



POLICY	
Employee Cessation	
Scope (Staff):	All employees of North Metropolitan Health Service
Scope (Area):	All Areas of NMHS

Aim

This policy outlines the minimum requirements around cessation of employment and the role and responsibilities of those individuals in the employee cessation process.

Background

The North Metropolitan Health Service (NMHS) is committed to ensuring that employees separate from their employment with the Service in accordance with public sector legislation, standards and relevant industrial instruments.

The purpose of this policy is to ensure that NMHS has a consistent approach for managing employee separation that meets relevant internal and external requirements and that facilitates as smooth and efficient a separation from the organisation as possible.

Note: In this policy the terms cessation, termination and separation are used interchangeably.

Risk

Adherence to this policy, and completion of the T1, T2 and eHFN-030 forms, will mitigate risk for the organisation and prevent its accountable officers being exposed to the industrial and reputational impacts of not appropriately managing the separation of employees. Failure to comply with this policy may also compromise NMHS' compliance in relation to human resources data, record keeping practices and security breaches.

Definitions

Abandonment of employment	Continuing unauthorised absence that results in the employer initiating separation of employment.
Casual contract	A contract of employment whereby the employee is engaged by the hour in accordance with the terms of the relevant Industrial Instrument.
Cessation of employment	Includes termination of the employment contract initiated by either the employer or the employee by way of resignation; retirement; termination; completion of a fixed term or casual contract of service; permanent transfer to another Health Service Provider or within the public sector;

	and death of an employee.
Employee	A person employed with NMHS including on a permanent, fixed term or casual basis.
Fixed term contract	A contract of employment with NMHS in accordance with relevant legislative provisions, Industrial Agreements and/or Awards for a fixed term.
Health Service Provider (HSP)	Defined in section 6 of the Health Services Act 2016 (the Act) as a health service provider established by an order made under section 32(1)(b) of the Act.
Industrial Instrument	The applicable Industrial Award or Agreement governing the employee's terms and conditions of employment.
Permanent transfer	The permanent movement of an employee at the same or comparable classification level between a HSP, the Department of Health (DOH) or Public Sector in accordance with the Public Sector Standard in Human Resource Management - Employment Standard, industrial agreements and/or awards and/or legislation.
Resignation	Cessation/ termination / separation of employment initiated by an employee.
Retirement	Cessation/separation of employment initiated by an employee on grounds of age.
Severance	Cessation of employment due to position being deemed surplus to organisational requirements.
Termination on the grounds of incapacity to work due to ill health or injury	Separation of employment initiated by either employee or employer on grounds of an employee's inability to perform the inherent requirements of their substantive position or modified duties because of permanent incapacity from illness or injury.
Termination of employment	The permanent movement of an employee out of NMHS and ceasing of the associated employment contract initiated by the employer.

Principles

This policy applies to both employer and employee initiated separation of employment including: resignation, retirement, termination, completion of a fixed term contract, severance, redundancy, abandonment of employment, permanent transfer within NMHS or to another HSP, termination of employment or death.

NMHS will take a consistent approach for managing the separation of employees.

The cessation/termination of an employment contract must comply with requirements of the:

- [Public Sector Termination Standard](#) that requires decisions to be based on a proper assessment of NMHS requirements and the employee's circumstances, employees

to be informed of their rights, entitlements and responsibilities about the termination process and decisions to be impartial, transparent and capable of review;

- relevant legislation and the provisions of the relevant Industrial Instrument and the contract itself including notice periods, termination payments and employee entitlements; and
- the [NMHS Authorisations Schedule](#) in consultation with Human Resources (HR).

All termination related processes and practices must reflect the values and intent of the [Department of Health Mandatory Policy 0124/19 - Code of Conduct](#).

Once an employee's notice of cessation has been formally accepted by NMHS, the resignation or retirement has taken effect and it cannot be withdrawn without the approval of the employer.

NMHS will inform separating employees about their responsibilities when they exit the service (refer to section on *Roles and Responsibilities - Managers*).

NMHS is committed to providing all employees exiting the organisation with the opportunity to complete the [NMHS Employee Exit Survey](#) with the aim to collect data on exits and use feedback to improve employment practices and the work environment.

Termination of employment as a result of retirement on medical grounds, redeployment, severance (redundancy and/or voluntary or involuntary severance), discipline or sub-standard performance are subject to other specific policies and procedures which must be referred to in these situations.

Termination of employment arising from the death of an employee will be dealt with in a prompt and sensitive manner. Appropriate support, including the [Employee Assistance Program](#), will be offered to employees affected by the death of a colleague.

On receipt of a completed [T1 Termination Form](#), Health Support Services (HSS) will take responsibility for identifying and communicating with the next of kin or the appropriate authorised representative acting on behalf of the deceased employee in relation to employment matters.

Resignation and Retirement

An employee may elect to end their employment at any time by either resigning or retiring, ensuring they abide by the notice period requirements outlined in the relevant Industrial Instrument and/or in their employment contract. Different period of notice may apply to employees for the probation period.

Employees are required to be aware of their obligations and responsibilities and are encouraged where possible to provide as much notice as possible of their resignation or retirement to assist NMHS in workforce planning.

Employees ceasing one position to take up another position within NMHS are required to advise their Manager and negotiate a notice period based on employee circumstances and

operational need and priority. Employees moving positions under this arrangement do not have to formally resign from their former position.

Fixed Term Contracts

A person employed for a fixed term contract period, ceases employment at the conclusion of the contracted period unless another employment contract with NMHS is offered and commences within one week of their previous fixed term contract ending.

Permanent Transfer

Employees transferring employment across Health Service Providers are required to complete a [T1 Termination Form](#) and provide notice of permanent transfer in line with the relevant industrial instrument and Health Service Act requirements.

Redundancy

Separation as a result of redundancy (whether voluntary or involuntary) is governed by the [Public Sector Management \(Redeployment and Redundancy\) Regulations 2014](#), [Commissioner's Instruction No.12 Redeployment and Redundancy](#), the [Public Sector Redeployment and Redundancy Guidelines](#) and the [NMHS Redeployment and Redundancy Policy](#).

Disciplinary Action or Substandard Performance

Employer initiated separation as a result of disciplinary action or substandard performance is in accordance with the [DOH Mandatory Policy 0127/20 Discipline Policy](#), [DOH Mandatory Policy 0041/16 Managing Unsatisfactory and Substandard Performance Policy](#) and / or the relevant [industrial instrument](#).

Termination on the Grounds of Incapacity to Work Due to Ill Health or Injury

Termination of employment arising on the grounds of incapacity to work due to ill health or injury is at the discretion of the employer and is not a right or entitlement of the employee. Guidance and advice must be sought from your [Human Resource Partner](#) in the first instance.

In the event that an employee is medically certified as permanently incapacitated and unable to carry out their duties and this is supported by acceptable medical evidence, delegated approval in accordance with the [NMHS Authorisation Schedule](#) must be obtained in order to progress termination on the grounds of incapacity to work due to ill health or injury.

Refer to [NMHS Termination on the Grounds of Incapacity Due to Ill Health or Injury Policy](#).

Abandonment of Employment

Cessation of employment arising out of abandonment of employment must be in accordance with the relevant [Industrial Instrument](#). Guidance and advice must be sought from your [Human Resource Partner](#) in the first instance.

Roles and Responsibilities

Employees

Employees are responsible for:

- complying with termination notice requirements stated in the relevant industrial instrument
- providing notice of cessation in writing, unless circumstances do not permit

The written notice should include:

- the date from, and inclusive of which, employment is to cease (note: unless otherwise stated, an employee's cessation of employment will take effect from the close of business on the date nominated in the notification of the resignation or retirement)
 - contact details for future communication purposes (including a private address to which correspondence may be sent)
 - any other information the employee wishes to provide, such as a reason for the cessation
- completing the [T2 Termination Checklist](#) and associated actions
 - completing the [T1 Termination Form](#) prior to the final payroll cut-off date prior to leaving and submit to line manager for authorisation
 - capturing business information in relevant records management and knowledge management systems and ensure adequate hand-over of work where applicable.
 - returning all NMHS equipment and/or property to the manager
 - completing the [NMHS Employee Exit Survey](#) (*voluntary*)
 - contacting superannuation provider, financial institutions, and salary packaging providers as required.

Employees retiring are advised to obtain independent financial advice.

Managers

Managers are responsible for:

- completing relevant sections of required forms and checklists (T1 Termination Form, eHFN-030 Computer Access Request and T2 Termination Checklist) and submit to the relevant areas in a timely manner. Where unable to arrange the employee to complete appropriate paperwork (for example illness or lost contact with employee), managers should complete employer only sections
- ensuring written notice of cessation is provided, unless circumstances do not permit
- confirming verbal advice of cessation in writing where an employee does not provide a written notice of cessation

- ensuring the employee is informed about their rights, entitlements and responsibilities
- ensuring the notice period and any other requirements in the relevant industrial instrument are met
- ensuring employee has returned all NMHS equipment and property
- cancelling computer access / logon
- ensuring purchasing/credit card is returned (if applicable)
- reminding departing employee of ongoing confidentiality and intellectual property obligations
- offering all employees exiting the organisation the opportunity to participate in the NMHS Employee Exit Survey (Note: In some circumstances it may not be practical or appropriate to ask employees to complete an exit survey e.g. summary dismissal, terminal illness etc.)
- seeking support and advice from HR for separations relating to Abandonment of Employment and Termination on the Grounds of Incapacity Due to Ill Health or Injury and of other separations as required
- facilitating the offer of appropriate support, including the Employee Assistance Program, to colleagues in the event of the death, serious injury or illness of an employee
- contacting the relevant HSS Payroll Team Leader in the event of an employee's death, to ensure awareness and that appropriate processes are initiated.

Human Resource Partners

Human Resource Partners are responsible for providing advice and support on termination/cessation processes and/or an employee's inability to carry out their contractual obligations, in line with this policy and the relevant [Industrial Instrument](#).

Health Support Services (HSS)

HSS is responsible for:

- ensuring that all employee entitlements are provided in accordance with the relevant Industrial Instrument
- providing Payment Summaries to ex-employees for the tax year corresponding to that of separation/cessation
- providing Certificate of Service where requested
- identifying and communicating with the next of kin or the appropriate authorised representative acting on behalf of the deceased employee in relation to all employment related matters, in the event of the death of an employee.

Record Keeping

Since 2006, HSS maintains employment records, which include information in relation to employee separations, on behalf of NMHS.

Employment records created prior to 2006 are maintained in accordance with the [NMHS Record Keeping Plan 2015](#).

Records produced as a result of this policy will be maintained in accordance with the public sector record keeping practices. Refer to [General Disposal Authority for State Government Information](#) (Section 69. Personal Files and Section 90. Separations).

Compliance and Evaluation

The Chief Executive and each site or service Executive Director are responsible for maintaining compliance by ensuring that managers and supervisors are aware of the requirements of this policy.

Compliance with the Public Sector Standards is measured through the reporting and review of breach claims received against the Public Sector Termination Standard and will be monitored by HR.

Completed Employee Exit Surveys will be monitored, analysed and reported on by NMHS Workforce Planning.

Queries and Advice

For queries and advice, please contact your [Human Resource Partner](#).

Related internal policies, procedures and guidelines

[Department of Health Mandatory Policy 0031/15 - Code of Conduct](#)

[Department of Health Mandatory Policy 0040/16 Discipline Policy](#)

[Department of Health Mandatory Policy 0041/16 Managing Unsatisfactory and](#)

[Substandard Performance Policy](#)

[WA Health Industrial Awards and Agreements](#)

[NMHS Authorisations, Delegations and Decision Making Schedule](#)

[NMHS Record Keeping Plan 2015](#)

[NMHS Termination on the Grounds of Incapacity Due to Ill Health or Injury Policy](#)

[NMHS Redeployment and Redundancy Policy](#)


References

[General Disposal Authority for State Government Information](#)
[Public Sector Management \(Redeployment and Redundancy\) Regulations 2014](#)
[Commissioner's Instruction No.12 Redeployment and Redundancy](#)
[Public Sector Redeployment and Redundancy Guidelines](#)

Useful resources (including related forms)

[NMHS Employee Exit Survey](#)
[T1 Termination Form](#)
[T2 Termination Checklist](#)
[Computer Access /Logon Cancellation](#)
[Purchasing/Credit Card Return Form \(AP130\)](#)
[Employee Assistance Program](#)
[Employee Exit Page on NMHS Information Hub](#)

This document can be made available in alternative formats on request for a person with a disability.

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Policy Contact	Manager Workforce Planning				
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The health impact upon Aboriginal people has been considered, and where relevant incorporated and appropriately addressed in the development of this health initiative (ISD No: IS3P119).