Leavers Policy

Author with contact details	Business HR		
Lead Executive/ Senior Manager	Chief People Officer		
Version:	2		
Ratified by:	Staff Partnership Forum		
Ratification Date:	June 2021	Review Date:	July 2023
Consultation	HR Policy Group	Applicable to:	All staff All Sites
Equality, Diversity And Human Right Statement	The Trust is committed to an environment that promotes equality and embraces diversity in its performance both as a service provider and employer. It will adhere to legal and performance requirements and will mainstream Equality, Diversity and Human Rights principles through its policies, procedures, service development and engagement processes. This procedure should be implemented with due regard to this commitment.		
To be read In conjunction with / Associated Documents:	All other employment policies	Information Classification Label	☐ Unclassified
Access to Information	To access this document in another language or format please contact the policy author.		

Document Change History (changes from previous issues of policy (if appropriate):

Version number	Page	Changes made with rationale and impact on practice	Date
1		Changes to redeployment terminology	Dec 2022
2		Update to ending of a fixed term contract	Dec 2022

Contents

1. Purpose

The Trust is committed to creating an environment where staff are valued, supported and benefit from good employment practices that promote a healthy work-life balance and ensure fair and equitable treatment throughout. The Trust acknowledges that continuous improvement is key to recruiting and retaining the high calibre staff who enable us to operate efficiently and effectively and provide high quality care for our patients. The Trust accepts that understanding and learning from the views of staff who leave employment with the Trust can help us to improve.

This policy aims to:
- provide a framework for the Trust to monitor its performance as an 'employer of choice'
- provide managers and staff with guidance regarding the appropriate procedures to follow in order to ensure the effective, fair and consistent management of staff leaving the Trust

2. Scope

This policy will cover all employees of the Trust, including those on fixed term contracts or temporary/secondment agreements.

3. Policy Content

3.1   Supporting a member of staff considering leaving employment

If a member of staff indicates they are considering leaving employment the line manager should meet with the staff member, with agreement, to discuss reasons for leaving and if appropriate should attempt to reconcile any issues that are influencing the staff member to leave.

If an employee has any salary sacrifice items with an outstanding balance, this will be recovered prior to the employee leaving the Trust, as set out in the terms and conditions of each salary sacrifice scheme. If the final salary is not sufficient to recover the full outstanding balance, any remaining monies owed will be referred to Finance for further recovery action.

3.2   Employee Resignation

If an employee decides to resign, they should inform their manager at the earliest opportunity. The employee must confirm their resignation by completing the Trust's electronic Resignation Form via https://sel-expenses.com/shared/logon.aspx.   To access the system please contact the Employment Team on 0151 706 5124/4299 or via expenses@liverpoolft.nhs.uk.

If an employee is off with long term sickness or absent due to another reason during their notice period, please contact employment@liverpoolft.nhs.uk to request a leaver's form.

This is to be completed by the manager and submitted before the end of the notice period. For any leavers who have been dismissed a leaver form is still required but this will need to be processed in conjunction with Business HR.

3.3 Expiry of Fixed Term or Temporary Contracts

Individuals employed on a fixed term contract who will have more than 12 months continuous NHS service when their contract expires, should be deemed to be eligible for redeployments, four months prior to the end date of their contract.

Employees on fixed term contracts should expect their role to terminate at the end of the fixed term. The manager is advised to meet with the staff member prior to the end of their fixed term contract coming to an end to discuss with the individual that the end of the fixed term is approaching, the manager should sign post individuals where to apply for vacancies within the Trust, if they are not eligible for redeployment.

Please note guidance must be sought from a HR Representative before ending a fixed term contract.

3.4 Employee Leaving Without Proper Notice

If an employee leaves without proper notice and the standard procedure is not followed, the manager should:
- Contact Payrollluh@sthk.nhs.uk immediately to stop any undue payments
- Calculate any holidays due or to be reclaimed
- Complete a Leaver notification immediately through Bus Hr or the Employment team
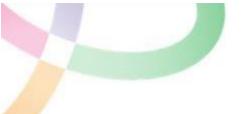- Write to the individual

If an employee leaves and the manager has not been able to reclaim any Trust property, they must write and ask for it to be returned with immediate effect. If required, additional advice may be sought from Business HR.

3.5 Informing Payroll

Upon completion and submission of the resignation/leaver form, it will be processed for input onto the Electronic Staff Record (ESR). Late receipt of these forms may result in an overpayment to the staff member. If it is known that an overpayment will occur, Payroll must be notified immediately by telephone, and this should be followed up by email. A copy of the resignation form or any 'notice to terminate' letter should be forwarded to employment@liverpoolft.nhs.uk to be held on the personal file.
Once the leaver has been processed within ESR, this will automatically remove any access from their Registration Authority SmartCard, ensuring all access to Trust systems is removed from the date of leaving.

3.6. Re-calculating annual leave entitlement and 'time owing' balances

Please note that holidays will not be paid to employees leaving the Trust, so please make sure that any outstanding leave is taken during the notice period. It is prudent for the manager to ensure discussions with the individual facilitate this as early as possible. Any overtaken annual leave will be deducted from the Employees final salary.

If there are exceptional circumstances, which have prevented the employee from taking leave, please contact the appropriate divisional HR Business Partner to discuss.

Equally, if a person has overtaken their pro-rata'd leave allowance, the manager may be able to facilitate additional work for the individual throughout the notice period to avoid any monetary recovery.

Holiday entitlement is based on completed month's service only, though if the employee started their post on the 7th working day or earlier, they will retain full entitlement for that particular month. It must be pro-rata'd where relevant before the end of any financial year and public holidays must be taken into account. If any system record does not accurately reflect the annual leave entitlement, please contact workforce@rlbuht.nhs.uk or roster.support@liverpoolft.nhs.uk

If the employee has overtaken their annual leave at the point of leaving, this should be recorded on the Resignation Form so the equivalent amount of pay can be deducted from the employee's final salary payment.
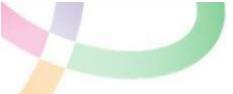
Please contact employment@liverpoolft.nhs.uk or via 0151 706 5124/4299 for assistance in calculating remaining annual leave. The team will check each calculation. Reference can also be made to the Annual Leave policy and the relevant Workforce system used to record and request Annual Leave.

Managers are to check with the Trust Roster team to ensure all time balances are zero at the point of leaving. Where employees have a negative time balance additional shifts must be worked, or the hours recovered from the employee's final salary. Likewise, if the employees' Roster balance is in a positive, please make sure that their shifts are adjusted to take this into account before leaving.

3.7 Completing a Leavers Checklist – Return of Trust Property

When the employee leaves, the manager should ensure that any Trust property is returned by the member of staff. This may include:

- Uniforms
- Name Badges
- Photo Identification
- Car Permits
- Keys
- Equipment (laptop, mobile phone etc)
- Records/Files

A 'Leavers Checklist' should be completed and
signed by the member of staff and line manager and sent to
employment@liverpoolft.nhs.uk. This will be placed on the employee's personal file.
A copy of the checklist information is provided in Appendix 3.

It may also be necessary for any door entry system or computer access codes to be changed.

3.8 Exit questionnaires

The Resignation form facilitates an electronic Exit Questionnaire for the individual to complete. This will be kept completely confidential but as part of this process the employee is able to request a face to face Exit Interview with a member of the Business HR/Workforce teams.

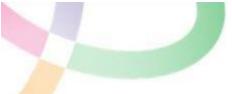### 3.8.1 Why is an Exit Questionnaire or Exit Interview necessary?

The Trust recognises the need to engage with all staff who leave the organisation in order to ensure that the Trust continues to be "an employer of choice".

Information gathered through this process enables the Trust to:
- Identify reasons for and trends in turnover.
- Identify factors that would persuade people to remain with the Trust, such as changes to terms and conditions, working patterns/flexibility or culture.
- Identify areas needing change within the Trust and bring to the attention of Senior Managers and HR where there has been inappropriate practice to enable any remedial action to be taken.
- Assess the effectiveness of recruitment and induction practices and use this information to inform recruitment and retention initiatives.
- Identify any training and development needs for remaining employees, including management training needs.
- Evaluate the success of HR policies and procedures and determine where changes need to be made or new strategies developed.
- Display openness and integrity by providing all employees leaving the organisation the opportunity to provide feedback.
- Meet equal opportunities monitoring requirements under equality and diversity legislation.
- Identify any adverse impact on equality target groups, investigate underlying reason and take appropriate action.

Providing departing employees with the opportunity to highlight their reasons for leaving demonstrates that the Trust is prepared to listen to feedback. As a result, the departing employee may acknowledge that their opinion is valued which could mitigate any future negative publicity through word of mouth. In addition, exit questionnaires support the monitoring aspects of Equality and Diversity.

3.8.2 How does it work?

As part of the Resignation Form, the employee will
have the opportunity to complete an Exit Questionnaire which will be kept confidential. As part of this process, the employee is also able to request a face to face Exit Interview with a member of the Business HR/Workforce teams.

Exit Questionnaires and Interviews are voluntary. No employee will be forced to take part against their wishes, although it is hoped that a reason is provided to ensure there are no underlying concerns.

3.8.3 What happens to the information?

The information received is anonymised, collated, reviewed and analysed. Any trends or key issues identified are highlighted through senior Workforce committees. If either the line manager or the HR team considers it necessary that issues raised through the course of the exit process be addressed within the organisation, where possible this should be discussed with the staff member in advance.

Exit trends will be monitored by the Workforce team.

All information received from the Exit Questionnaire/Exit Interview will be treated in the strictest confidence and only used to identify employment trends. The only exception to this rule would be where criminal activity has occurred or other Trust rules have been breached. Such an instance would be subject to the Trust's Whistleblowing Policy.

4.1 Eligibility

N/A

4. Exceptions

No exceptions

5. Training

User Guides can be located via the Staff Hub – Leaving Us.

6. Monitoring of compliance

Minimum requirement to be monitored	Process for monitoring e.g. audit/ review of incidents/ performance management	Job title of individual(s) responsible for monitoring and developing action plan	Minimum frequency of monitoring	Name of committee responsible for review of results and action plan	Job title of individual/ committee responsible for monitoring implementation of action plan

7. Relevant regulations, standards and references

8. Equality, diversity and human right statement

The Trust is committed to an environment that promotes equality and embraces diversity in its performance both as a service provider and employer. It will adhere to legal and performance requirements and will mainstream Equality, Diversity and Human Rights principles through its policies, procedures, service development and engagement processes. This SOP should be implemented with due regard to this commitment.

9. Legal requirements

This document meets legal and statutory requirements of the EU General Data Protection Regulation (EU 2016/679) and all subsequent and prevailing legislation. It is consistent with the requirements of the NHS Executive set out in Information Security Management: NHS Code of Practice (2007) and builds upon the general requirements published by NHS Digital/Connecting for Health (CfH).

Appendix 1: Equality impact assessment

Title	Leavers Policy
Strategy/Policy/Standard Operating Procedure	Policy
Service change (Inc. organisational change/QEP/ Business case/project)	N/A
Completed by	Alison Terry
Date Completed	May 2021

Description *(provide a short overview of the principle aims/objectives of what is being proposed/changed/introduced and the impact of this to the organisation)*

Revised and merged policies post-merger

Who will be affected *(Staff, patients, visitors, wider community including numbers?)*
All staff employed by the Trust

The Equality Analysis template should be completed in the following circumstances:
  ➢ **Considering developing a new policy, strategy, function/service or project(Inc. organisational change/Business case/ QEP Scheme);**

  ➢ **Reviewing or changing an existing policy, strategy, function/service or project (Inc. organisational change/Business case/ QEP Scheme):**

  ▪ If no or minor changes are made to any of the above and an EIA has already been completed then a further EIA is not required and the EIA review date should be set at the date for the next policy review;
  ▪ If no or minor changes are made to any of the above and an EIA has NOT previously been completed then a new EIA is required;
  ▪ Where significant changes have been made that do affect the implementation or process then a new EIA is required.

Please note the results of this Equality Analysis will be published on the Trust website in accordance with the Equality Act 2010 duties for public sector organisations.

Section 1 should be completed to analyse whether any aspect of your paper/policy has any impact (positive, negative or neutral) on groups from any of the protected characteristics listed below.

When considering any potential impact you should use available data to inform your analysis such as PALS/Complaints data, Patient or Staff satisfaction surveys, staff numbers and demographics, local consultations or direct engagement activity. You should also consult available published research to support your analysis.

Section 1 – Initial analysis

Equality Group	Any potential impact? Positive, negative or neutral	Evidence *(For any positive or negative impact please provide a short commentary on how you have reached this conclusion)*
Age *(Consider any benefits or opportunities to advance equality as well as barriers across age ranges. This can include safeguarding consent, care of the elderly and child welfare)*	Neutral	
Disability *(Consider any benefits or opportunities to advance equality as well as impact on attitudinal, physical and social barriers)*	Neutral	
Gender Reassignment *(Consider any benefits or opportunities to advance equality as well as any impact on transgender or transsexual people. This can include issues relating to privacy of data)*	Neutral	
Marriage & Civil Partnership *(Consider any benefits or opportunities to advance equality as well as any barriers impacting on same sex couples)*	Neutral	
Pregnancy & Maternity *(Consider any benefits or opportunities to advance equality as well as impact on working arrangements, part time or flexible working)*	Neutral	
Race *(Consider any benefits or opportunities to advance equality as well as any barriers impacting on ethnic groups including language)*	Neutral	
Religion or belief *(Consider any benefits or opportunities to advance equality as well as any barriers effecting people of different religions, belief or no belief)*	Neutral	
Sex *(Consider any benefits or opportunities to advance equality as well as any barriers relating to men and women eg: same sex accommodation)*	Neutral	

Sexual Orientation *(Consider any benefits or opportunities to advance equality as well as barriers affecting heterosexual people as well as Lesbian, Gay or Bisexual)*	Neutral	

If you have identified any **positive** or **neutral** impact then no further action is required, you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address.

If you have identified any **negative** impact you should consider whether you can make any changes immediately to minimise any risk. This should be clearly documented on your paper cover sheet/Project Initiation Documents/Business case/policy document detailing what the negative impact is and what changes have been or can be made.

If you have identified any negative impact that has a high risk of adversely affecting any groups defined as having a protected characteristic then please continue to section 2.

Section 2 – Full analysis

If you have identified that there are potentially detrimental effects on certain protected groups, you need to consult with staff, representative bodies, local interest groups and customers that belong to these groups to analyse the effect of this impact and how it can be negated or minimised. There may also be published information available which will help with your analysis.

Is what you are proposing subject to the requirements of the Code of Practice on Consultation?	**Y/N**
Is what you are proposing subject to the requirements of the Trust's Workforce Change Policy?	**Y/N**
Who and how have you engaged to gather evidence to complete your full analysis? (List)	
What are the main outcomes of your engagement activity?	
What is your overall analysis based on your engagement activity?	

Section 3 – Action Plan

You should detail any actions arising from your full analysis in the following table; all actions should be added to the Risk Register for monitoring.

Action required	Lead name	Target date for completion	How will you measure outcomes

Following completion of the full analysis you should submit this document with your paper/policy in accordance with the governance structure.

You should also send a copy of this document to the equality impact assessment email address

Section 4 – Organisation Sign Off

Name and Designation	Signature	Date
Individual who reviewed the Analysis		
Chair of Board/Group approving/rejecting proposal		
Individual recording EA on central record		

Role	Responsibility
Employee	
Line Manager	
Payroll	
Human Resources	
Trust	

Section A
Please ensure that ALL of the following criteria listed within Section A have been completed prior to the employees last working day. Managers should tick each box to confirm that this has been completed.

		Please Tick
1	Leaving employee has submitted resignation form	
2	Leavers form 'approved' by line manager	
3	Recalculation of leaving employee's annual leave entitlement if required	
4	Any outstanding expenses are submitted	

Section B
All items should be given back in person to the line manager. Return of items should be recorded on the form below and the completed and signed form returned to HR Services.

Item	Returned To	Signature of Receiver	Date
Trust ID Badge			
Uniform			
Other Name Badges / Photo ID			
Car Parking Permits			
Keys			
Security Access Swipe Cards			
Laptop			
Mobile Phone / Blackberry			
VPN Token			

Please state below if any additional Trust property has been returned by the leaving employee.

Item	Returned To	Signature of Receiver	Date

Section C Please sign and return to employment@liverpoolft.nhs.uk

Name	Signature	Date

Leaving Employee:			
Line Manager:			