



Resignation Policy

Policy lead:	Director of People
Last review date:	7 December 2021
Next review date:	7 December 2024
Approval needed by:	Finance and Staffing Committee

SCOPE

This policy is applicable to all employees of The Learning Alliance.

AIM

The purpose of the policy is to set out the arrangements if an employee decides to leave the employment of the academy for any reason, and their obligations to give notice as set out in their contract of employment.

PRINCIPLES

This policy will ensure compliance with good practice and employment legislation and that all leavers from the academy will be treated equally and with respect.

RESPONSIBILITIES

Managers are responsible for:

- Checking that the employee has given the correct notice as set out in their contract of employment.
- Ensuring that any outstanding/over taken leave or purchased leave is calculated and the necessary arrangements are made for it to be taken or reclaimed as necessary.
- Notify the academy's payroll provider of date and reason for leaving.
- Ensuring that an exit interview is arranged for the employee.
- Recovering academy keys/door fobs, car parking permits, identity passes, mobile phones, purchase cards and IT equipment as necessary.
- Checking if there are any salary sacrifice arrangements in place, e.g. cycle scheme.
- Arranging payment of any outstanding expenses.
- Confirming if the employee has any training expenses that need to be recovered (as appropriate).
- Revoking email accounts, computer log ins, oracle access, buying responsibility etc.
- Check if the employee is eligible for a long service retirement award.

Employees are responsible for:

- Giving the correct notice in writing and working their notice period.
- Returning all property of the academy.
- Attending an exit interview and providing feedback.

NOTICE PERIODS

Teaching staff notice

Where a member of teaching staff tenders their resignation the following notice periods will apply as set out in their contract of employment:

Headteachers/Principals

- 3 months' notice to expire at the end of the autumn and spring terms.
- 4 months' notice to expire at the end of the summer term.

Example: A headteacher/principal would have to resign by 30 September to leave at the end of the Autumn term, i.e. 31 December.

Teachers, Deputies and Assistants

- 2 months' notice to expire at the end of the autumn and spring terms.
- 3 months' notice to expire at the end of the summer term.

Example: A teacher would have to resign by 31 October to leave at the end of the Autumn term, i.e. 31 December.

N.B. The Autumn term runs from 1 September to 31 December, the Spring term from 1 January to 30 April and the Summer term from 1 May to 31 August.

N.B. The notice periods for teaching staff are based on the statutory notice periods as per the *School Teachers' Pay and Conditions Document (STPCD)*.

Support staff notice

Where a member of support staff tenders their resignation the following notice periods will apply as set out in their contract of employment:

Salary grade

Grade 8 to Grade 12 *

All other grades *

Notice

2 calendar months

1 calendar month

** or equivalent pay grade*

Where an employee's pay grade falls into more than one of the above bands, the notice which applies will be the lesser of the two.

A calendar month is the period from the date on which notice is given, to the day before the corresponding day in the following month.

N.B. The support staff notice periods are based on the NJC (Green Book) terms.

Notice periods can be varied by mutual agreement and at the manager's discretion.

Annual leave (applicable to full year support staff only)

When an employee resigns the line manager should check their annual leave accrual (if applicable) to ascertain if any recovery is required. Any overtaken leave should be notified to the academy's payroll provider in order for deductions to be made from their final salary.

Where there is an outstanding leave entitlement, this must be taken before the employment ends.

Salary adjustment upon leaving (applicable to part year support staff only)

When a member of support staff employed on a part year basis leaves their employment, they may not have received the appropriate proportion of annual salary. Although part year staff are not contracted to work a full year, the payment of their salary is spread equally across the whole year. Part year support staff may therefore need their final salary adjusted to ensure that they have received the appropriate salary in their final year of employment, and this may result in either an underpayment or an overpayment.

Any overpayment in salary will be deducted from an employee's final salary payment. Where this is not practicable, an invoice will be raised by the academy's payroll provider for the outstanding balance.

Managers and employees should refer to the academy's part year staff guidance note for more information see **Appendix 1 below**.

Retirement

For some long serving employees, if the reason for resigning is retirement, they may be entitled to receive a retirement gift and/lump sum.

Managers and employees should refer to the academy's Long Service Retirement Awards policy and procedure for more information and consult with the HR Advisor/Manager to confirm eligibility.

Exit interviews

Employees who leave the academy ideally should have an exit interview before they leave. Exit interviews may help to identify reason trends within the academy.

The purpose of the exit interview is to identify from the employee's experience, any ways in which the service can be improved and/or their successor (if any) can be helped to do their job. It also acts as an opportunity to confirm the reason for leaving and to thank people for their valuable service to the academy.

The person conducting the exit interview should, ideally, not be the employee's line manager. It is an informal process with no rigid agenda and should be viewed as a constructive exercise by both parties.

An exit interview form can be provided by the Trust HR team. In addition to completing the form, the employee could be asked to comment on:

- how they feel the academy and their department worked;
- how they felt about the systems in place i.e. managerial, professional, administrative, financial, IT etc.;
- what the employee found enjoyable and/or frustrating about their role;
- any problems the employee encountered, that made their job more difficult;
- what could be done to make their job easier;
- advice for the successor;
- any other suggestions; and
- reason/s for leaving.

Once completed the exit interview form should be completed and placed on the employee's personal file, and the manager who carried out the exit interview will need to take any action required as a result of the discussion.

EQUALITY

The Learning Alliance will ensure that, when implementing the Resignation Policy, no employee will be disadvantaged on the basis of their gender or transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy or maternity, social or economic status or caring responsibility. This means that the policy may need to be adjusted to cater for the specific needs of an individual including the provision of information in alternative formats where necessary.

MONITORING

Data relating to the operation of this policy will be collated and monitored regularly to ensure that the policy is operating fairly, consistently and effectively. Issues that are identified from the data will be dealt with appropriately.

REVIEW

The policy will be reviewed in the light of operating experience and/or changes in legislation and in consultation with the Trade Unions.

GUIDANCE ON PART YEAR STAFF

What are part year staff?

Part year staff are generally employees who are only required to work for part of a calendar year (e.g. term time). During the rest of the year, part year staff are not required to be available for work.

If you are employed on a part year or term time only basis, the calculation of your annual pay will include payment for annual leave and public holidays, and your pay will be spread over 12 months. The enclosed Written Statement of Particulars of Employment provides detail of your annual pay (see Section 5).

The number of weeks you are required to work could be school term time only (38) or school term plus inset days (39) or the 39 weeks plus a week in the holidays at the time of exam results (40) etc. If any work is needed over and above the agreed weeks worked, you may be asked if you would be prepared to undertake this additional work. You do not have to accept this, and if you refuse it will not affect your pay. If you agree to work additional hours, you will receive full payment for all the hours worked.

What happens if an additional public holiday is granted?

If an additional public holiday is granted in a year, you will either be given an extra day off in term time OR you will be paid an extra days pay at the basic rate.

What happens during maternity leave and sickness absence?

The same principles that apply to full year employees will apply to you as a part year employee. If you take maternity leave or have long term sickness absence you will have the same benefit that full year employees have in respect of annual leave accrued when on maternity leave or on sickness absence. You will continue to be paid monthly (including school holidays).

What happens when I leave the school?

If you are employed on a part year basis and upon leaving you have worked your contracted number of weeks since the anniversary of your start date, there are no pay implications. However, if you leave your employment before the end of a school year OR have not worked a full year, you may not have received the appropriate proportion of annual salary. This is because although you do not work throughout the year, the payment of your salary is spread across the whole year. Please see the examples on the following page.

Examples of pay implications for part year staff

Employee A is full time, started on 1 September 2008 and is contracted to work 38 weeks per year but leaves on 31 December 2010. In their final year of pay, the employee has worked 14 weeks since the anniversary of their start date (i.e. 1 September) and has been paid £4,308 based on the part year pay calculator. However, the employee is due £4,762 for the actual number of weeks worked.

This equates to an underpayment of £454.

Employee B is part time (20 hours per week), started on 1 April 2008 and is contracted to work 38 weeks per year but leaves on 31 August 2010. In their final year of pay, the employee has worked 12 weeks since the anniversary of their start date (i.e. 1 April) and has been paid £2,911 based on the part year calculator. However, the employee is due £2,206 for the actual number of weeks worked.

This equates to an overpayment of £705.

N.B. The above examples are based on the employees having less than five years continuous Local Government service, and earning a salary of £15,444 per annum (pro rata for part time).

IMPORTANT NOTE:

Please note that the Trust may need to adjust your final salary pay to ensure that you have been paid correctly. Overpayments will be deducted from any final salary payment. Where this is not practicable, an invoice will be raised for the outstanding balance.

Who do I contact for more guidance?

If you require further clarification or guidance, please contact your Manager/HR Manager.