**Leaver Policy**

July 2018

**Purpose**

Daniel Thwaites Plc ("the Company") operates the following policy in relation to employees whose employment has ended. This policy applies to all employees of the Company, regardless of their position. It applies equally to all employees regardless of their age, sex, marital or civil partnership status, racial or ethnic group, disability, sexual orientation, religion or belief.

**Scope**

The policy is a guide only and not contractual and applies to all employees within the Thwaites group of companies.

Principles

The Company recognises that employment may be ended for a variety of reasons. The key principles of this policy are to:

* ensure a consistent and proactive approach to managing the process of ending employment contracts for staff leaving the Company
* ensuring compliance with current legislation
* handle leavers effectively, to reduce any negative impact caused by such actions whether termination of employment is initiated by the employee or the Company

The policy will apply to all employees who hold an employment contract with the Company. This policy does not apply to agency staff or self-employed workers.

# Notice Periods

The notice period which should be given if employment is terminated by the Company or the employee is detailed in each employee’s contract of employment.

Notice can be given on any day of the week and the notice period starts on the day on which the notice was given. An employee’s last day of service will be the last day of the notice period and annual leave may be used during this period, providing it has been authorised.

While an employee is working their notice, the Company expects the employee to continue to conduct themselves in an entirely appropriate manner, and uphold the high standards of performance required of employees.

If an employee’s performance during the notice period falls below the required standards, the Company may address this as a performance or disciplinary matter in line with the Company’s disciplinary or capability procedures.

During the notice period, the Company may adjust an employee’s duties, contact with customers and clients, and access to information or resources, and may impose any other reasonable practice to better facilitate a handover of work or to protect business interests.

**Employees Who Leave Without Notice**

Employees who leave without giving notice or leave before the end of their notice period without the Company’s authority will be regarded as taking unauthorised absence and will not be entitled to be paid for the day(s) when they do not attend work during their contractual notice period.

If, in exceptional cases, the Company decides to waive the need for an individual to work their normal notice period, this must be agreed with the employee’s line manager and the People Team must also be notified.

# Leaver Procedure

**Acknowledging Resignation**

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.

The line manager or a member of the People Team will confirm acknowledgement of the resignation letter within five working days, stating the employee’s last day of service. Copies of the resignation and acknowledgement letters will be retained on the employee’s personnel file.

The Company reserves the right to instigate or continue with a disciplinary investigation/hearing involving an employee who resigns from the Company in line with the Company’s policy. The employee will be notified of this decision and given every opportunity to play a full part in the proceedings. Please see the Company’s Disciplinary Policy and Performance Management Policy for further information.

**Final Thoughts**

Line managers or the People Team will offer all leavers the opportunity to attend a final thoughts meeting which provides 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 group.

Analysis of final thoughts meetings will help inform the Company’s recruitment and retention strategy with a view to continually improving the employee experience within the Company. Additionally, it will help to inform the future planning and organising of work within the Company, in particular the specific core roles and responsibilities of each post.

Should a meeting not be practical, a final thoughts questionnaire will be posted to the employee for completion and should be returned in the pre-paid envelope provided.

Please note that if a final thoughts meeting or questionnaire contains information that is of a serious concern, the Company will reserve the right to act accordingly on that information.

**Returning Company Property**

The line manager or the People Team will ensure that all Company property and equipment from any leaver is securely recovered, any access to Company systems, including ID badge, uniform, door entry fobs or cards, keys and any other property/IT equipment is disabled and that staff accommodation is vacated on or before their last day of work.

Should a leaver fail to return any item of Company property, the line manager or the People Team may contact the Police to report the property as stolen.

# Calculating Annual Leave

Annual leave entitlement will be calculated in accordance with the provisions outlined in the Company’s Annual Leave Policy.

Any outstanding annual leave should be taken prior to the agreed last day of service and should not extend the employee’s notice period. If the employee is unable to take all their annual leave prior to their leaving date due to business requirements or individual circumstances, the People Team will arrange for payment for outstanding annual leave to be made with the final payment of salary.

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, the equivalent amount of pay will be deducted from the employee’s final salary payment.

**Fixed Term Contract**

Line managers or the People Team will meet with any employee whose contract is due to expire and is not being renewed within sufficient time to allow for the employee to be issued with their contractual period of notice.

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 within the Company and how to apply for them

Following the meeting, a letter will be sent to the employee confirming the outcome, including information regarding their right to appeal against the decision to terminate their employment.

**Retirement**

The procedure to follow when an employee is looking to retire is detailed in the Company’s Retirement Policy.

# Personnel Files

Files will be stored and retained in a secure location or electronically archived following the Company record retention procedure.

Files which are no longer required to be kept will be destroyed by confidential means such as shredding or by disposal through locally arranged approved confidential waste management processes.

# Equality Impact Assessment

All employees are required to comply with this document and must demonstrate sensitivity and competence in relation to the protected characteristics as defined by the Equality Act 2010. For further information, please see the Company’s Equal Opportunities Policy.