



<b>POLICY INFORMATION (Policy no HR026)</b>	
<b>Subject</b>	<b>Leaving Nottinghamshire Hospice Policy and Procedure</b> <i>(This policy is non-contractual and is subject to periodic review and will be amended according to service development needs).</i>
<b>Applicable to</b>	All employees of Nottinghamshire Hospice
<b>Target Audience</b>	Others such as agents, consultants and other representatives of Nottinghamshire Hospice may be required to comply with the policy as a condition of appointment.
<b>Date issued</b>	5 July 2024
<b>Next review date</b>	5 July 2027
<b>Lead responsible for Policy</b>	Director of People Services
<b>Policy reviewed by</b>	Director of People Services
<b>Notified to (when)</b>	Senior Leadership Team (July 2024)
<b>Authorised by (when)</b>	Senior Leadership Team (July 2024)
<b>CQC Standard if applicable</b>	
<b>Links to other Hospice Policies</b>	
<b>Links to external policies</b>	
<b>Summary</b>	This policy provides staff and volunteers with a clear understanding of Nottinghamshire Hospice's procedures for leaving the organisation
<b>This policy replaces</b>	Leaving Nottinghamshire Hospice Policy and Procedure HR0026 2023-5

### **IMPORTANT NOTICE**

Staff should refer to the Hospice for the most up to date Policy. If the review date of this document has passed it is still valid for 3 months. After that staff should seek advice from their clinical lead or manager.

<b>VERSION CONTROL</b>			
<b>Status</b>	<b>Date</b>	<b>Review date</b>	
Original policy written by Angela Bloomfield, HR Manager	April 2015	April 2017	
Policy reviewed Corporate Management Team			
Policy ratified by The Quality & Safety Group	June 2015		
Policy reviewed by Donna Roberts, HR Manager	Nov 2017	Nov 2019	
Updated control sheet and published on Policy Doc App	Dec 2018		
Reviewed by Donna Roberts	Sept 2020	Sept 2023	
Logo updated and uploaded to website	March 2021		
Policy reviewed by Chief Executive Officer	Dec 2023		
Policy authorised by Senior Leadership Team	Dec 2023	Dec 2025	
Reviewed by Donna Roberts	14 May 2024		
Policy authorised by Senior Leadership Team	May 2024	14 May 2027	
Reviewed by Donna Roberts	June 2024		
Policy authorised by Senior Leadership Team	July 2024	5 July 2027	
Uploaded to website	Dec 2023	May 2024	Jul 2024

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<p><b>1.</b></p>	<p><b>Introduction</b></p> <p>If you have been dismissed by Nottinghamshire Hospice for any reason other than gross misconduct, you will be entitled to notice, or pay in lieu of notice. Payments in lieu of notice are made net of tax and national insurance.</p> <p>The period of notice required to be given by either party is as stated in your Contract of Employment.</p> <p>Nottinghamshire Hospice reserves the right to ask you to remain at home (i.e., place you on "garden leave") during your notice period.</p> <p>Nottinghamshire Hospice reserves the right to reasonably vary your duties during the notice period to suit the needs of the business.</p> <p>You will be required to return all Nottinghamshire Hospice's property to your Line Manager.</p> <p>During your notice period you may be required to take such holidays as will have accrued to the date of termination. Should you have taken more holiday with pay than the accrued entitlement at the date of termination, a sum in respect of the excess taken over the amount accrued shall be deducted from any monies due to you by Nottinghamshire Hospice.</p>
<p><b>2.</b></p>	<p><b>Exit interviews</b></p> <p>All staff and volunteers leaving Nottinghamshire Hospice will be requested to participate in an exit interview with Human Resources. Together they will complete an Exit Interview Form. The purpose of the exit interview is to ensure best practice at all times, establish the employee's reasons for leaving the organisation and to strive for continual improvement. Any information gained from Exit Interviews will be treated in strictest confidence with a copy of the interview report being retained by Human Resources.</p>
<p><b>3.</b></p>	<p><b>Notice Periods</b></p> <p>Notice to be given by either side to terminate employment will be contained within your contract of employment or any amendment to contract of</p>

	<p>employment letter. Notice will vary depending on whether you are in your probation period.</p> <p>Any notice given by either side must be in writing.</p>
<p><b>4.</b></p>	<p><b>Retirement Policy</b></p> <p>Nottinghamshire Hospice Limited currently has no fixed retirement age, although this will be reviewed from time to time by the Board of Trustees to reflect the Charity’s needs. We acknowledge that retirement is a matter of choice for individuals and will not pressurize Employees into resigning because they have reached or are approaching a certain age.</p> <p>Employees are free to retire whenever they choose or to seek alternative working patterns.</p> <p>We are proud to employ people of all ages and consider that age diversity is beneficial to the organisation. We are committed to not discriminating against Employees because of age and adhere to principles set out in our Equal Opportunities Policy.</p>
<p><b>5.</b></p>	<p><b>Purpose of the Policy</b></p> <p>This Policy aims to create a framework for workplace discussions, enabling you to express your preferences and expectations with regard to retirement and enabling us to plan for our business.</p> <p>This Policy does not form part of your contract of employment and we may amend it from time to time as we consider appropriate.</p>
<p><b>6.</b></p>	<p><b>Discussing your Future Plans</b></p> <p>You or your Manager may want to discuss your short, medium and long-term plans, as the need arises. For example, a promotional opportunity may arise, or, if your circumstances change, you may want a different working pattern or to stop work altogether. We need to plan for the Charity’s needs, and so may indicate to staff from time to time that it would be helpful to know what their plans are. There is no obligation for us or you to hold workplace discussions about</p>

	<p>your future plans, but it may be mutually beneficial to do so.</p> <p>We will not make generalised assumptions that performance will decline with age, whether due to competence or health issues. If we think there are problems with your performance or ill-health, these will be dealt with in the usual way.</p> <p>During any workplace discussion:</p> <ul style="list-style-type: none"> <li>• We will not assume that you want to retire just because you are approaching a certain age, such as State Pension age and</li> <li>• We will not make discriminatory comments, suggesting that you should move on due to age.</li> </ul> <p>If you indicate that you are thinking of retiring, you are free to change your mind at any time until you have actually given notice to terminate your employment.</p> <p>Your employment or promotion prospects will not be prejudiced because you have expressed an interest in retiring or changing work patterns.</p> <p>If you express an interest in moving to a different working pattern, we will confirm that this is what you want before any action is taken which could affect your employment, such as a change to your role or responsibilities.</p>
<p><b>7.</b></p>	<p><b>Giving Notice of Retirement</b></p> <p>If you have decided to retire, we would appreciate as much notice as possible, although you should give the Company at least the notice you are obliged to give under your contract of employment.</p>
<p><b>8.</b></p>	<p><b>Redundancy</b></p> <p>It is the aim of Nottinghamshire Hospice to maintain and enhance the efficiency and financial sustainability of the charity which will, as far as possible, safeguard the current and future employment of its employees.</p> <p>However, it is also recognised that there may be changes in service or organisational requirements which may affect staffing needs. In such circumstances Nottinghamshire Hospice will seek to minimise the effect of redundancies through the provisions made in this Policy.</p>

	<p>Nottinghamshire Hospice is committed to ensuring that this Policy does not discriminate directly or indirectly on grounds of race, religion or belief, sexual orientation (whether being lesbian, gay, bisexual or heterosexual) being a transgender person, pregnancy or just having a baby, age, disability (or because of something connected or arising from their disability) civil partnership or marital status or part time status or trade union membership and part-time staff and those working under fixed-term contracts shall under no circumstances be singled out for selection on different criteria to those applied to (comparable) full-time staff.</p> <p>This Policy will be reviewed from time to time to ensure that it reflects changing organisational needs.</p>
<p><b>9.</b></p>	<p><b>Preventative Measures</b></p> <p>Where the need for redundancies has been identified and in order to avoid these, one or more of the following measures may be taken, consideration will be given to:</p> <ul style="list-style-type: none"> <li>• a salary freeze for a specified period</li> <li>• suspending advertising and recruitment</li> <li>• discontinuing temporary labour</li> <li>• the likely effects of natural wastage</li> <li>• existing workloads and overtime levels</li> <li>• job-sharing, part-time employment and/or other flexible arrangements</li> <li>• discontinuing the engagement of consultants.</li> </ul> <p>Nottinghamshire Hospice will seek voluntary redundancies wherever possible. The category of employees will be made known and volunteers will be sought at least 15 days before any compulsory notices are issued.</p>

**10. Compulsory Redundancy**

When selecting staff for redundancy, objective selection criteria will be taken into account. Possible criterion to be used may include:

- attendance and disciplinary records
- appraisal/review records
- relevant experience, qualifications, capability and adaptability.

Where Nottinghamshire Hospice plans to make 20 or more employees redundant, it will follow the consultation process in line with the relevant legislation in force at that time.

Employees affected are encouraged to contribute to the consultation process with their own ideas for preventative measures or possible alternative employment with Nottinghamshire Hospice.

**11. Suitable Alternative Employment**

Employees under notice of redundancy shall be informed of all actual and expected vacancies at Nottinghamshire Hospice during the period of their notice.

Employees in the following scenarios are given priority over suitable alternative vacancies, where available, during a redundancy process:

1. Pregnant employees who disclose their pregnancy to their employer on or after 06 April 2024
2. Employees returning from statutory maternity or adoption leave, where the leave concludes on or after 06 April 2024
3. Employees returning from at least six consecutive weeks of statutory shared parental leave (not already covered by maternity and adoption protection), where the leave commences on or after 06 April 2024
4. Employees with less than six weeks' shared parental leave will have the protection during their period of leave only.

Pregnant employees are safeguarded from the moment they inform their employer of their pregnancy.



	<p>Eligible parents returning from maternity, adoption, or shared parental leave are covered for 18 months following the expected week of childbirth, placement for adoption, or the child's birth, depending on individual circumstances.</p> <p>Redundancy rights will not be lost if the staff member or Nottinghamshire Hospice decides after a trial period of up to 4 calendar weeks, from the date at which suitable alternative employment was taken up, that the new job or the employee's performance in that post is not suitable.</p> <p>In such case either party, may terminate or give notice and on termination the staff member shall be treated as though he/she has been made redundant on the date the old job ended.</p>
<p><b>12. Short Time Working/Lay Offs</b></p>	<p>Although every effort will always be made to ensure full employment, in the event of a temporary shortage of work, and in order to avoid future redundancies Nottinghamshire Hospice reserves the right to temporarily lay off or place short time working on any employee affected.</p> <p>Employees affected will be entitled to the statutory guaranteed payments at the appropriate statutory rate. Guaranteed pay is not payable where layoff is due to an internal industrial dispute or where the employee has refused reasonable alternative work in accordance with legal requirements.</p>
<p><b>13. Appeals</b></p>	<p>Employees to be made redundant are entitled to appeal against this decision if they feel that:</p> <ul style="list-style-type: none"> <li>• the selection criteria has been unfairly applied in their case or</li> <li>• the procedure has not been adhered to.</li> </ul> <p>Employees wishing to appeal are entitled to be accompanied at the appeal hearing by a trade union representative or a work colleague of their choice.</p> <p>Appeals must be submitted within a reasonable time frame of the decision being communicated to the employee.</p>

<p><b>14.</b></p>	<p><b>Voluntary Redundancy</b></p> <p>Employees may opt for redundancy if they are in a post whose termination would enable Nottinghamshire Hospice to avoid a compulsory redundancy.</p> <p>Nottinghamshire Hospice reserve the right to refuse a request for voluntary redundancy if the redundancy of that member of staff is likely to have a detrimental effect on the company’s ability to trade/provide a service to its clients in the future.</p> <p>It is the discretion of the company whether an enhancement to statutory redundancy payment is made for those who have volunteered for redundancy and this request has been accepted.</p>
<p><b>15.</b></p>	<p><b>Pay</b></p> <p>The employee, at the date their notice of redundancy becomes effective, shall receive statutory redundancy payments, calculated as follows</p> <ul style="list-style-type: none"><li>• one week’s pay for each complete year of service up to the age of 41</li><li>• one and a half weeks’ pay for each complete year of service over the age of 41.</li></ul> <p>A week’s pay is capped at the rate applicable at the time. This rate is increased annually by the Government and the new rate is effective from 1<sup>st</sup> February each year.</p> <p>Staff with less than two years’ continuous employment with Nottinghamshire Hospice, at the date their notice of redundancy becomes effective, are not eligible for redundancy payment as detailed above</p> <p>Payment in respect of outstanding accrued holiday entitlement shall be made if it is not reasonably practicable for such holiday entitlement to be taken during the notice period. Holiday time taken up to the annual allowance but not earned shall not be deducted.</p> <p>During their notice period employees are entitled to a maximum of 5 working days without loss of pay to attend interviews/training.</p>

## 16. References

### Principles

There is no legal obligation to provide a reference (other than to certain statutory bodies). Nottinghamshire Hospice provides references as a service to staff and to other employers. If a reference is provided, referees have a legal obligation to use due care when compiling references. Referees must exercise reasonable skill and care to ensure that the content of a reference is accurate and can be supported by evidence. This applies equally to references provided for non-employees as well as employees, for temporary staff and volunteers.

- Managers who wish to give a personal reference must not use headed note paper and may not mention their position within the Nottinghamshire Hospice. All such references must be given on a personal basis, as a friend or personal contact.
- Nottinghamshire Hospice will only provide references when a written request is received. **Verbal references must not be provided.**
- The Organisation does not provide 'open' references for employees leaving unless there are exceptional cases. This would be agreed by the Chief Executive.

### Information

We have an obligation to the employer to whom we provide a reference that the information provided is factually correct.

- Line Managers and senior members of staff are not authorised to supply employment references. All references should be carried out by Human Resources in conjunction with the appropriate Line Manager.

### Telephone reference requests

Prospective employers may telephone asking for information. Information **must not** be given over the telephone. Where any information is required this must be requested in writing.

	<p><b>Other requests for information</b></p> <p>There will be other requests for information relating to current or ex-members of staff. Information must not be given out over the telephone. Where information is required it must be requested in writing.</p>
<b>17.</b>	<p><b>Equality Impact Assessment (EIA)</b></p> <p>An EIA has been completed.</p>