID card, car park permit, any Trust keys, mobile phone, computers or other IT equipment, uniforms, library books and any protective clothing/equipment issued by the Trust by no later than their last working day by arrangement with their line manager. Staff and managers should refer to the Leaver's checklist attached as Appendix 1.

4.2.2 Failure to return items may result in the Trust deducting an equivalent sum from the employee's final salary, equal to the value of replacing the item.

4.3 Outstanding Payment Recovery or Additional Payments

4.3.1 Where an employee is repaying a salary overpayment in instalments or has outstanding amounts owing following failure to return Trust equipment, the outstanding balance will be deducted from the employee's final salary. Should the final salary be insufficient to cover the outstanding amount, the Trust will require this to be paid immediately.

4.3.2 The Trust is committed to retrieving any monies owed by employees who leave the Trust. An invoice from the Finance Department will be sent to the individual, outlining the payment details.

4.3.3 In cases where a payment is due to a former employee e.g. a redundancy payment, either a separate BACS payment may be made, or this will be paid via payroll, depending on what the payment is for. Any outstanding monies will be paid no later than the following month's salary date.

4.4 Learner Agreement

4.4.1 Where financial assistance has been sought for professional development activity, staff will need to repay a percentage of the costs in the event that they leave the Trust within two years from the date of completing the training. Details will be contained in the Learner Agreement, completed and signed by the employee prior to the Trust's confirmation that the training could go ahead. Training Contracts and the Staff Handbook both explicitly outline the agreement entered into by staff and the reducing penalties for repayment over the 24 month period following completion of any course.

4.4.2 The HR Department will provide written confirmation of any sums that need to be repaid and the amount that will be deducted from the employee's final salary. Should the final salary be insufficient to cover any outstanding balance, this can either be repaid on a pro-rata basis during the final months of the employee's notice period, or must be paid within two months of leaving the Trust.

5 EXIT QUESTIONNAIRE

5.1 Staff leaving the Trust will be asked to complete the exit questionnaire in Appendix 2 to gain an understating of why employees leave and to address any issues or to improve

particular working practices. This, alongside other information from a variety of employee data (e.g. surveys) helps to build a picture of working for the Trust. These are usually undertaken with the employee's line manager.

- 5.2 The data collected will enable the Trust to monitor trends to ensure that employees enjoy a positive working environment. Accordingly, information provided by leavers will be logged and statistical information given to the Senior Leadership Team on a regular basis. However, personal information will not be logged in this way so that confidential comments will remain anonymous.
- 5.3 Information provided will be treated sensitively and confidentially. There may however be some instances where action will be required by the Trust to follow up information which leavers provide. Information provided by an employee will not affect any future reference request(s) or offers of employment.

6 REFERENCES

- 6.1 Where an employee needs to provide referee details to a potential future employer, all such requests should be routed through the Head of School / Service but signed off by the Executive Head Teacher before being finalized and communicated. References must be factual and accurate in so far as the line manager is able to confirm.

APPENDIX

EXIT INTERVIEW

Interview comments and any action, if relevant

Signed: Date: (HR Business Partner)

Further action required Yes/No*

If Yes, please refer matter to the Director of HR & Development