

LEAVER'S POLICY

Version:	4
Date issued:	May 2017
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Applies to:	Employees, bank workers and locums

This document is available in other formats, including easy read summary versions and other languages upon request. Should you require this please contact the Equality and Diversity Lead on 01278 432000

DOCUMENT CONTROL

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1 INTRODUCTION

- 1.1 Somerset Partnership NHS Foundation Trust recognises that employment may be ended for a variety of reasons. If handled effectively it can reduce any negative impact caused by such actions whether ending of employment is initiated by the employee or the Trust.
- 1.2 The Trust is keen to monitor and evaluate the reasons why employees leave their employment in order to identify trends and percentage turnover figures and in doing so determine where action may be taken to try and reduce turnover rates.

2 PURPOSE AND SCOPE

- 2.1 The purpose and scope of this policy is to ensure a consistent and proactive approach to managing the process of ending employment contracts for staff leaving the Trust and ensuring compliance with current legislation.
- 2.2 The policy will apply to all employees who hold an employment contract with the Trust. The Leaver checklist, where applicable and Leaver's Questionnaire are also to be used for leavers who are not Trust Employees for example Bank workers and Locums.

3 DUTIES AND RESPONSIBILITIES

- 3.1 **The Trust Board** has overall responsibility for procedural documents and delegates responsibilities to the Director of Workforce and Organisational Development.

The Director of Workforce and Organisational Development has devolved responsibility for the operational implementation and ongoing monitoring of the Employee Leaver's Policy to the Human Resources Team.

- 3.2 **The Trust** will ensure that:
- All employees whose employment with the Trust ends will receive the correct period of notice and/or payment in lieu of notice if appropriate
 - All employees leaving the Trust are invited to attend an exit interview and asked to complete a leaver's questionnaire
 - All of its property and equipment is securely recovered from employees who are leaving our employment
 - The procedural mechanisms for the ending of employment are handled in a sensitive, professional and timely manner
 - Exit interview and leaver's questionnaire data is reviewed and used, where possible, to inform improvements to service delivery

3.3

The Line Manager is responsible for:

- Ensuring that the leaver's process is carried out in accordance with the Leaver's Policy
- Liaising with Human Resources if they are concerned about an employee's reason for leaving, before acknowledging and accepting a resignation
- Acknowledging an employee's resignation in writing using the template in Appendix B within three working days of receipt of resignation letter
- Ensuring a copy of the resignation letter and response are recorded on the employee's main personal file (held locally or centrally)
- Completing a leaver's form for all leavers with copies sent electronically to payroll, HR, the e-roster administrator and finance via payrollforms@sompar.nhs.uk. A copy will also be retained on the personal file
- Arranging an appropriate time and venue to conduct an exit interview with the employee
- Providing the employee with an electronic link to the leaver's questionnaire for completion with the acknowledgment letter
- Completing the managers checklist for leaver's as detailed in Appendix A by the employee's last day (copy to be retained on personal file, and copy to be sent to Human Resources)
- Notifying the Counter Fraud Specialist of suspected fraud and the Security Manager of any Trust property or equipment not returned
- Ensuring the employee's annual leave entitlement is accurately calculated and that any balance outstanding is used prior to the end of employment. Final leave allowance whether under or over taken should be recorded on the leaver's form
- Ensuring employees on a fixed term contract are informed if their contract is coming to an end in a timely manner and are made aware of suitable vacancies within the Trust

3.4

Line Manager's must ensure that an appropriate handover of work / cases is completed for all staff. Any leavers working in a clinical role must have their clinical caseloads reviewed and reallocated with an appropriate handover to ensure continuity of care. Additionally, Line Managers should ensure that all progress notes are up to date and outcomes completed prior to end of employment where reasonably practicable.

3.5

It is the responsibility of the Line Manager to inform IT Services of all leavers to ensure user accounts are closed down, this should normally be on the planned leaving date.

3.6

The Employee is responsible for:

- Notifying their Line Manager in writing of their intention to resign from post giving the appropriate notice period as detailed in their contract of employment
- Ensuring a copy of their annual leave card is sent with their resignation letter and that it includes details of all annual leave taken / booked.

- Completing a leaver's questionnaire, if they wish, and providing honest feedback about their employment
- Agreeing a mutually convenient appointment for an exit interview (not mandatory) with their Line Manager prior to leaving the Trust
- Returning all Trust property to their Line Manager by their last day - see Appendix A for full details.
- Reporting any lost, stolen or damaged property immediately to their Line Manager
- Ensuring an appropriate handover of any outstanding workload or casework is carried out, including passing any case notes or files to their Line Manager
- Where possible, using all outstanding accrued annual leave prior to leaving the Trust.

3.7 **Human Resources** are responsible for:

- Recording leavers forms received from Line Managers on a leaver spreadsheet
- Notifying managers of any resignations submitted directly to Human Resources
- Logging manager checklist returns against a leavers spreadsheet to ensure appropriate governance procedures have been implemented for return of trust property and equipment
- Providing advice and guidance to managers and staff on the appropriate interpretation of this policy and guidance
- Analysing leaver questionnaires / exit interviews
- Carrying out an exit interview with the employee if requested

3.8 **Payroll** are responsible for

- Processing leaver's forms ensuring that employees are not over paid – recovering payment for any overtaken annual leave

4 **DEFINITIONS**

4.1 The following definitions apply to this policy;

Resignation

For the purposes of this policy Resignation includes an Employees request to leave, including Retirement

Employee

This relates to individuals appointed by the Trust through a contract of employment to undertake duties on behalf of the Trust. This includes individuals engaged in permanent or fixed term contracts on full or part time hours.

Bank Worker

A bank worker is someone who works on an "as and when" basis. There is no obligation on the part of the Trust to offer work and no obligation on the part of the bank worker to accept work assignments offered.

Locum

This term is generally applied to those working in the medical profession such as Doctors and Dentists. A locum Worker is generally engaged as a Bank Worker.

5 NOTICE PERIODS

- 5.1 The notice period which should be given if employment is terminated by the employer or the employee is shown on the statement of main terms and conditions (contract of employment) issued to staff on appointment or as detailed in any subsequent change of circumstance form following appointment.
- 5.2 An employee is entitled to receive whichever is the greater of:
- two weeks' notice if the employee has been employed by the Trust continuously for two years, plus one additional week's notice for each further completed year of continuous NHS employment, up
 - to a maximum of 12 weeks
 - OR
 - the contractual notice period set out in the statement of main terms and conditions (contract of employment)
- 5.3 Unless a contract states otherwise, notice can be given on any day of the week. The notice period runs from the start of the day following the day on which the notice was given e.g. if a month's notice is given on a Monday, the period of notice will begin on the Tuesday and will expire after one month.
- 5.4 Normally, an employee's last day in service will be the last day of the notice period. If the employee uses any accrued annual leave immediately prior to their last day in service this will not affect their service end date.
- 5.5 Whilst an employee is working their notice, the Trust expects the employee to continue to conduct themselves in an entirely appropriate manner, and uphold the high standards of performance required of employees.
- 5.6 If an employee's performance during the notice period falls below the required standards, the Trust may address this as a performance or disciplinary matter in line with the relevant Trust policies.
- 5.7 During the notice period, the Trust may adjust an employee's duties, contact with clients / patients, access to information or resources and impose any other reasonable practice, to better facilitate a handover of work / cases and/or to protect business interests.

6 STAFF WHO LEAVE WITHOUT NOTICE

- 6.1 Staff who leave without giving notice or leave before the end of their notice period without the permission of the Trust will be regarded as taking unauthorised absence and will not be entitled to be paid for the day(s) not worked within their contracted notice period.

- 6.2 If, in exceptional cases, the Trust decides to waive the need for an individual to work their normal notice period this must be agreed with the Line Manager and a Human Resources Business Partner. Payroll must also be notified via the leavers form. The manager's checklist must still be fully completed in this circumstance.

7 LEAVERS PROCEDURE

Acknowledging a resignation

- 7.1 Employees who resign from their post should give written notice to their Line Manager in accordance with this policy and the terms of their individual contract of employment.
- 7.2 The Line Manager should confirm acceptance of the resignation letter using the acknowledgement letter (appendix B) within 3 working days (after seeking HR advice if appropriate) and should confirm the employees last day of service.
- 7.3 An electronic link to the Leavers Questionnaire should be sent to all employees with the acknowledgement letter.
- 7.4 The Line Manager should ensure a copy of the resignation and acknowledgement letter is retained on the employee's personal file.
- 7.5 The Trust reserves the right to instigate or continue with a disciplinary investigation/hearing involving an employee who resigns from the Trust in line with Trust policy. The employee will be notified of this decision and given every opportunity to play a full part in the proceedings (refer to the Disciplinary Policy for further information).

Completing a leavers form

- 7.6 The Line Manager should complete a Leavers Form as soon as possible after acknowledging the resignation letter, in accordance with the payroll schedule in order to avoid any over payment of salary.
- 7.7 The Line Manager should record any outstanding / over payment of annual leave on the Leavers Form (see section 8).
- 7.8 The Leavers Form should be sent by the appropriate authorised manager to the Payroll Department by emailing payrollforms@sompar.nhs.uk. This electronic email address will also automatically send a copy to Human Resources, the e-roster administrator and Finance Departments.
- 7.9 The Line Manager should contact Payroll at the earliest opportunity where an overpayment is likely to occur.
- 7.10 For staff on annualised hours/term time contracts, the Line Manager must discuss the hours worked/paid with the employee. If these cannot be equalised prior to leaving, the over/under payment must be recorded on the Leaver's Form.

- 7.11 Any outstanding expenses including travel should be submitted in the normal way. Any outstanding payments will be made the month after the employee's termination date.
- 7.12 Line Managers should complete a changes form and not a leaver's form for employees moving internally within the Trust.
- 7.13 If an employee resigns and any issue of fraud is suspected, the Line Manager should notify the local Counter-Fraud Specialist immediately and their Human Resources Business Partner.

Leaver Questionnaires

- 7.14 Employees are encouraged to complete a Leavers Questionnaire online.

Exit Interview

- 7.15 Line Managers must offer all leavers the opportunity to attend an exit interview.
- 7.16 If the employee agrees to attend an exit interview then the Line Manager must arrange a mutually convenient time and date for the interview to take place, details of which can be confirmed in the acknowledgment of resignation letter.
- 7.17 If the employee declines the offer to attend an exit interview with their manager or another manager within their service, then they can request a meeting with Human Resources.
- 7.18 Employees should be advised at the outset that if their exit interview contains information that is of a serious concern to the organisation, the Trust will reserve the right to act accordingly on that information.
- 7.19 The Workforce Information Team will produce on a quarterly basis an analysis of trends and themes from exit interviews and leavers questionnaires and will share them at divisional meetings and JSCC.
- 7.20 The exit interview and leaver's questionnaire process will provide tangible information for analysis in order to identify recruitment and retention issues or common themes which result in resignation or ending of employment. It will also help to gain positive feedback and identify areas of good practice which can be shared across the organisation.
- 7.21 Analysis of exit interviews and leaver's questionnaires will help inform the Trust's recruitment and retention strategy with a view to continually improving the employee experience within the Trust. Additionally, it will help to inform the future planning and organising of work within the Trust, in particular the specific core roles and responsibilities of each post.

Leaver Checklist & Returning Trust Property

- 7.22 Line Managers, or their nominated deputy, must arrange to meet with all leavers at the earliest convenience to complete the Manager Checklist (Appendix A).

- 7.23 The checklist may need to be completed over more than one meeting. The final checking and sign off should be undertaken by the Line Manager or nominated deputy and employee on the leaver's last working day.
- 7.24 Once fully completed and signed off, a copy of the Manager's Checklist should be placed on the main personal file and the original copy sent to Human Resources for recording. The employee must also be given a copy of the form.
- 7.25 The Line Manager or nominated deputy, must ensure that they secure recovery of all Trust property and equipment from any leaver and to disable their access to all Trust secure systems and accommodation on or before their last day, for example; ID badge, uniform, door entry fobs or cards, keys and any other property / IT equipment. This must be recorded on the leaver's checklist.
- 7.26 Should a leaver fail to return any item of Trust property, the Line Manager or nominated deputy should immediately report this to the Trust's Security Manager who will advise on an appropriate course of action for recovery. This could result in non returned property being reported to the Police as stolen.

8 CALCULATING ANNUAL LEAVE

- 8.1 Line Managers should calculate the employees annual leave entitlement in accordance with the provisions outlined in the Trusts Annual Leave and Special Leave Policy
- 8.2 Any outstanding annual leave should be taken prior to the agreed last day of service and should not extend the employees notice period.
- 8.3 If the employee is unable to take all their annual leave prior to their leaving date due to service provision or individual circumstances, Line Managers must arrange for payment for outstanding annual leave to be made with final salary payment via the Leavers Form.
- 8.4 If the employee has taken more annual leave than their entitlement for the period of the year that they have worked before their leaving date, this should be recorded on the Leavers Form so the equivalent amount of pay can be deducted from the employee's final salary payment.
- 8.5 In calculating the annual leave due on termination of employment, account must be taken of the employee's normal working days each week and also public holidays. Examples are shown in Appendix D.

9 TERMINATION OF FIXED TERM CONTRACTS

Process for ending a fixed term contract

- 9.1 Line Managers should meet with any employee whose contract which is due to expire and is not being renewed. A sample letter to invite the employee to attend a meeting can be found in Appendix C.

- 9.2 The meeting must take place within sufficient time to allow for the employee to be issued with their contractual notice.
- 9.3 The purpose of the meeting should be to:
- Confirm the end date of the contract
 - Give the employee an opportunity to discuss this decision and raise any relevant issues
 - Advise the employee of any other vacancies available in the Trust and how to access applying for them
- 9.4 Following the meeting the Line Manager must write to the employee confirming the outcome.
- 9.5 If the fixed term contract is related to a particular business need, then the manager should be in a position to show that the termination of employment has come about as a result of the end of that need and is required to include this in a letter informing the employee of the termination of service.
- 9.6 The outcome letter to the employee should include information regarding their right to appeal against the decision to terminate their employment.
- 9.7 Line Managers must still follow the Leavers procedure described in section 7 excluding the acknowledgement of resignation.
- 9.8 Line Managers should ensure that employees on a fixed term contract which is coming to an end have access the weekly job bulletin.

10 RETIREMENT

- 10.1 The procedure to follow when an employee is looking to retire is detailed in the Trust's Retirement Policy.
- 10.2 Line Managers should still follow the leaver's process for retirees including an exit interview and manager checklist.
- 10.3 Those employees wishing to retire and take their pension and then return to work for the Trust must do so in line with the Trust's Retirement Procedure. There is no automatic right to return to employment following resignation for the purpose of retirement.

11 DEATH IN SERVICE

- 11.1 Benefits are only payable when an employee who dies in service was a member of the NHS Pension Scheme at the time of their death and have contributed to the scheme.
- 11.2 The Line Manager should immediately notify by telephone the Pension Advisor in the Payroll Department of the death followed by the completion of a Leaver's Form. This should give the date of death, indicate any outstanding annual leave and give the name of next of kin or person to contact regarding probate

- 11.3 The Line Manager should also identify any extra duties undertaken by the deceased if recorded and advise payroll to ensure the final payment is accurate.
- 11.4 The Line Manager should also notify the Human Resources Department of the death in order to ensure measures can be put in place to ensure no written correspondence in the deceased's name is sent to the home address.
- 11.5 The Human Resources Business Partner will be able to provide advice and guidance on the protocols to be followed following a death in service including information for the family and advice on the sensitive recovery of any Trust property.
- 11.6 The Payroll Department will send an Indemnity Form to the next of kin or person named as the contact for the estate. This form will be used as the authority to pay any outstanding salary payments owed. This will be paid for the period from the start of the month to the date of death. When the Indemnity Form is received by Payroll they will issue a cheque for any monies due to the nominated Executor.
- 11.7 If there is a surviving spouse, registered civil partner or qualifying partner, once appropriate evidence of a relationship is received the payroll Department will check to ensure that the deceased made the relevant contributions to the scheme and if so the Line Manager should complete a Starter's Form in that person's name so that an initial pension can be paid by the Trust.
- 11.8 The form must be signed by the Line Manager but does not need to be signed by the surviving spouse/partner. It should detail the name, date of birth, address of the spouse/partner and his/her National Insurance number. A bank details form must also be completed and must be signed by the relevant person who will receive the pension. If it is known that there are dependent children, this should be indicated on the form. Advice on dependent children can be sought from the Trusts Pension Advisor.
- 11.9 When the Starter Form for the spouse/partner is received by Payroll, they will pay the monthly equivalent salary that the deceased employee would have received directly into a bank account for an initial period of six months.
- 11.10 After the initial six months, the pension will be paid to the surviving spouse/partner directly by the NHS Pensions Agency.
- 11.11 Since 1 April 2008, the pension mentioned in section 16.6 above, can also be paid to a partner who was nominated by the deceased employee as someone they had an exclusive and long term relationship with, for at least two years, and with whom they were financially dependent or interdependent.
- 11.12 Dependents' pensions are payable for life to the legal spouse, registered civil partner or qualifying partner from the date of death. For employees who are not in a legally recognised relationship both they and their partner are required to complete a form to register their relationship. There are criteria that must

be met for the partner to qualify for benefits and these will be checked in the event of a death in service.

- 11.13 Further information and a PN1 form to nominate a non-legal partner can be downloaded from the NHS Pensions website at www.nhsbsa.nhs.uk/pensions

12 RETENTION OF LEAVER'S PERSONAL FILES

- 12.1 The retention of leavers files should be in accordance with the Department of Health Records Management NHS Code of Practice (see Appendix H).
- 12.2 Files should be stored and retained in a secure location or archived following the local arrangements in your department.
- 12.3 Files which have reached the day by which they are no longer required to be kept must be destroyed by confidential means such as shredding or by disposal through locally arranged approved confidential waste management processes.

13 SMART CARDS

- 13.1 When a member of staff leaves the Trust but is remaining in NHS employment they will take their smartcard with them. The Line Manager must inform the Registration Authority Manager that the employee has left the Trust but stayed within the NHS. The Registration Authority Manager will deactivate the profile via ESR and PBAC rendering the card inoperative until reactivated at another NHS site.
- 13.2 When a member of staff leaves the Trust and is leaving the NHS they should return their smartcard to their Line Manager who will record that the card has been received on the manager's checklist (Appendix A). The Line Manager must then return the smartcard to the Registration Authority Manager who will remove the account from the system.
- 13.3 Loss, disclosure or suspected theft of a smartcard should be reported to the Registration Authority Manager immediately. The Registration Authority Manager will deactivate the smartcard and issue a new one. An incident report must be created and forwarded by the Line Manager as appropriate.

14 TRAINING REQUIREMENTS

- 14.1 The Trust will work towards all staff being appropriately trained in line with the organisations Staff Training Matrix (training needs analysis). All training documents referred to in this policy are accessible to staff within the Learning and Development Section of the Trust Intranet.
- 14.2 Further guidance on the application of this policy and its associated procedures can be sought from your Human Resources Business Partner.

15 MONITORING COMPLIANCE AND EFFECTIVENESS

- 15.1 Monitoring arrangements for compliance and effectiveness will be carried out by the Human Resources Department in liaison with the Security Manager and Payroll Manager.
- 15.2 The Workforce Team will be responsible for the analysis of data captured in the returned leaver's questionnaires and exit interviews. This will be summarised into grouped themes and reported in the quarterly Human Resources Report to the Trust Board. Individual employee identity will be withheld unless otherwise the employee is notified differently by their line manager or Human Resources. This information will also be shared at divisional meetings and JSCC
- 15.3 An internal audit will be undertaken by Human Resources on an annual basis looking at return rates for leaver's questionnaires against number of staff who have left. Additionally, an audit will be undertaken by Security Management Services to identify any security risks in relation to the return of Trust property and equipment.

16. REFERENCES AND ASSOCIATED DOCUMENTS

16.1 References

Agenda for Change Terms and Conditions of Service
Equality Act 2010
Employment Act 2002 and 2008
Employment Relations Act 1999 and 2004
Fixed Term Employees (Prevention of less favourable treatment) Regulation 2002
Employment Rights Act 1996
NHS Pensions Agency Regulations
Department of Health Records Management NHS Code of Practice

16.2 Cross reference to other procedural documents

Absence (Management of Staff) Policy
Annual Leave and Special Leave Policy
Capability Policy
Counter Fraud (including Bribery and Corruption) Policy
Disciplinary Procedure
Grievance and Disputes Policy
Organisational Change Management Policy
Recruitment and Selection Policy
Retirement Policy
Risk Management Policy and Procedure
Staff Training Matrix (Training needs analysis)

All current policies and procedures are accessible in the policy section of the public website (on the home page, click on 'Policies and Procedures'). Trust Guidance is accessible to staff on the Trust Intranet.

17 APPENDICES

17.1 For the avoidance of any doubt the appendices in this policy are to constitute part of the body of this policy and shall be treated as such.

Appendix A	Managers checklist for leaver's
Appendix B	Template letter to acknowledge resignation
Appendix C	Template letter for non-renewal of a fixed term contract
Appendix D	Calculating annual leave on termination of employment
Appendix E	Exit interview process
Appendix F	Department of Health Records Management NHS Code of Practice

MANAGERS CHECKLIST FOR LEAVER'S

This checklist is to be completed for all leaver's including those on fixed term or temporary contracts, secondment to the Trust or contracted workers e.g. locums or temporary staff. The check list should be completed in all cases whether due to resignation, retirement, redundancy end of contract or dismissal. For any exceptional cases please seek advice from Human Resource's.

The fully completed form must be sent electronically to the Human Resources Department via HRforms@sompar.nhs.uk
A signed copy of the form should be retained on the personal file.

Leaver Name:	Department:
Personal email address:	
Date of Leaving/ Date of Dept Transfer:	Current Line Manager: New Manager (if applicable):

NB: Please mark end column N/A if the listed item is not applicable to the post.

	Action	Date	Manager's Initials/Comments
Leaver's Procedure	Manager acknowledges resignation or retirement, issues link to leaver's questionnaire and arranges a date to conduct an exit interview using Appendix B.		
	Manager completes leaver's form with employee, including calculating annual leave allowance (see Appendix D).		
	Manager completes exit interview with employee, gives them the link to the Leavers Questionnaire and returns completed exit interview paperwork to Human Resources		
	Employee completes online Leavers Questionnaire		
	If an exit interview is declined the manager should notify Human Resources by e-mailing hforms@sompar.nhs.uk .		
Equipment	Remote Access (Fob or Pin Access Codes) – Agree arrangements for handover and return and sign when all received. Notify IT Department to disable pin code access with effect from leaving date.		
	Laptops/Computers – Agree arrangements for handover and return and sign when all received.		
	IT Hard and Software - USB stick, removable media, SD cards, information storage devices, copies of programmes and Trust issue devices. Agree arrangements for handover and return and sign when all received.		

	Action	Date	Manager's Initials/Comments
	Mobile Phone, Blackberry, pager, charger, headphones and any accessories - Agree arrangements for handover and return and sign when all received.		
	Equipment supplied by the Trust to carry out role – please list. Agree arrangements for handover and return and sign when all received.		
	Office/Desk telephone – Arrange to amend telephone lists and update any voicemail messages.		
	PIT Alarm - Agree arrangements for handover and return and sign when all received.		
Property	Trust Issued Uniform - Agree arrangements for handover and return and sign when all received.		
	Car Park Permit - Agree arrangements for handover and return and sign when all received.		
Security	Computer Access – e-mail, login, system access. Manager to notify IT Department to ensure all accounts are expired from leaving date.		
	Keys, entry cards and fobs and door access codes - Confirm return of security access resources and arrange for reprogramming of door codes if applicable.		
	Smartcards - Confirm process detailed in section 19 has been followed.		
	Prescribing/Prescription Pads - confirm return of pads and notify medicines manager to remove authorised prescriber rights in this Trust.		
	ID Badge - Agree arrangements for handover and return and sign when all received.		
	Official Trust Branded Ink Stamps - Agree arrangements for handover and return and sign when all received.		
Governance	Files, papers, manuals, paper diaries, library items - Agree arrangements for handover and return and sign when all received.		
	Caseload Handover – Manager to arrange to meet with employee to arrange full handover of all outstanding caseloads and to ensure where appropriate cases are closed.		
	Appointments - confirm all patient related notes have outcomes completed on RIO, SADIE or other related systems.		
	Progress notes - confirm all progress notes are complete and up to date.		

	Action	Date	Manager's Initials/Comments
Financial	Relocation Expenses - If employee is leaving after less than 2 years and has received relocation expenses, manager to notify payroll immediately.		
	Training Expenses – If employee has received training fees which require recovery if the employee leaves within an agreed minimum period of service, manager to notify payroll to arrange deduction from final salary		
	Petty Cash Imprest Holders – Manager to notify Finance Manager of leaver and ensure return of cash boxes, keys and remaining cash float.		
	Authorised Signatories – Manager to notify Finance Manager of leaver.		
	Lease Car Holder - Manager to notify Finance Manager of leaver and lease car management company.		
	Cycle Saver Scheme – Manager to notify Finance Manager of leaver if the employee is in Cycle Saver Scheme to arrange payment of outstanding balance.		

Managers Declaration

I confirm that I have fully completed this checklist with the above named employee in line with Trust Policy and that the instructions within have been carried out in full.

Name: _____ Signature: _____ Date: _____

Employees Declaration

I confirm that I have returned all Trust property and equipment held by me.

I declare the information given on this form is complete and correct. I understand that if I knowingly provide false information this may result in disciplinary action and I may be liable for prosecution and civil recovery proceedings. I consent to the disclosure of information within this form to and by the Trust and the NHS Security Management Services for the purposes of verification and prevention, detection and prosecution of fraud.

Name: _____ Signature: _____ Date: _____

Our Ref: Enter your ref here

Service building address to be entered here

Your Ref: Enter their ref here

Address 1

Address 2

Town

Date (Format: 13 May 2015)

County

Postcode

Name

Tel: Enter your number here

Address 1

Fax: Enter your number here

Address 2

Email: firstname.surname@sompar.nhs.uk

Town

www.sompar.nhs.uk

County

Postcode

Dear Name

ACKNOWLEDGEMENT OF RESIGNATION

Thank you for your letter dated [DATE] informing me of your wish to resign from your post as [JOB TITLE] with Somerset Partnership NHS Foundation Trust.

I acknowledge receipt of your resignation letter and confirm that taking into account your notice period of [X MONTHS] your last day of service with the Trust will be [DATE].

Your pro rata annual leave entitlement in the current leave year is [DAYS/HOURS]

CHOOSE ONE OF THE FOLLOWING SENTENCES, AS APPLICABLE:

As you have used up all of your pro rata annual leave entitlement, your last working day and final day of service will be the same.

As you have exceeded your pro rata annual leave entitlement for this year the extra number of DAYS/HOURS taken will be deducted from your final salary payment.

As it has been agreed that you will be paid your remaining [X DAYS/HOURS] of leave before your last working day, this will also be your final day of service.

As you have [X DAYS/HOURS] annual leave remaining, at your last working day will be [DATE] and your last day of service will be [DATE].

Exit Interview and Leavers Questionnaire

If attending exit interview

We have agreed to meet on at [TIME] at [VENUE] in order that we can conduct an exit interview. We will also complete a leaver's form for payroll purposes when we meet in order to ensure correct payment of your final salary.

As an organisation we are very keen to understand your experience of working in the Trust and your reasons for leaving. Your comments will help us to highlight any areas concern in order to put appropriate measures in place to improve the working

lives of our staff. I would therefore, be very grateful if you could take a few minutes to complete the online Leaver's questionnaire which can be accessed via the following link: <https://sompar.customervoice360.com/uc/main/91d0/>

The purpose of the questionnaire is to enable the Trust to;

- Gain an understanding of employees' experience of working for the Trust
- Establish reasons for leaving
- Improve the working lives of employees of the Trust.

If you would prefer to meet with another manager or a representative from the HR team to carry out your exit interview, please let me know.

I will also arrange a separate meeting with you on your last working day in order to complete a leaver's checklist to ensure that you have the opportunity to return any outstanding Trust property or equipment in your possession. Please refer to appendix 1 of the Trust's Employee Leaver's Policy for further details.

All questionnaires will be analysed and recorded by the Human Resources department on a central database. Information data gathered will be reported on to the Trust Board on a quarterly basis and may be shared, where pertinent, with other relevant parties. Information will be kept anonymous where possible and appropriate.

Following recording and analysis, questionnaires will be appropriately stored and destroyed in line with Department of Health Records Management NHS Code of Practice and the Data Protection Act 1998

Or if not attending exit interview

I understand that you have chosen to decline the opportunity to attend an exit interview with a manager or a member of the Human Resources team and **or**

I understand that you did not attend your arranged exit interview and

I would therefore, be very grateful if you could take a few minutes to complete the online Leaver's Questionnaire which can be accessed via the following link: <https://sompar.customervoice360.com/uc/main/91d0/>

The purpose of the questionnaire is to enable the Trust to;

- Gain an understanding of employees' experience of working for the Trust
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Following recording and analysis, questionnaires will be appropriately stored and destroyed in line with Department of Health Records Management NHS Code of Practice and the Data Protection Act 1998

Finally, I would like to thank you for your service with Somerset Partnership NHS Foundation Trust and I wish you every success for the future.

Yours sincerely

NAME OF LINE MANAGER
Job Title

Copy: Name, Job Title, organisation
Personal File

Our Ref: Enter your ref here

Service building address to be entered here

Your Ref: Enter their ref here

Address 1

Address 2

Town

County

Postcode

Date (Format: 13 May 2013)

Name

Tel: Enter your number here

Address 1

Fax: Enter your number here

Address 2

Email: firstname.surname@sompar.nhs.uk

Town

www.sompar.nhs.uk

County

Postcode

Dear Name

FIXED TERM CONTRACT

As you are aware, your fixed term post as [JOB TITLE] in the [DEPARTMENT NAME] is due to expire on [DATE]. At the present time, Somerset Partnership NHS Foundation Trust is not in a position to renew or extend this contract because [STATE APPROPRIATE REASON].

I therefore, invite you to attend a meeting on [DATE] at [TIME] in [VENUE] to discuss the proposed cessation of your fixed term contract. The meeting will be attended by [MANAGERS NAME]. The purpose of the meeting will be to discuss the reasons why the contract is ending and explore any possible alternative options such as redeployment. You will also have the opportunity to ask any questions or raise any relevant issues.

The final decision regarding your contract will take into account any representations you make at this meeting and you have the right to be accompanied by a work colleague, a representative of a trade union or an official employed by a trade union.

I would be grateful if you could confirm your attendance at the meeting by contacting [me/my secretary] on the above telephone number.

If you have any questions in the meantime, please do not hesitate to contact me.

Yours sincerely

NAME

Job Title

Enc (if appropriate)

Copy: Name, Job Title, Organisation

CALCULATING ANNUAL LEAVE FOLLOWING RESIGNATION OF EMPLOYMENT

When an employee resigns from post they will generally have a last working day and a last day of service. Sometimes this date will be the same if there is no outstanding annual leave to be taken but in many cases it will be different. These dates are defined as;

Last working day - the last day an employee reports for a shift or duty.

Last day of service - the last working day plus any outstanding annual leave.

The last working day and last day of service should be calculated as detailed in the following examples.

Calendar used for examples

2014																											
January							February							March							April						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4					1		30	31					1				1	2	3	4	5
5	6	7	8	9	10	11	2	3	4	5	6	7	8	2	3	4	5	6	7	8	6	7	8	9	10	11	12
12	13	14	15	16	17	18	9	10	11	12	13	14	15	9	10	11	12	13	14	15	13	14	15	16	17	18	19
19	20	21	22	23	24	25	16	17	18	19	20	21	22	16	17	18	19	20	21	22	20	21	22	23	24	25	26
26	27	28	29	30	31		23	24	25	26	27	28		23	24	25	26	27	28	29	27	28	29	30			
May							June							July							August						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3		1	2	3	4	5	6	7	1	2	3	4	5		31				1	2		
4	5	6	7	8	9	10	8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
11	12	13	14	15	16	17	15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
18	19	20	21	22	23	24	22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
25	26	27	28	29	30	31	29	30						27	28	29	30	31		24	25	26	27	28	29	30	
September							October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
	1	2	3	4	5	6				1	2	3	4	30					1		1	2	3	4	5	6	
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8	7	8	9	10	11	12	13
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15	14	15	16	17	18	19	20
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22	21	22	23	24	25	26	27
28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29	28	29	30	31			

Example One – An employee who works five days a week, Monday - Friday

- Employee resigns giving one month's notice to leave on **Thursday 31 July 2014**
- Annual leave outstanding at Thursday 31 July 2014 = **eight days**
- Last working day will therefore, be **Tuesday 22 July 2014**
- Last day of Service will therefore, be **Thursday 31 July 2014**

Example Two – An employee who works three days per week, Monday, Tuesday and Wednesday

- Employee resigns giving one month's notice to leave on **Friday 1 August 2014**
- Annual leave outstanding at Friday 1 August 2014 = **eight days**
- Last working day will therefore, be **Monday 13th July 2014**
- Last day of Service will therefore, be **Friday 1 August 2014**

Example Three – Employee has no outstanding annual leave

- Employee resigns giving one month's notice to leave on **Thursday 31 July 2014**
- Annual leave outstanding at Thursday 31 July 2014 = **nil days**
- Last day of service will therefore, be **Thursday 31 July 2014**

Example Four – Employee has taken more annual leave than accrued up to last working day.

- Manager must record on the leavers form the days/hours of excess leave taken
- Payroll will deduct any excess leave taken from the final salary payment
- Using **example one** above, if the employees last working day was **Thursday 31 July 2014** but, they had taken two days excess annual leave, they would receive pay up to **Tuesday 29 July 2014**

Example Five – When employment is being terminated by the Trust

The manager should notify the employee using the following wording (using example one above);

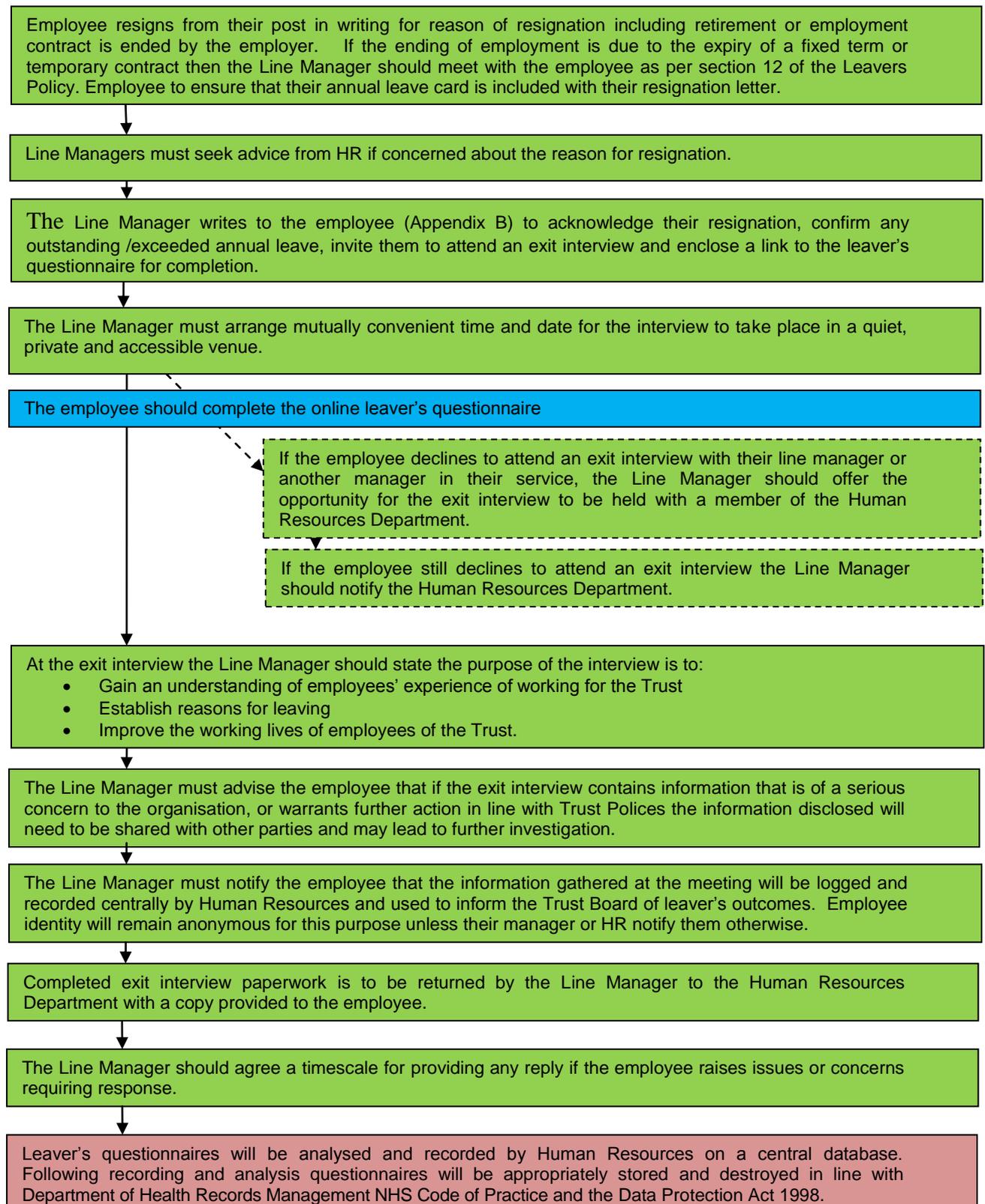
- “Your employment has been terminated on Thursday 31 July 2014 and this date will be regarded as the last day of employment with this Trust”
- “In addition you are entitled to eight days annual leave and this will extend your service to Tuesday 12 August 2014”
- “You are entitled to eight weeks’ notice on full pay”
- “You have the right to appeal against this dismissal and should you wish to lodge an appeal you should write to the Director of Workforce and Organisational Development within 16 working days of receiving this notification, stating the grounds for your appeal”

If dismissal was on the grounds of ill health the following should be added;

- “The notice will be paid as a lump sum in compensation for loss of employment and will be without deduction of income tax or National Insurance. This period of notice will not extend your service with the Trust”

Please note: Service is not extended by the number of weeks’ notice; neither will annual leave be accrued in respect of notice paid as a lump sum.

EXIT INTERVIEW PROCEDURE



RETENTION OF LEAVERS' PERSONAL FILES

TYPE/SUBTYPE OF RECORD	MINIMUM RETENTION PERIOD	DERIVATION	FINAL ACTION	CODE
Leavers' dossiers	<p>6 years after individual has left</p> <p>Summary (ESR Record) to be retained until individual's 70th birthday or until 6 years after cessation of employment if aged over 70 years at the time.</p> <p>The summary should contain everything except attendance books, annual leave records, duty rosters, clock cards, timesheets, study leave applications, training plans</p>	<p>The 6 year retention period is to take into account any ET claims, or EL claims that may arise after the employee leaves NHS employment, requests for information from the NHS pension's agency etc. Claims of this nature can include periods of up to 6 years or more prior to the claim and where evidence could be needed from a number of sources, it is appropriate to retain as much as possible from the original file.</p>	<p>Destroy under confidential conditions</p> <p>See note 1</p>	N

SOURCE: Department of Health Records Management NHS Code of Practice Part 2 (2nd Edition) – Page 96

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4131747

Gateway reference: 10678 (Part 2)