

FRAMPTON COTTERELL PARISH COUNCIL

LEAVERS POLICY

Frampton Cotterell Parish Council is committed to managing leavers effectively as handling of an exit process can have a lasting impact on an employee's view of the council.

The Leavers Policy and procedure is legally compliant and covers notice period, long service awards for eligible employees, retirement, and associated processes.

Notice periods are explicit for both the Council issuing notice to employees and employees when giving notice to resign or retire.

The Council has a policy on providing references for all departing or former employees.

The Council issues leavers questionnaires and offers exit interviews to all departing employees.

For employees leaving non-voluntarily as a result of redundancy, long-term illness, ill health retirement, termination of a limited term contract and performance processes, the Clerk or Staffing Committee may seek HR advice as other policies and procedures will apply.

1. Scope

This policy applies to all employees who are leaving the Council; including retiring, resigning, or being dismissed.

2. Notice periods

2.1 Employer

The Council must give notice to dismiss employees in line with their Statement of Terms and Conditions of Employment or the Employment Rights Act 1996 – whichever is longer.

The statutory notice periods, based on length of continuous service are as follows:-

- Employees with one month to two years' service – not less than one week's notice for each completed year of service.
- For employees with two years or more service – not less than one weeks' notice for each completed year of service up to a maximum of 12 weeks' notice.

2.2 Employee

Employees resigning or retiring must give notice as per their Statement of Terms and Conditions of Employment:-

3. Leaver Notification

3.1 On receiving notice of resignation or retirement in writing, the Council should write to the employee to confirm the leaving arrangements and ensure the necessary payroll arrangements are made.

3.2 Before an employee's last day, the Clerk, or Staffing Committee in the case of the Clerk, should ensure any Council property has been returned e.g., keys, mobile phones, I.T. equipment, and uniform, in reference to the employee contract.

3.3 The Council should check annual leave and TOIL owed or excess taken and ensure the payroll adjustments are made accordingly.

4. Retirement

4.1 There is no default retirement age and employees can resign/retire (with or without pension) when they choose. There is flexibility about when you can take your pension with the option to take it at any age from 55 to 75. In the new scheme your Normal Pension Age (NPA) is linked to your State Pension Age (SPA). If you take your pension before your NPA, it will normally be reduced and if you take your pension after your NPA it will normally be

increased (see Avon Pension Fund for more information regarding your personal circumstances and pension policies as well as the State Pension Age Calculator to calculate your SPA).

4.2 Early retirement

All employees should speak to their pension provider to obtain details concerning their pension and information on taking early retirement.

4.3 Ill health retirement

Ill health retirement (where recommended by Occupational Health) requires confirmation from an independent Doctor and is based on the definitions provided under The LGPS Regulations. This will be managed in accordance with the Absence Policy.

4.4 Flexible Retirement

With Council consent, you can reduce your hours and/or your pay grade when aged 55 or over and draw some or all of your pension (provided you have met the 2 years vesting period in the Scheme) whilst remaining in work. Employees should submit their request in writing to the Staffing Committee for consideration.

4.5 Former employees – release of Pension Scheme benefits on compassionate grounds

The Council has approved a scheme to consider claims from former employees for the release of their deferred pension on compassionate grounds, in accordance with the LGPS Regulations. These allow councils to pay the full pension to those over the age of 55 who joined the LPGS on or after 1 April 2008 (or 50 for those who are existing scheme members as at 31 March 2008) on compassionate grounds. Each case is treated on its merits in view of the very individual nature of the ex-employee's circumstances. The Council's policy is that ex-employees need to be able to show that the early payment of pension is justified on the basis that they cannot continue or resume employment as a result of their circumstances. It should be noted that financial hardship on its own is not a sufficient reason. Requests for early pension payments from former employees on compassionate grounds should be made in the first instance to the Staffing Committee.

4.6 For advice and support in managing any of the retirement scenarios employees should contact the Clerk or Staffing Committee as HR services are provided on a charging basis.

4.7 Council will support employees in preparing for retirement as much as possible.

5. Leaving Questionnaires and Interviews (see Appendix 1)

5.1 When employees leave it is important to provide them with an opportunity to comment on their reasons for leaving. The Council's policy is to offer leavers questionnaires and interviews so that feedback can be used to assess what we are doing well and how we can improve as an employer.

5.2 The Council should encourage all employees who are leaving the Council to complete a leaving questionnaire. However, leaving questionnaires and interviews are voluntary and the Council needs to be mindful to exercise discretion where an employee is not leaving voluntarily, for example as a result of long-term illness, disciplinary or redundancy.

6. Providing References

6.1 There is no legal duty on an employer to provide references. There is a legal duty concerning the content of references for both the employee it relates to and the employer to whom it is provided. A reference must be true, accurate and fair, and not misleading. The person providing the reference could be held liable if any misleading statements are made.

6.2 References should be completed by someone who has had direct knowledge of the employee and experience of working with them, usually the Clerk.

6.3 References should provide factual details on all relevant information; subjective or personal opinions should be avoided.

6.4 Employee information should be checked, such as job title and dates of employment.

6.5 The reference must not contain any information the employee would not be aware of but could include details on criminal convictions. However the Council must not disclose any 'spent' convictions, unless the employee has applied for a position which is excluded under the Rehabilitation of Offenders Act 1974. For further advice contact HR (after speaking to the Clerk as HR services are chargeable).

6.6 Only current disciplinary offences should be included if the job they are applying for is not working with children or vulnerable adults. Details of current or expired disciplinary offences can be included if a job is working with children or vulnerable adults, where expired ones involved any safeguarding concerns, stating clearly if the allegations were investigated or not. Only where an offence has resulted in formal disciplinary action and the case against the employee has been 'proven' in line with Council policy and/or a sanction has been issued should this be disclosed.

6.7 References should not include information on sickness absence. The Equality Act 2010 states that details of sickness should not be revealed until a job offer has been made.

6.8 References should not be provided in cases where a settlement agreement has been reached, or if an employee is currently bringing a claim against the Council. In most cases a reference will be agreed as part of the settlement.

6.9 It is important to note that references can be viewed by the employee concerned in accordance with the Data Protection Act.

6.10 All completed references should be kept on personal files.

7. Policy Review

This policy will be reviewed periodically. The Parish Council reserves the right to review and amend the Retirement Policy in the light of operational experiences and any changes to employment or pension legislation or to the Local Government Pension Scheme.

APPENDIX 1

Invitation to exit interview

Sample letter to leaver:

Date

Dear first name,

Confidential

It is really important for us to understand why people leave the Council as it helps us to assess what the Council is doing well and what we can do to improve as an employer.

I believe that an opportunity for a face-to-face meeting with you will help us to gain a much better understanding and interpretation of your feedback compared to information on a paper or electronic form. Of course, written feedback is valuable and you are welcome to complete a paper version of the form if you would prefer to do so.

The exit interview is a chance for you to give positive, critical, and constructive feedback which will help us to assess all aspects of the working environment e.g. culture, processes and systems, management, opportunities for career and personal development, communication etc.

We will take action based on the feedback we receive and so your participation will make a difference.

Rest assured that your comments will be treated in the strictest confidence and any analysis will be entirely anonymous. Information you provide will not be reflected in any job references.

Thank you for taking part in this process.

Yours sincerely,

Clerk Name
Clerk to Council

Leaver Questionnaire

1. *Your destination*

Local government	Private sector	Further education
Other public sector	Voluntary work	Not employed
Details		

Leaving date	
--------------	--

2. *Reasons for leaving*

Please tick as many of the boxes below that explain why you chose to leave your job with the Council.

Retirement	Career change	Taking further training/education
Career development/promotion opportunity	Lack of training & development opportunities	Bullying, harassment, or discrimination
Personal reasons – change of personal circumstances (e.g. moving house, marriage, pregnancy, care of dependants)	End of contract term	Relocation of workplace travelling/parking difficulties
Competition from other employers (e.g. better position/prospects/working environment than here)	Ill health	Workload/stress
Dissatisfied with pay or conditions of employment	Poor management (e.g. poor communication, lack of supervision, lack of recognition/feedback)	Felt that my job was no longer secure here
Dissatisfied with nature of the work/ disliked the job	Redundancy	Other (please specify):
Comments		

3. Your engagement

Please **circle/mark as bold** what your feelings are towards the following points, whilst you were employed with the Council.

Your work			
I felt challenged and motivated in my work, was clear on what I needed to achieve and understood how my role 'fitted in' to the whole Council	Yes	No	Unsure
I felt able to work in the most efficient way, had the equipment/resources I needed, there were enough staff to do my job well and good cooperation between the teams I worked with	Yes	No	Unsure
Comments			
Your involvement			
I felt that I was given enough information to do my job well and that the Council kept me well informed	Yes	No	Unsure
When changes happened in the Council I understood why, was able to have a say in decisions and found changes to be well managed	Yes	No	Unsure
I was encouraged to find new and better ways to do work and often did more than was expected of me at work	Yes	No	Unsure
Comments			
Your wellbeing			
I was comfortable with the pressure placed on me in my job and could meet the requirements of my job without regularly working excessive hours	Yes	No	Unsure
The Council treated me with fairness and respect and respects individual differences	Yes	No	Unsure
The Council took my health and safety seriously whilst at work and supported me with personal and emotional issues	Yes	No	Unsure
I was satisfied with my total benefits package (e.g. flexible working, salary, pension)	Yes	No	Unsure

I felt I received the training and development I needed to do my job well and was encouraged to develop new skills	Yes	No	Unsure
Comments			
Your manager – the person who manages your work on a day-to-day basis and does your one to ones/PDPR			
I felt my manager communicated well with me, gave me appropriate feedback, supported, motivated and inspired me	Yes	No	Unsure
What were positives of your team/manager and weaknesses			
Comments			
Your senior managers (Clerk, Councillors, Line Manager)			
I felt that senior managers had a clear vision, were open and honest when communicating with staff and enabled me to feedback my views to them	Yes	No	Unsure
Comments			
The Council			

I was satisfied to be working for the Council and would recommend the Council as a good place to work	Yes	No	Unsure
Comments			

4. Any other comments

--

Are you happy for the contents of this questionnaire to be shared with the Staffing Committee? Yes/No

5. Personal details

We ask for these details so that reporting can relate to particular areas.

Name	
Job Title	
Line Manager	

Did you work full-time or part-time?

Full-time 37 hours a week Monday to Friday, normal office hours	Part-time (under 37 hours a week, Monday to Friday, normal office hours)
Full-time (37 hours a week, outside normal office hours, e.g. shifts, weekends, evenings, on call)	Part-time (under 37 hours a week outside normal office hours, e.g., shifts, weekends, evenings, on call)

About you

We ask employees to provide equality-based information in order to:

- *check that our standards remain high for every individual, no matter what their role, background, or personal characteristics.*
- *ensure that we meet legal requirements and duties.*

These questions are optional and all your data will be held in the strictest confidence.

Are you:

Male	Female	Prefer not to say
------	--------	-------------------

What is your age?

Under 18	19 - 24	25 – 44	45 - 64
65 - 74	75+	Prefer not to say	

What is your ethnic origin?

Arab	Mixed/Multiple Ethnic Groups – White & Asian
Asian/Asian British – Bangladeshi	Mixed/Multiple Ethnic Groups – White & Black African
Asian/Asian British – Indian	Mixed/Multiple Ethnic Groups – White & Black Caribbean
Asian/Asian British – Pakistani	Mixed/Multiple Ethnic Groups – Other
Asian/Asian British – Chinese	White – English/Welsh/Scottish/Northern Irish/British
Asian/Asian British – Other	White - Irish
Black/African/Caribbean/Black British – African	White – Other
Black/African/Caribbean/Black British – Caribbean	Other ethnic group
Black/African/Caribbean/Black British – Other	Prefer not to say
Gypsy or Traveller of Irish Heritage	

Do you consider yourself to have a disability?

The Equality Act 2010 defines disability as ‘a physical or mental impairment that has a substantial and long-term adverse effect on (a person’s) ability to perform normal day-to-day activities. ‘Substantial’ means more than minor or trivial and ‘long term’ means that the effect of the impairment has lasted or is likely to last for at least twelve months.

No
Prefer not to say
Yes - Physical impairment, such as difficulty using arms or mobility issues which may mean using a wheelchair or crutches
Yes - Sensory impairment, such as being blind / having a serious visual impairment or being deaf / have a serious hearing impairment
Yes - Mental health condition, such as depression, anxiety, or schizophrenia
Yes - Specific learning difficulty, such as dyslexia or dyspraxia
Yes - Learning disability/difficulty (such as Down’s Syndrome, dyslexia, dyspraxia) or cognitive impairment (such as autistic spectrum disorder)
Yes - Long standing illness or health condition, such as cancer, HIV, diabetes, chronic heart disease or epilepsy
Yes - other (please state)

Thank you for taking the time to complete this questionnaire.