

# Resignation

## Leaving British Council Employment

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## Overview

This section explains the procedures that British Council line managers must follow when a member of staff resigns. It covers:

- leaving questionnaire
- leaving interviews
- recording leaving questionnaire data
- notice periods
- annual leave
- flexi-leave and time off in lieu (TOIL)
- pension rights
- final payment and, in the UK, P45
- advances and other outstanding balances
- references
- acting on a resignation.

## Audience

This policy applies to UK-appointed staff. It can provide good practice guidance for country/territory TACOS and/or English and Exams/ OAS staff contracts, subject to local law and conditions. Where entitlements relate specifically to UK-appointed staff, country-appointed staff and teaching and exams staff should refer to their local Terms and Conditions of Service and/ or individual contracts.

## Responsibilities

Line managers are responsible for carrying out the policy and procedure in this section, and for acting promptly when a member of staff resigns.

## Policy

It is British Council's policy to act promptly on receipt of a resignation so that pay and entitlements can be sorted out as quickly as possible. As a manager, you must request that resignations be submitted in writing; you must not act on a verbal resignation alone.

Once a member of staff has submitted a written resignation, you must discuss the reasons for the resignation with the member of staff. The British Council is not obliged to accept a subsequent withdrawal.

You must never put pressure on a member of staff to resign. To do so is not in line with British Council's values and standards, and could be interpreted as harassment. It may also put the British Council at risk of subsequent legal action.

## Guidance

If the resignation letter highlights concerns about working for the British Council as the background or basis for the resignation, you must contact Human Resources (HR) Services in the UK, or your HR manager overseas. You must strongly encourage the member of staff to attend a leaving interview conducted by HR or an independent person.

## Leaving questionnaire

Staff who resign are offered a leaving questionnaire. This gives the member of staff an opportunity for a face-to-face interview (see Leaving interviews below), either with the line manager or with a member of HR Services in the UK, or the HR Manager or Country Director overseas. Line managers must encourage the leaving member of staff to take this opportunity.

If the completed questionnaire highlights reasons for the resignation which are related to problems in the work place, then the manager must consult with HR before the leaving interview. HR can provide the manager with guidance on addressing issues that may arise in the interview, and also on how to ensure that reasons for the resignation are fully and

sensitively explored. Guidance is available from HR Services in the UK, the HR Overseas team, or HR Pay and Employment Relations (HR PER).

### Leaving interviews

Leaving interviews can:

- be a valuable on-going source of information on staff attitudes and perceptions
- help to highlight British Council's strengths and weaknesses as an employer
- provide vital information on issues such as working practices and values.
- information can be used to assess whether our policies are working, to modify them and to plan strategies.

In line with British Council's aim to be a good employer and to assess whether its values are reflected in policies, all staff leaving voluntarily must be asked for their views. They must be invited to complete a leaving questionnaire and must be strongly encouraged to accept the opportunity of a face-to-face interview.

Leaving interviews are treated as confidential, and the data is used to identify patterns and trends in the organisation. If a potentially serious problem is identified during an interview and there is a need to address this, the member of staff is asked to consent to the information's being revealed to third parties.

### Recording

Under UK legislation, British Council must monitor those leaving the organisation by gender, ethnicity and disability, for Equal Opportunities purposes. For UK-appointed staff, information from the questionnaire is logged onto PIMMS, the staff database. The information is analysed to identify trends in reasons for resignations and specific areas of concern, and to inform policy.

PIMMS does not hold data for country-appointed staff. Leaving information for country-appointed staff will need to be held locally.

### Entitlements

#### Notice periods

The table below details the length of written notice that UK-appointed members of staff must give. In some cases, staff may ask to give shorter notice. Provided that operational requirements are met and the member of staff agrees to repay any outstanding loans in full, you can agree to a shorter notice period.

Pay band	During first 12 months of employment	After first 12 months of employment
2	One month's written notice	One month's written notice
4	One month's written notice	Two months' written notice
6 and above	One month's written notice	Three months' written notice

#### Annual leave

In the year in which a member of staff resigns, leave is earned up to the last day of service. The last day of service may or may not be the same as the last day at work, which must be arranged to take account of any untaken leave.

Up to ten days' untaken leave may be converted into a cash payment. Any other leave outstanding must be taken before the last day of service. It may, however, exceptionally be converted into cash, but only where operational needs mean that the member of staff has

been specifically prevented from taking it. Any request to convert leave must state clearly the reasons for the request, and must be approved by a senior manager before being sent to HR/ Finance Officer for action. If the member of staff has taken more leave than his or her entitlement, the debit balance is converted to the appropriate sum of money and that amount reclaimed from the final salary payment.

For UK-appointed staff, pensionable service ends on the last day of service and is unaffected by the annual leave position. This means that pensionable service is not reduced if staff have taken more than their leave entitlement, nor is it increased if there is leave remaining at the end of service. Line managers are responsible for ensuring that members of staff do not have excessive leave outstanding. The Civil Service pension scheme does not allow cash paid in lieu of leave to be pensionable.

### **Flexi-leave and TOIL**

You must ensure that a member of staff's flexi-time is in balance on leaving. No payment can be made in lieu of outstanding excess hours, nor is there any means of reclaiming debit hours. No payment can be made in lieu of outstanding TOIL.

### **Pension rights**

- **Less than two years' service:** UK-appointed members of staff with less than two years' reckonable service cannot have preserved benefits in the Civil Service pension scheme. They can either transfer their benefits to a new scheme, or have a refund of contributions, with their pension rights transferred to the State scheme. Once informed of the resignation, PPPA contacts the member of staff directly. This is usually within two months of the resignation.
- **Two years' service or more:** UK-appointed members of staff with two or more years' reckonable service in the Civil Service pension scheme may either preserve their benefits in the scheme, or transfer them to a new scheme. Unmarried staff in the Classic scheme can have a refund of widow's or widower's contributions at pension age 60, provided they have not married or remarried since leaving service. Once informed of the resignation, PPPA contacts the member of staff directly. This is usually within two months of the resignation.

### **Final payment and P45**

Resigning members of staff receive their final salary payment on the last working day of the month in which they leave, irrespective of when in that month they leave. For UK-appointed members of staff, the P45 is sent within three weeks of the final salary payment.

### **Advances and other outstanding balances**

Line managers are responsible for checking whether any money is owed on a departmental standing balance account. If it is, line managers must ensure that this is reclaimed directly from the member of staff, before the person leaves.

For UK-appointed staff, outstanding repayments (for example, for a season ticket loan) are reclaimed directly from any money owed to the member of staff by the British Council. If the member of staff is still in debt to the British Council, the member of staff must repay the outstanding amount before leaving.

### **References**

The British Council does not issue open testimonials. However, if requested to do so, we can provide a certificate of service, that is, a statement confirming that the person has been employed by the British Council, and the dates of this employment. In the UK, HR Services provides this; overseas, it is provided by the HR Manager or Country Director. In some overseas countries, a certificate of service may be a legal requirement. The HR Manager or Country Director must check local labour legislation.

Line managers may act as personal referees but must make clear that the reference is a personal one and not on behalf of the British Council. They must not use official British Council stationery, as this may lead to confusion between an official reference and a personal one.

References must not be given over the telephone.

## Procedure

### Acting on a resignation

As line manager, perform the following, but refer also to Entitlements above.

1. When you receive a letter of resignation, notify the following:
  - HR Services, for UK-appointed staff in the UK and UK-appointed English and Exams staff
  - HR International Assignments Team (HR IAT), for UK-appointed staff overseas and pay band 8 harmonised managers overseas
  - HR or Finance Officer (and Country Director, if the latter is not the line manager), for country appointed staff.
2. For UK-appointed staff, HR Services/ HR IAT will check with Payroll Services, and let you know if the member of staff has any outstanding loans.
3. Check that the member of staff does not have any outstanding balances (for example, travel advances, or credit cards). If the member of staff has a corporate credit card, your Finance Officer must notify the Finance Manager, Corporate Finance and request a statement of transactions to ensure all outstanding balances are cleared.

You must ensure all credit cards are returned.
4. Complete a SAP User Change Request form and email to the BSC Support Centre. Relevant guidance can be found under user change request process.
5. Make arrangements for all British Council IT equipment (such as laptops, home computers, printers and so on) and any other equipment (such as mobile phones) to be returned.
6. Discuss leave entitlement with the member of staff. Agree the final working day, taking into account work to be completed, any outstanding loans to be repaid and the notice period required. Ask the member of staff to make sure that the following are aware of the member of staff's current address (if staff fail to do this, final salary documentation may not reach them):
  - HR Services, for UK-appointed staff in the UK and UK-appointed Teaching and Exams staff
  - HR IAT, for UK-appointed staff overseas and pay band 8 harmonised managers overseas
  - HR or Finance Officer, for country-appointed staff.
7. Write to the member of staff formally accepting the resignation (see Letter Accepting a Resignation) and offering the opportunity of a face-to-face leaving interview. Attach a copy of the Leaving Questionnaire to your letter.
8. For country-appointed staff, check whether a certificate of service is a legal requirement and must be provided.

9. Attach a leave statement to the letter (see Leave Statement).
10. Send a copy of the letter and the leave statement promptly to the following:
  - HR Services, for UK-appointed staff in the UK and UK-appointed Teaching and Exams staff
  - HR IAT, for UK-appointed staff overseas and pay band 8 harmonised managers overseas
  - HR or Finance Officer, for country-appointed staff.
11. Also send a copy of the letter to your Departmental IT Co-ordinator so that the telephone and e-mail directories can be amended and computer access discontinued. If appropriate, ask for an auto-reply message to be activated for a given duration giving an alternative contact.
12. If the member of staff accepts the invitation to attend a leaving interview:
  - Conduct the interview, whenever possible, within the final week of service. Use the questionnaire as the basis for discussion.
  - Forward a record of the meeting to HR Services in the UK, or the HR manager or country director overseas (if they have not been involved in the interview process).
13. Arrange for an announcement of the resignation in the Bulletin.

Include the name of the member of staff, the job title, department, and date of resignation. Use the format shown in Retirement, under the heading 'Bulletin announcement'.
14. The following complete the appropriate form to ensure that payroll action is taken. It is the line manager's responsibility to ensure that checks for any outstanding loans and balances have taken place and that action is taken to ensure these are recovered:
  - HR Services, for UK-appointed staff in the UK and UK-appointed Teaching and Exams staff
  - HR IAT, for UK-appointed staff overseas and pay band 8 harmonised managers overseas
  - HR or Finance Officer, for country-appointed staff.
15. In the UK, on the last day at work, return the member of staff's pass to Facilities Group or hand it in to Reception.

Overseas, if applicable, return the staff pass to the HR or Finance officer, together with any keys.
16. The following ensure that all documentation is filed on the staff member's personnel file:
  - HR Services, for UK-appointed staff in the UK
  - HR IAT, for UK-appointed staff overseas and pay band 8 harmonised managers overseas
  - English and Exams Teaching Centres for English and Exams staff
  - HR or Finance Officer, for country-appointed staff.
17. HR Services/ HR IAT must also send completed leaving questionnaires and notes of any face-to-face interview undertaken, to the HR Systems Manager for input on PIMMS.