

<b>Business Owner:</b>	<b>Organisation Support &amp; Development</b>
<b>Document Title:</b>	<b>Staff Leaving Policy</b>
<b>Document No.</b>	<b>OSD003/SL/V3/24</b>
<b>Approved By:</b>	<b>Chief Executive LWETB</b>
<b>Noted by:</b>	<b>LWETB Board</b>
<b>Date Noted:</b>	<b>19/03/2024</b>

# Longford and Westmeath Education and Training Board

## Staff Leaving Policy

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## 1. Purpose

This policy creates a working procedure which outlines the responsibilities of staff members has when leaving employment with Longford and Westmeath Education and Training Board's (LWETB). It allows for essential HR and ICT requirements to be identified, allocated and documented accordingly prior to leaving employment with LWETB to assist in ensuring business continuity when staff leave the organisation. This policy should form part of the full staff leaving process, to be completed by line management, ICT and HR (see appendix A).

## 2. Scope

This policy applies to all categories of LWETB staff and establishes guidelines on leaver/mover procedures for Line Managers, HR, ICT Support and Staff in relation to all full-time staff (see [Mover/Leaver Checklist - Fulltime Staff](#) for further details) and all temporary staff (see [Mover/Leaver Checklist - Temporary Staff](#) for further details), moving to new roles in LWETB or leaving the employment of LWETB. It ensures that staff clearly understands their contractual obligations to LWETB when leaving their employment, allows the Line Manager to ensure that the terms of the employment contract are met, that the leaving process is implemented fairly and consistently, and that the leaving information reaches all those who need to know.

This policy applies to all staff who leave LWETB including those:

- (a) Reaching the end of their Contract
- (b) Resigning
- (c) Retiring
- (d) Termination
- (e) On prolonged periods of scheduled absences

Whilst the majority of the information contained in this policy is relevant in other circumstances, specific details regarding ICT acceptable usage and asset management, redundancy, retirement, end of contract and dismissals are contained in other ICT and HR policies which should be read in conjunction with this policy.

## 3. Period of Notice Provisions

If an individual wishes to leave the employment of LWETB, the individual or in circumstances where this is not possible the line manager must provide written notice addressed to the Chief Executive, copying the Head of HR in a letter format or by emailing [resignation@lwetb.ie](mailto:resignation@lwetb.ie). HR will issue an acknowledgement of receipt within 5 working days and notify the relevant line manager. Notice given or received should be in line with the terms and conditions of the employment contract. Where an employee provides verbal notification of leaving, this should be formally followed up in writing within 5 days of such verbal notice as written notice will only apply. Resignations can be withdrawn up to the last minute of the date the resignation occurs.

## 4. LWETB Property/Systems

### 4.1 General

Employees will be required to return all LWETB property allocated to them during the course of their employment. This includes employees changing roles/business units, going on Career Break, Secondment and prolonged scheduled absences.

Dependent on the leavers role, ICT equipment, property and work-related ICT systems may have been allocated accordingly to allow them to function within their assigned role and conduct their duties with LWETB. It is LWETB policy for each centre/school/department to keep an inventory of ICT assets as defined in LWETB's Asset Protection Policy. Line

managers must ensure that all LWETB equipment/property allocated to the employee is being handed over/transferred by the employee to the Line Manager or designated person and will be completed not later than the date of leaving.

All such equipment/property procured with LWETB funds belongs to LWETB. LWETB retains responsibility for the equipment, its usage (including complying with software licences) and its proper disposal.

Further information about what should be returned, and where to return it, is outlined in the summary checklist (See Appendix A).

#### **4.2 Leaver/Mover Procedure**

The Leaver/Mover ICT Process for all full-time and temporary staff (see appendix A) is for completion by the leaver and line manager prior to leaving the employment of or moving employment in LWETB. This checklist covers insofar as possible LWETB ICT equipment, property and systems that the employee may have had assigned to them, over the course of their employment.

LWETB reserves the right to include additional equipment which may have been provided for by LWETB to the employee, during the course of employment. At the end of the employment this equipment will no longer be assigned to the leaving employee and must be returned to LWETB.

Employees should complete the checklist with their Line Manager on or before their last day of employment, as this provides the employee and LWETB with evidence that property has been properly returned. LWETB reserves the right to recover its property in the event that the employee fails to return LWETB property.

#### **4.3 ICT Equipment and Property**

Line managers must ensure that any LWETB equipment and property allocated to the employee is being handed over/transferred by the employee to the Line Manager or designated person and will be completed not later than the date of leaving. Line managers in turn must submit the completed check list and return all ICT equipment to the appropriate designated person in the centre/school/department (See Appendix A).

All such equipment and property procured with LWETB funds belongs to LWETB. LWETB retains responsibility for the equipment, its usage (including complying with software licences) and its proper disposal.

#### **4.4 Systems**

Upon notification of staff member leaving LWETB, the line manager must inform ICT support and the appropriate person(s) in the centre/school/department. The manager will list the access and usage permissions to systems and programs the staff member has, and schedule these to be revoked on their departure date. It is the responsibility of the manager to ensure a request to revoke any system access provided by third parties is notified to that party, with effect from the staff member's last day of service.

Whilst the majority of the information contained in this policy is relevant in other circumstances, specific details regarding ICT acceptable usage and asset management in other policies should be read in conjunction with this Policy along with all other relevant Policies.

#### **4.5 Intellectual Property**

LWETB will own all rights, title and interests in perpetuity to intellectual properties which are, in whole or in part, created, developed or produced by you during the course of your employment and which are suggested by or related to your employment or any activities to which you are assigned, and you will not have any claim to have any right, title or interest herein of any kind or nature.

#### 4.6 Documentation/Files

Organisational documents should not be stored on computer hard drives or my documents files but in the event, there is any such storage, these documents and files should be moved to an appropriate shared drive, in consultation with the Line Manager.

Personal files should not be retained on LWETB devices, storage or network. LWETB holds no responsibility for any loss of personal data. Line managers must ensure that all necessary documentation and any LWETB allocated to the employee is being handed over/transferred by the employee to the line manager.

#### 4.7 Passwords

LWETB social media and other external service passwords must be disclosed and documented in discussion with line manager. If there is LWETB work documentation that is password protected, these passwords should be disclosed to the Manager, along with confirmation of the location of the files.

#### 4.8 LWETB Mobile Phone

When the staff member's employment with LWETB ceases, when a career break period, secondment or prolonged absence commences, the employee must return any LWETB mobile handset and/or portable modem devices to the line manager who will then submit to the relevant person in the school/centre/department directly.

If staff members wish to retain their assigned LWETB mobile number, they should contact the Head of Corporate Services prior to leaving, who will endeavour to accommodate where feasible. The Mobile Phone Usage Procedure should be read in conjunction with this Procedure. When a staff member ceases to become an employee of LWETB, access to LWETB tariffs will cease and the staff member will revert to the standard consumer tariffs.

#### 4.9 Keys/Fobs

Keys and fobs should be catalogued and returned to the line manager who then returns them to the relevant person in the centre/school/department directly, on the last day of employment. If an employee fails to return LWETB equipment, by their leaving date, the line manager, in conjunction with the Corporate Services section will have the discretion to decide on further action on a case by case basis.

### 5. Leaving Arrangements and Communications

Staff in the first instance should refer to their contract of employment or appropriate policy for additional HR information.

#### 5.1 LWETB Email Account

When confirmation of resignation is received by HR, notification will be issued, by email, from the LWETB HR department to the employee advising that their office365 access, where applicable, will be suspended and their LWETB account will be deleted on the date of leaving. The leaver must arrange to bring to a close all outstanding email correspondence in their inbox/outbox/draft within the period prior to the date of leaving. A personal email address should be provided to HR for all future correspondence.

In exceptional circumstances only, it may be possible to obtain a small extension beyond the leave date should extenuating circumstances arise which requires the employee to continue with LWETB related work. Such extensions can only be actioned with the permission of the employee's Line Manager and approved by Chief Executive.

LWETB will hold no responsibility for any loss of emails including email attachments after the date employee has left employment. Records retention periods to be applied to all mailboxes and records associated with the staff member.

## 5.2 CORE Portal – Access to Payslips

Employees will continue to have access to LWETB CORE Portal in order to download payslips for 30 days following date of leaving. It will be the employee's responsibility to download all required payslips before the 30 day cut-off.

## 5.3 Statement of Service

Employees leaving the service of LWETB may seek a written Statement of Service Letter from the HR Department of LWETB by emailing [humanresources@lwetb.ie](mailto:humanresources@lwetb.ie).

This Procedure may be updated from time to time arising from the implementation of new processes which impact on employees leaving the organisation.

Where an employee is planning on changing their address, shortly after leaving employment, they should notify [humanresources@lwetb.ie](mailto:humanresources@lwetb.ie) in writing so that any final correspondence can be forwarded to the correct address.

## 5.4 Annual leave

Employees must avail of their annual leave entitlements owing to them by the 31<sup>st</sup> December of each year. During the leave year in which employment comes to an end, staff are entitled to annual leave on a pro rata basis and are encouraged to take all Annual Leave owing to them prior to the date of leaving. Annual leave balances are notified to the relevant line manager upon receipt of the staff member's resignation notice. The taking of all annual leave prior to departure must be discussed with the Line Manager suitably in advance of the date of leaving and approved by the Line Manager in the normal way. An employee who is leaving LWETB should avail of annual leave in the form of weeks, days and half days, in order to ensure no outstanding annual leave exists on the last day of employment.

LWETB reserves the right to ensure where possible an employee takes any outstanding leave balances in advance of a finish date, where applicable.

## 5.5 Payment in Lieu of Annual Leave (Exceptional Circumstances)

While every effort is made to enable the employee to avail of all annual leave prior to the date of leaving, it may occur, in very exceptional circumstances, that the employee is prevented from taking a small number of annual leave days prior to leaving (e.g. for the purposes of meeting essential/urgent business needs/deadlines which otherwise cannot be delegated to another)

Payment in lieu of Annual Leave in the above exceptional circumstances will be arranged with the employee prior to the date of leaving. In these very exceptional circumstances, the remaining annual leave days should be discussed and considered by the employee and his/her Line Manager. The Line Manager is then required to discuss any outstanding annual leave with Human Resources. Following agreement, payment in lieu of annual leave will be included with the final salary payment.

## 5.6 Lieu Time/Flexi Time

On the termination of employment, salary adjustments will be made arising out of any debits incurred through working flexible hours. No additional payment can be made in lieu of a positive balance of hours accrued through flexitime or lieu time and, therefore, employees



should ensure that all flexitime and lieu time accrued is taken prior to the last day of employment.

Where a member of staff leaves LWETB and has taken more leave than they have accrued, payment for this excess will be deducted from their final payment of salary.

### **5.7 Overpayments outstanding at date of leaving**

If an employee has overpayments due to LWETB they should be aware that the outstanding monies will be deducted from their final salary. If their final salary does not cover all of these monies, or if the deduction would cause financial hardship, the employee should contact the Human Resources as soon as possible to discuss the matter. The procedures for dealing with the overpayment of salary are as per the most recent Department of Education and Skills circular, which can be accessed on their website and should be read in conjunction with the Staff Leaving Procedure, (link to MS Form), where applicable.

### **5.8 Payroll**

Payroll will pay the employee's final payments, deducting any outstanding overpayments and paying any Holiday Pay/Annual Leave due at date of leaving subject to the conditions set out in Paragraphs 5.2 and 5.4 of this Policy. Final payments are paid into the nominated Bank Account, on the next available pay date following the date of leaving.

### **5.9 Pensions**

Employees who require any pension information following departure from LWETB may email [pensions@lwetb.ie](mailto:pensions@lwetb.ie).

### **5.10 Travel**

The travel section will arrange for payment of outstanding Travel and Subsistence on-line Claims where applicable. It is essential that you discuss the above with your Line Manager and the travel and subsistence section of LWETB so that the final details can be processed by the cut-off date on which the employee is leaving. Any Travel and Subsistence Procedure in place should be read in conjunction with this Policy.

## **6. Data Protection / GDPR Awareness**

If staff member leaves the organisation, any business or sensitive data that they have received or are aware of from their employment is not to be disclosed at any time after leaving LWETB.

## 7. Enforcement

Individuals found to be in breach of this policy LWETB reserves the right to recover its property in the event that the employee fails to return LWETB property.

## 8. Policy Review, Implementation and Continuous Improvement

In line with best practice, this policy has been approved by senior management, who are committed to continually improving the protection of all LWETB Information Assets and the protection of personal data where LWETB is a controller or processor. This document will be reviewed at least annually by senior management in light of changes in legislation and guidance from sources such as Internal Audit, C&AG, the Department of Education, the Department of Further and Higher Education, Research, Innovation and Science and the Department of Public Expenditure & Reform, or on the issuing of circular letter or by the Chief Executive in response to business needs. The date of implementation is the date of Chief Executive approval.

## 9. Ownership and Authorisation

OWNER	DATE	SIGNATURE
<i>Organisation Support &amp; Development Director</i>	Mar 4, 2024	<u>Charlie Mitchell</u> Charlie Mitchell (Mar 4, 2024 13:21 GMT)
AUTHORISED BY	DATE	SIGNATURE
<i>Chief Executive</i>	Mar 4, 2024	<u>Liz Lavery</u> Liz Lavery (Mar 4, 2024 13:22 GMT)



## Appendix A

### Leaver/Mover Procedures

- Full Term Staff - [Mover/Leaver Checklist - Fulltime Staff](#)
- Temporary Staff – [Mover/Leaver Checklist - Temporary Staff](#)