

LEAVERS PROCEDURE

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Document Information

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Date of Issue:	July 2016	Next Review Date:	September 2025
Version:	1.6	Last Review Date:	September 2023
Author:	Employee Relations team		
Directorate:	People Directorate		
Links or overlaps with other policies:			
Personal Files Procedure			

Amendment History

Issue	Status	Date	Reason for Change
1.1	Approved	June 2015	Change to email address in appendix 4
1.2	-	December 2015	Change to email address in appendix 4 relating to ID badge/Access Control. New organisation logo.
1.3	-	July 2016	Removal of Appendix 4 – IT Access Cancellation Leavers Questionnaire change of email address
1.4	-	July 2021	Updated logo, People hub / directorate wording, version and contact details.
1.5	-	May 2022	Update following Covid-19 inquiry.
1.6	Approved	September 2023	Amended contact details relating to Covid-19 inquiry details. General review

Rapid (E)quality Impact Assessment (EqIA) *(for use when writing policies)*

Policy Title (and number)	Leavers Procedure	Version and Date	1.6 – July 2023
Policy Author	Employee Relations team		
An (e)quality impact assessment is a process designed to ensure that policies do not discriminate or disadvantage people whilst advancing equality. Consider the nature and extent of the impact, not the number of people affected.			
Who may be affected by this document?			
Patients/ Service Users <input type="checkbox"/>	Staff <input checked="" type="checkbox"/>	Other, please state...	<input type="checkbox"/>
Could the policy treat people from protected groups less favorably than the general population?			
PLEASE NOTE: Any 'Yes' answers may trigger a full EIA and must be referred to the equality leads below			
Age	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Gender Reassignment	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Race	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Disability	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Gender	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Pregnancy/Maternity	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Is it likely that the policy could affect particular 'Inclusion Health' groups less favorably than the general population? (substance misuse; teenage mums; carers ¹ ; travellers ² ; homeless ³ ; convictions; social isolation ⁴ ; refugees)			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Please provide details for each protected group where you have indicated 'Yes'.

VISION AND VALUES: Policies must aim to remove unintentional barriers and promote inclusion

Is inclusive language ⁵ used throughout?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>
Are the services outlined in the policy fully accessible ⁶ ?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>
Does the policy encourage individualised and person-centered care?	Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>
Could there be an adverse impact on an individual's independence or autonomy ⁷ ?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>

EXTERNAL FACTORS

Is the policy a result of national legislation which cannot be modified in any way? Yes No

What is the reason for writing this policy? (Is it a result in a change of legislation/ national research?)

To support managers and staff when leaving the Trust and ensure all processes are followed correctly.

Who was consulted when drafting this policy?

Patients/ Service Users <input type="checkbox"/>	Trade Unions <input checked="" type="checkbox"/>	Protected Groups (including Trust Equality Groups) <input type="checkbox"/>
Staff <input type="checkbox"/>	General Public <input type="checkbox"/>	Other, please state... <input type="checkbox"/>

What were the recommendations/suggestions?

Does this document require a service redesign or substantial amendments to an existing process? *PLEASE NOTE: 'Yes' may trigger a full EIA, please refer to the equality leads below* Yes No

ACTION PLAN: Please list all actions identified to address any impacts

Action	Person responsible	Completion date

AUTHORISATION:

By signing below, I confirm that the named person responsible above is aware of the actions assigned to them

Name of person completing the form	ER Advisor		
Validated by (line manager)	Employee Relations Service Manager		

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1 Introduction

- 1.1 The purpose of this procedure is to provide guidance for managers and employees leaving the Trust to ensure that a standard and consistent approach is adopted.
- 1.2 It aims to ensure that the termination of staff is dealt with in a robust and timely fashion with consideration to the employee, statutory provisions and standards of good practice.

2 Scope

- 2.1 The procedure applies to all employees of Torbay and South Devon NHS Foundation Trust, leaving through resignation, retirement, end of fixed term contract and redundancy.

3 Equality and Diversity Statement

- 3.1. The Trust is committed to preventing discrimination, valuing diversity and achieving equality of opportunity. No person (staff, patient or public) will receive less favourable treatment on the grounds of the nine protected characteristics (as governed by the Equality Act 2010): sexual orientation; gender; age; gender re-assignment; pregnancy and maternity; disability; religion or belief; race; marriage and civil partnership. In addition to these nine, the Trusts will not discriminate on the grounds of domestic circumstances, social-economic status, political affiliation or trade union membership.
- 3.2 The Trust is committed to ensuring all services, policies, projects and strategies undergo equality analysis. For more information about equality analysis and Equality Impact Assessments please refer to the Equality Analysis Procedure.

4 Manager's Responsibilities

On Receipt of Resignation

- 4.1 The manager should acknowledge receipt of the employee's resignation (template letter - appendix 1).
- 4.2 On receipt of an employee's resignation the line manager should complete a termination form. The on-line form can be accessed on ICON [here](#). This will automatically notify the Payroll Department at payroll.sdhct@nhs.net and must be received **AT THE LATEST** by the 5th of the month in which the employee is due to finish to be able to be processed in time for the next payroll.
- 4.3 Where an individual is leaving at short notice or where there has been a death in service please contact the payroll department. as soon as possible with the employee's relevant details.
- 4.4 Termination forms for staff who are retiring should be submitted at least three months prior to their leaving date to ensure their NHS Pension is paid at the correct time.
- 4.5 Where possible ensure that all annual leave entitlement has been taken before the final date of employment. In some circumstances it may be preferable for an employee to be paid for outstanding leave and this should be indicated on the Termination Form. Annual leave outstanding for the current leave year should extend the leaving date unless the reason for leaving is dismissal or redundancy.

- 4.6 Part 1 and 2 of the Leavers Checklist (appendix 2) should also be completed by the manager. The checklist should include the details of all monies owed to the Trust by the employee at that time, such as relocation and study expenses, and a note of any additional debts that are likely to be incurred before the employee's employment termination date. This information should be passed to the Payroll department as soon as possible following the resignation so that the monies can be recovered from the final payment.
- 4.7 Managers, who fail to notify the relevant parties of any further monies due or fail to return uniforms or equipment, will have any losses to the Trust deducted from their budgets. It is the manager's responsibility to ensure that such notification is received.
- 4.8 A copy of Part 2 of the Leavers Checklist should be sent to Finance team at Regent House, Regent Close, Torquay, TQ2 7AN.

This should be received by the 5th of the month to be able to be processed in time for the next payroll. Part 2 of the Checklist **does not** have to be sent if no action is required i.e. all boxes indicate "Not Applicable/No".

- 4.9 Where an employee is retiring and is entitled to a retirement award please refer to the relevant Trust's Retirement Policy (H34).

4.10 **Employee's Last Working Day**

4.10.1 The manager has a responsibility to:

- Recover keys, uniforms, equipment, identity badges, and purchasing cards.
- Inform the Health Informatics Service (IT) by email that the employee is leaving so that access to the computer systems can be revoked.
- Inform the Security Department by email that the employee is leaving so the ID/Access Control Card can be cancelled. Return the ID Badge to the Security Manager.

4.10.2 The Workforce Planning Department has a responsibility to:

- Ensure that terminations are completed within ESR and therefore providing a system generated termination of the employee's IT access.

5 **Staff Transfers between Departments**

- 5.1 A change of circumstances form should be completed for internal transfers within the Trust. This online form is available on ICON [here](#).
- 5.2 Managers may find Part 1 of the leavers' checklist helpful as a guide when staff transfer between departments.

6 **Staff with a current Work Permit**

- 6.1 Where the Trust has sponsored an employee to work in the UK and they hold a Tier 2 residence permit, managers have a responsibility to inform the Resourcing Hib where possible within 5 working days at tsdft.resourcinghub@nhs.net
- 6.2 Employees who hold a Tier 1 or Tier 4 permit do not need to be recorded.

6.3 For Medical and Dental staff leaving the Trust, managers should inform Medical Workforce at sdhct.medicalhr@nhs.net

7 Exit Interview & Questionnaire

7.1 The manager may wish to offer the employee an exit interview. This can be conducted by the manager or an independent party.

7.2 The employee may wish to complete a leavers' questionnaire and can be found electronically [here](#). This may be completed solely by the employee or with assistance of a manager.

7.3 Information received from the exit questionnaires is communicated to the Employee Relations team and if appropriate, the department manager.

8 Retention of Personal File when an Employee Leaves

8.1 The termination of an employment relationship does not mean that all records should be deleted; there may be a real business need to retain some of them. For example, it may be necessary to retain some information with which to enable references to be provided in the future or in respect of the employee's pension arrangements. It is important to retain information on the personal file that is still needed; eliminate personal information that is no longer of any relevance.

8.2 The Department of Health advise that the full personal file should be retained for 6 years after individual leaves service, at which time a summary of the file must be kept until the individual's 75th birthday or until 6 years after cessation of employment if aged over 70 years at the time.

8.3 The 6-year retention period is to take into account any ET claims, or Employee Liability claims that may arise after the employee leaves NHS employment, requests for information from the NHS Pensions 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.

8.4 Further information about the retention of personal files can be found in the Personal Files Procedure on ICON [here](#)

8.5 Ensure that information that is to be disposed of is securely and effectively destroyed.

9 Summary of Personal File

9.1 The summary should contain everything except, annual leave records, duty rosters, clock cards, timesheets, study leave applications and training plans.

9.2 It is recommended that managers keep the following summary information after the employee leaves:

- Application Form (to reference employment history);
- Copy of DBS (if applicable);
- Copy of professional registration (if applicable);
- Copy of contract;

- Latest change of circumstances form (if relevant);
- Job Description;
- Final Performance Development Review paperwork;
- Sickness record including copies of all self-certifications and Fit notes for the last 2 years;
- Copy of any Temporary Injury Allowances;
- Copy of any incident forms relating to the individual;
- Copy of the Termination Form;
- Copy of resignation letter (if relevant);
- Copy of MARS agreement (if relevant);
- Copy of employee references provided by the Trust (if relevant);
- Documentation relating to any 'live' warning's on file;
- Copies of Part 1 & 2 of leavers checklist.

9.3 Handwritten notes relating to management observations, conversations, reminders etc. should be kept separately where necessary in manager's own notes or diary or if no longer relevant can be destroyed.

9.4 Any queries regarding information that should be retained should be directed to either the Employee Relations team or the Information Governance Lead.

9.5 The individual has the right of access to this summary.

9.6 This information can be scanned and kept electronically.

9.10 For further information regarding the content of personal files please refer to the Personal Files Procedure on ICOCN [here](#).

10 Training and Awareness

10.1 Advice and support will be provided by the Employee Relations team to support staff and managers in following this protocol as necessary.

10.2 The Employee Relations team will raise awareness of this protocol through manager briefing sessions, the publication of information on ICON and to advise staff of changes through the staff bulletin.

11 Contact Details

11.1 Any queries regarding this policy should be directed to the Employee Relations team within the People Directorate at:

- tsdft.humanresources@nhs.net
- Employee Relations Advice Line – 01803 655754 (ext. 55754)

12 Monitoring, Audit and Review Procedures

- 12.1 This procedure will be monitored and audited on a regular basis. A full review will take place every two years by the People Directorate unless legislative changes determine otherwise.

13 Appendix 1 **Template Resignation Acceptance Letter**

Name of manager
Address of manager

Private & Confidential

Name of employee
Address of employee

Telephone:
Email:

Insert date:

Dear

Thank you for your letter of resignation which I received on *[insert date]* confirming that you wish to resign from the position of *[insert job title and department]*. I acknowledge that your date of resignation will be *[insert date]* and your last working day with the Trust will be *[insert date]*.

As per your contract of employment you are required to give *[insert notice period]* and to work this period, unless otherwise agreed. During your notice period you will continue to be subject to your terms and conditions of employment.

I will arrange for us to meet in the near future to complete the Leaver's Checklist.

I would also like to make you aware that there is a requirement under the Inquiries Act 2005 to hold and provide information should it be required. Therefore, you are required to archive relevant received, deleted and sent emails to a folder and save to an encrypted memory stick. You can get an encrypted memory stick by emailing itorders.sdhis@nhs.net

Current Inquiries include COVID 19, Independent Inquiry into Child Sexual Abuse (IICSA) and Infected Blood Inquiry. You should provide this to me before your last date of employment.

If you have a personal folder on the network (M Drive) you should review the contents and remove them. Any corporate information should be saved on the Trust's shared drive for your team

I would also like to take this opportunity to thank you for your efforts and contribution during your time with us and I wish you all the best for the future.

Yours sincerely

Name of manager
Job title of manager

14 Appendix 2 Leavers Checklist - Part 1

To be completed by line manager and copy retained on employee's personal file

EMPLOYEE DETAILS

Name: _____ Payroll (Assignment) No: _____

Ward/Department: _____

Forwarding Address: _____

Date of Termination: _____ Telephone No: _____

	Action	Yes	No or N/A	Completed - date
1	Termination form completed			
2	Uniform to be returned			
3	ID badge(s) to be returned			
4	Has archived all of their received, sent and deleted emails to a folder and saved on an encrypted memory stick and given to their line manager for any information: COVID 19, IICSA, Infected Blood			
5	Keys/swipe card(s) to be returned			
6	Computer access (NHSmail, PARIS, Network, PAS, ESR etc)			
7	SMART card (if leaving the NHS)			
8	Purchasing card			
9	Personal alarm			
10	Mobile telephone and/or bleep			
11	iPad (ensure personal iTunes account has been removed)			
12	Encrypted memory sticks			
13	Laptop and associated equipment and VPN tokens if applicable			
14	Cancellation of work permit			
15	Return of office furniture or equipment (such as chairs, screens, desks etc)			

16	Authorised signatory			
17	Car park permit			
18	Return of FP10 prescription pads: If yes, number returned _____ Please note, prescription pads must be hand delivered to the prescribing lead for the Trust			
19	Cancellation of Sponsorship to Work in the UK (Tier 2 residence work permit)			
20	Removed all information from Personal Drive (M Drive) or relevant information saved to specific shared drive folder.			
20	Other (please give details)			

I certify that all the matters indicated above have been actioned before the employee leaves

Signed (manager): _____

Name (manager): _____

Job Title: _____

Email: _____

Telephone Number: _____

15 Appendix 3 Leavers Checklist - Part 2

To be completed by line manager and copy retained on employee's personal file

EMPLOYEE DETAILS

Name: _____ Payroll (Assignment) No: _____

Ward/Department: _____

Forwarding Address: _____

Date of Termination: _____ Telephone No: _____

	Action	Yes	No or N/A	Completed - date
1	Accommodation			
2	Advance on salary or loan			
3	Car loans			
4	Lease car			
5	Relocation expenses (within last 24 months)			
6	Training expenses (within last 12 months)			
7	Salary sacrifice scheme (e.g. childcare vouchers, cycle to work scheme, Tusker car scheme)			
8	Rainbow Day Nursery			
9	Other (please give details)			

Part 2 of the leavers checklist to be sent/mailed to the payroll department payroll.sdhct@nhs.net and finance team at Regent House, Regent Close, Torquay, TQ2 7AN



If urgent action is required email it and mark it as **URGENT**

I certify that all the matters indicated above have been actioned before the employee leaves

Name (manager): _____ **Signed:** _____

Date: _____

Name (Senior Management Accountant): _____ **Signed:** _____

Date: _____