

## **POLICY AND PROCEDURE ON THE MANAGEMENT OF LEAVERS**

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## **1. INTRODUCTION**

- 1.1 This policy sets out to ensure that where staff leave the service appropriate actions are taken to safeguard the best interests of both staff and the CCG (the Clinical Commissioning Group).
- 1.2 This policy applies to all CCG staff who leave the service through voluntary resignation or retirement. Separate procedures may apply to staff who:
  - (a) Following a period of maternity leave, inform the CCG that they will not be returning to work, but previously stated that they would return to work.
  - (b) Are dismissed or summarily dismissed by the CCG.
  - (c) Are terminated on grounds of capability.
  - (d) Are terminated on the grounds of redundancy
  - (e) Have a settlement/compromise agreement in place

## **2. PURPOSE**

- 2.1 This policy aims to ensure that where staff leave the CCG, the line manager, HR and Payroll staff act in a timely manner to ensure that:
  - Staff receive all due monies and suffer no inconvenience.
  - The financial interest and security of the CCG is maintained.

## **3. DUTIES**

- 3.1 It is the responsibility of the line manager to ensure that the Management of Leavers checklist is followed in its entirety to ensure the obligations in section 2 above are met. The line manager should also ensure that when an interim or agency worker or contractor leaves, all CCG property is returned prior to their departure.
- 3.2 The line manager is also responsible for acknowledging the resignation of an employee, conducting a local exit interview, to establish the reasons for leaving and gather feedback on the role and the organisation. (Appendix 2 can be used as guidance for the exit interview).
- 3.3 It is the responsibility of the Human Resources Department to advise and support the line manager to ensure the relevant leaver paperwork is submitted in a timely manner to avoid overpayment or other financial inconvenience to either party.

Specifically, the Human Resources Department will:

- Advise on the completion of documentation.
- Advise as appropriate on entitlements upon termination, e.g. outstanding annual leave, lieu time, and arrangements for recovering monies where applicable.
- Check and process staff termination forms as completed by the line manager and advise payroll accordingly. This will include communicating with payroll as to the return date of lease cars, where applicable.
- Issue a termination letter and exit questionnaire within three working days of receiving the termination form and offer an impartial exit interview.
- Any outstanding monies owed to the individual should be paid in full within one month of leaving date.
- Ascertain whether the individual was an authorised signatory and notify the Finance Department of the individual's departure so that they can be removed from the authorised signatory list.

- 3.4 Employees are required to:
- a) Ensure that contractual notice is given
  - b) Comply with the policy and procedure
  - c) Return all equipment, property, documentation issued to them in accordance with this procedure.
  - d) Ensure that any claims for expenses/reimbursements are made before leaving date
  - e) Ensure the security of information regarding person identifiable information or commercially sensitive information.
  - f) Prepare a comprehensive handover of work, actions, duties etc.
  - g) where an overpayment has occurred, ensure the arrangement of a prompt repayment to the CCG.
  - h) Where possible, using all outstanding accrued annual leave prior to leaving the CCG.
- 3.5 Employees who have had access to confidential information during the course of their employment are reminded that this duty of confidentiality extends beyond their contract of employment and they must not disclose any confidential information seen during their employment once they have left.

#### **4. MAIN BODY OF THE POLICY AND PROCEDURE**

- 4.1 This procedure supports the above HR Policy in ensuring that where staff leave the CCG's employment:
- There is no inconvenience to the member of staff who is leaving the CCG.
  - The CCG suffers no harm to security or financial integrity.
- 4.2 The line manager will inform the member of staff that they should confirm their intentions in writing (email is acceptable), and will offer the member of staff the opportunity of an exit interview. Should the employee decline this offer, the line manager must issue a copy of this policy and draw the employee's attention to Appendix 2 of this procedure and the opportunity to meet with a member of the HR team.
- 4.3 The line manager will complete a termination form (PAY 2) and forward it to the Human Resources Department together with the letter of resignation/retirement. If the member of staff is retiring, or has more than ten years' service, the Policy and Procedure on Retirement and Long Service should be cross referred to, and the line manager should liaise with the HR department accordingly.
- 4.4 The line manager will consider the need for a replacement member of staff.

#### **5. THE RETURN OF CCG PROPERTY**

- 5.1 The line manager will arrange for the employee to return the following items on or before their last day (this will also apply to interim/temporary staff who have been in possession of such items):

##### **5.1 IT, Electronic and other Information Resources**

- If a desktop PC or laptop is not going to be handed onto somebody else, please notify the CSU IT Department so that the equipment can be collected.
- Communication devices including (Smartphones, and Iphones), must be returned to the CSU IT Department, Unit 6, Phoenix Court, Christopher Martin Road, Basildon, Essex, SS14 3EZ. A register is held of all Smartphones users.. If a Smartphone is passed to another user without permission, that Smartphone will be terminated without warning. Managers should note that their budgets will continue to be charged if this is not adhered to.

- Tablet PCs must be returned to the CSU IT Department. A register is held of all Tablet PC users. If a Tablet PC is passed to another user without permission, that Tablet PC will be terminated without warning. Managers should note that their budgets will continue to be charged if this is not adhered to.
- Any other pieces of IT equipment issued must be returned to the IT Programme Office or at least the CSU IT Department must be notified of who the new owner is so that the Asset Registers can be updated.
- All personal electronic files must be cleared before the employee leaves, thus ensuring that work required by the department is handed over and saved to the appropriate network drive.
- If a user has a Smartcard and is leaving to join another NHS organisation, then the Smartcard can be taken with them and an RA02 form will need to be completed by a Sponsor. If they are not returning to the NHS, then the Smartcard will need to be handed back to the CSU's Smartcard Team along with an RA03 form which should be completed by a sponsor. If the Smart Card user is based at a GP practice then the practice manager can use the online portal to 'close' the user thereby cancelling the card. Forms can be obtained from the CSU Smartcard team.01268 594420 or email [ne-cluster.ra@nhs.net](mailto:ne-cluster.ra@nhs.net).
- If the user has a Windows User account and an @nhs.net account, then a Leavers form will need to be completed and returned to the IT Programme Office to be able to close these. This form can be found on the Intranet under IT.
- The IT departments should be asked to remove the user from the email system and revoke network access.

## 5.2 Other items to be returned include:

- Any keys held.
- CCG I.D./name badge - to be forwarded to the Human Resources Department.
- Uniforms (where applicable) to be returned to the laundry at Basildon/Runwell Hospitals as appropriate.
- Personal attack alarm or Lone Worker Device. In respect of the Lone worker device, Managers should return the device to the Risk Manager as soon as possible, in order that the device can be disconnected.
- Any patient notes/other CCG documentation or equipment to be returned to the relevant department.

**Please see Appendix 1 for checklist.**

## 5.3 Lease Cars

With respect to staff who lease a vehicle through the lease car agreement, the line manager should:

- Advise the Motorfleet department, via email, that the member of staff is leaving, as soon as they are aware of that fact.
- Advise the member of staff that they must return the lease car prior to their leaving. A return date must be agreed (please refer to the lease arrangement for specific details).

## **6. OUTSTANDING MONIES**

- 6.1 Managers should be aware that where staff who have claimed removal expenses, or have taken extended study leave, and who have worked for the CCG for less than two years after signing the relevant agreement, the CCG has a right to reclaim costs.
- 6.2 The line manager should make the member of staff aware of this and mark this on the termination details form, after checking with Human Resources (for removal expenses) to ensure that the undertaking has been signed.
- 6.3 Where an employee leaves part-way through a course that the CCG has funded or before the prescribed time period, the CCG has the right to reclaim costs in line with the Staff Training and Development Policy.
- 6.4 Where an employee does not return from maternity leave after stating that they will do so, the Maternity and Adoption Policy should be referred to.
- 6.5 Where an employee has taken an amount of annual leave that exceeds their entitlement at the point of leaving, the employee's final salary payment will be reduced by the amount of annual leave overtaken.

## **7. EMPLOYEES WHO LEAVE WITHOUT NOTICE**

- 7.1 An employee who leaves without giving notice or leave before the end of their notice period without the permission of the CCG 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.
- 7.2 If, in exceptional cases, the CCG decides to waive the need for an individual to work their normal notice period this must be agreed with the Line Manager and Human Resources.

## **8. REFERENCES**

- 8.1 Employment references must only be provided by those who have the designated authority to do so. This has now been designated to the Human Resources who will provide a factual reference only. Managers are advised to contact Human Resources if they are named as a referee.

### **8.2 Personal References**

There are legal consequences of providing an employment reference; therefore, personal references must not be written on CCG headed paper. Employees or managers who are approached regarding a request for a personal reference or an employment reference which they are not authorised to give, should contact Human Resources in the first instance.

## **9. DEATH IN SERVICE**

- 9.1 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.
- 9.2 The Line Manager should immediately notify by telephone the Human Resources of the death followed by the completion of a termination 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.

9.3 If there is a surviving spouse, registered civil partner or qualifying partner, once appropriate evidence of a relationship is received checks will be made to ensure that the deceased made the relevant contributions to the scheme. An assignment will be set up on ESR for the surviving spouse so that an initial pension can be paid by the CCG. After the initial six months, the pension will be paid to the surviving spouse/partner directly by the NHS Pensions Agency.

**10. RETENTION OF PERSONAL FILES**

10.1 Personal files will be kept until the employee’s 75th birthday after which they will be confidentially destroyed in line with the Records Management & Information Lifecycle Management Policy.

**11. REVIEW AND REVISION ARRANGEMENTS INCLUDING VERSION CONTROL**

11.1 The Head of Corporate Services will be responsible for the review and monitoring of the policy and procedure.

11.2 This policy and procedure will be reviewed every three years from the original date of its introduction, unless legislation dictates otherwise.

**12. PROCESS FOR MONITORING COMPLIANCE AND EFFECTIVENESS**

12.1 Both internal and external audits will determine the level of compliance and effectiveness of this policy and procedure.

**13. LIST OF STAKEHOLDERS CONSULTED**

Date Sent	Name of individual Or Group	Designation	Were comments received, considered and incorporated Yes/No	If not incorporated record the reason why
26 <sup>th</sup> June 2014	Emma Branch	Commissioning Manager	Yes	
January 2020	Joy Collin	HR Business Consultant		

**14. EQUALITY IMPACT ASSESSMENT**

Management of Leavers	Age	Disability	Gender	Pregnancy	Race	Marital Status	Sexuality	Religion	Human Rights	Total Points	Impact
	0	0	0	0	0	0	0	0	0	0	0

## 15. VERSION CONTROL

<b>Version</b>	<b>Author: Name &amp; Title</b>	<b>Date Policy Issued</b>	<b>Date Policy Due to be Reviewed</b>
0.1	Former South Essex Cluster PCT Policy		
0.2	Angela Paradise 'Head of Corporate Services'	August 2014	August 2016
0.3	Charlotte Dillaway Director of Strategy & Planning	July 2019	July 2021
0.4	Associate Director of Assurance & HR Business Consultant	January 2020	January 2021

## 16. APPENDICES

1 – Leavers Checklist

2 – Exit interview proforma

**APPENDIX 1**

**LEAVERS CHECKLIST FOR MANAGERS**

To be completed by the line manager when a member of staff is leaving the CCG, before they leave and at the latest on their last physical working day. When completed, please forward to the OD/Training Officer who will forward to HR.

NAME OF LEAVER: \_\_\_\_\_

DATE OF LEAVING: \_\_\_\_\_

NAME OF MANAGER COMPLETING THE CHECKLIST: \_\_\_\_\_

Item No.	Item Description	Returned / completed	Not Returned / Not completed	Not applicable
	Exit interview conducted	YES/NO If no – reason why		
1	ID Badge			
2	Laptop/memory stick/ smartcard			
3	mobile phone			
5	Instruct IT to revoke Network access and remove from email distribution list(s)			
6	Uniforms (clinical staff only where applicable)			
7	If member of staff is not in the Finance Team please inform Finance of leaving			
8	Pager OR inform on-call co-ordinator			
9	Office/building keys/ Entry fobs			
10	Diaries			
11	Car Park Permit (please notify name of replacement permit holder)			
12	Lease car department notified			
14	Management file returned to HR			
15	Personal attack alarm/ Lone Worker device			
16	Personal Protection Equipment			

	(please state items)			
17	Return of any file, documentation or other paperwork			
18	Handover notes, location of files, work in progress			
19	Is member of staff currently receiving funding towards a course/study/development activity? If so, money to be reclaimed from individual – HR and payroll to be notified.			
20	The deletion of any risk stratification system access (e.g. Caretrak)			
21	Has access to all other electronic systems been cancelled (e.g. IPROC, ESR, SystemOne)			
22	Other (please specify)			

Please note that if you have ticked “no” to any item that should be returned, a written explanation must be submitted to HR with this form together with detailed actions as to how this item will be recovered.

Manager’s Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Employee’s Declaration**

I understand that I will be invoiced for property of the CCG which has not been returned. In addition to the above list, I declare that I have not removed or retained any electronic documents which contain Person Identifiable Information or is commercial/business sensitive.

Employee’s Signature: \_\_\_\_\_

Print Name \_\_\_\_\_

Date: \_\_\_\_\_

**APPENDIX 2**

**EXIT INTERVIEW RECORD**

**Name:**.....

**Dept/Team:**.....

**Line Manager:**.....

**This form is provided to all employees who are leaving or have left employment with the CCG. We would be grateful if you would complete the form in order that we can obtain information about your experiences of working for the CCG. You can chose to complete this form with your manager or to return it, in confidence, to HR.**

What are your reasons for leaving the CCG?	
Do you have a new role to go on to? And if so, is this a promotion?	
What did you like/enjoy about working for the CCG?	
Have you received appraisals and management feedback during your time with the CCG? Any thoughts or feedback regarding these?	
Have you received any training and development during your time with the CCG? Was this useful or valuable?	
Is there anything that would have meant you remained working with the CCG?	
Do you have any other comments or observations you would like to make about your role or the CCG?	
Would you like a confidential exit interview with HR?	

**Signature of employee:** .....

**Signature of Line Manager**.....  
*(only if completed with line manager present)*

**Please return this completed form to the HR Department**

*If an exit interview is required with HR, please email your HR Adviser immediately-*