



Policy Reference No: PM09

Leaver & Retirement Policy

St Helens Borough Council

Effective from: 01/01/2026



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Policy Information

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01/06/2022	Jane Carter and Vicky Yates-McCowan	1	Policy Consolidation Review
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Our Vision and Values

The Council has co-designed a clear vision for workplace culture and worked together with employees to identify values and behaviours for everyone. These will be at the core of how we work together to deliver our services. Employees will be empowered to deliver new ways of thinking and new ways of working, encouraging innovation and creativity in a learning environment.

Our vision, values and behaviours are underpinned by our Bonds for Working Together at St Helens which outline what employees can expect from working at the Council and what is expected of them.

Our Culture, vision, values, behaviours and Bonds for Working Together at St Helens



Introduction and Purpose

St Helens Council recognises that for a variety of reasons employees will wish to leave the employment of the Council. If employees are leaving the Council, the Council will ensure that employees are treated fairly and with respect. This policy provides the framework in which this may be facilitated and will enable managers to deal effectively and consistently with terminations of employment, for whatever reason.

Policy Statement

This policy framework aims to ensure that the St Helens Borough Council meets its obligations and complies with good practice and employment and equality legislation when employees leave the Council. It will ensure that all staff leaving the Council are treated with dignity and respect and that all processes are operated efficiently and consistently.

Scope of the Policy

This policy applies to all staff within St Helens Borough Council with the exception of staff employed by schools.

Definitions and Abbreviations

In the Policy, the following words and phrases mean:

Council - St Helens Borough Council

Employee - Those employed by St Helens Borough Council including agency/consultancy staff, secondees to the organisation and those employed under partnership arrangements but excluding those employed in schools.

Equality, Diversity and Inclusion

The Public Sector Equality Duty of the Equality Act 2010 applies to both employment at the Council and in the delivery of Council Services. The Council's Comprehensive Equality Policy sets out the duties and requirements of the Equality Act 2010, and other relevant legislation.

The Equality Act 2010 protects all people from discrimination, harassment and victimisation. The Council is committed to promoting equal opportunities in employment and all employees will receive equal treatment regardless of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, religion or belief, sex or sexual orientation or caring responsibility.

The Council has a zero tolerance towards discrimination, harassment and victimisation. All employees must show due regard to acknowledge and value people's differences, and, as far as possible, where permissible in Council policy and practice, meet an individual's needs in accordance with their choices and preferences.

The minimum standard of behaviour and attitude expected of council staff is to ensure all people who employees come into contact with are given equal opportunities and treated fairly and respectfully.

Resignation

Employees who decide to leave the employment of the Council are required to give notice in writing. The minimum contractual period of notice to terminate employment to be given by an employee is as follows:

(i)	Officers up to and including spinal column point 28	1 month
(ii)	Officers on spinal column point 29 and up to and including spinal column point 42	2 months
(iii)	Officers above spinal column point 42	3 months

References

Although there is no statutory duty to provide an existing or ex-employee with a reference, the Council accepts its social and moral duty to do so, particularly for example in discharging its safeguarding responsibilities.

In providing a reference, referees are under a legal obligation to ensure that any reference provided is honest, true, accurate, fair, and balanced and does not give an overall unfair or misleading impression. The general rule to apply when responding to reference request is that there should be no surprises for the individual if they were to read the reference themselves.

Guidance on the completion of references can be found [via this link](#).

The Council has also developed [FAQs](#) for the completion of references.

Exit Questionnaire

Exit Questionnaires will help to identify reasons for leaving and any patterns of change which have been occurring within the Council and the individual service. The purpose of the exit questionnaire is to identify from an employee's experience, any ways in which the service could be improved and/the employee's successor (if any) can be supported to do their job. It also acts as an opportunity to confirm the reason for leaving. An exit questionnaire will be provided to employees who are leaving the Council. Further guidance can accessed [via this link](#).

Exit Interviews

Employees can request an Exit Interview to support completion of the questionnaire. The interview will normally be carried out at the time of leaving by the employee's Grandparent manager, however the Grandparent manager may wish to delegate this responsibility to the employee's direct line manager. Should the employee's direct line manager undertake the exit interview, the Grandparent manager retains the right to see the outcome. If, the employee does not wish their Grandparent manager or direct line manager to undertake it, they can request that an interview is carried out by another appropriate person.

A copy of the notes from the Exit Interview will be forwarded to People Management.

It is an informal process with no rigid agenda and should be viewed as a constructive open exercise by both parties, where the employee will be asked to comment on:

- how they felt the Council and their Department managed/functioned;
- what they enjoyed and/or did not enjoy about your role;
- what they found frustrating about your role;
- any issues they encountered, that made their job more difficult;
- what changes they think can be made to make the job easier;

- any advice that they could give to their successor;
- any other general suggestions; and
- their reason(s) for leaving.

[Link to Exit Questionnaire Guidance](#)

Long Service Retirement Awards

The Council appreciates the invaluable contribution and wishes to encourage and reward the loyalty, motivation, and experience of its employees. Long service will be recognised when employees leave the Council's employment. More information can be accessed [via this link](#).

Retirement & Pensions

Retirement for pension purposes is defined as when an employee:

- voluntarily resign at age 55 or over and request their pension benefits;
- takes early retirement at age 55 or over with agreed early release of pension (redundancy, flexible retirement or efficiency grounds); or
- retires on the grounds of ill health regardless of their age.

Employees are free to retire at any age over 55 when they choose to do so and are not required to apply to continue working beyond 65. If an employee leaves with the Council's consent and is in a protected group, i.e., they satisfy the former 85-year rule, then it is possible that they will suffer no reduction to some or all their benefits. Further information on individual protections is available from Merseyside Pensions Fund to check on individual protections.

An employee's normal pension age is linked to their [State Pension Age](#) (with a minimum age of 65). If an employee is not sure what their State Pension Age is, they can check this via the GOV.uk website: www.gov.uk/state-pension-age. Gainful employment is defined as paid employment for no less than 30 hours per week during a period of not less than 12 months.

The Council has some guidance in relation to Pensions and its policy on this can be accessed [via this link](#).

Ill Health

The Council will consider retirement on ill health grounds where an employee is certified by an Independent Registered Medical Practitioner (IRMP) as being incapable of undertaking your Local Authority employment (i.e. their contractual job). Further guidance on this is available from the Merseyside Pension Fund [here](#)

Provided that an employee has at least two years membership in the Local Government Pension Scheme (LGPS) and the above criteria are satisfied, they will receive early release of their pension and a pension lump sum in accordance with the LGPS Regulations. If they have less than two years membership in the LGPS, they are entitled to a lump sum payment which is no less than a refund of the contributions paid plus interest, less any tax and National Insurance (NI) due.

Flexible Retirement

The Council will consider requests for flexible retirement which would require an employee to reduce their hours or pay grade in order to release some or all of their pension. An employee must be aged 55 or above and have at least two years membership of LGPS or transferred service. More information can be found in the Councils Pensions Discretion Policy [here](#) or the pensions guidance [here](#).

Mutually Agreed Resignation Scheme (MARS)

Please refer to the Council's [Organisational Change Policy and Procedure](#) for the policy on MARS.

Redundancy / Voluntary Redundancy

Please refer to the Council's [Organisational Change Policy and Procedure](#) for the policy on redundancies.

Dismissal

A dismissal occurs when an employee's contract of employment is terminated by the Council as an employee's employer, e.g., redundancy, capacity (health), conduct or some other substantial reason.

Employees have the following rights:

- to be accompanied by a companion at meetings; their companion may be a fellow worker, a trade union representative or an official employed by a trade union;
- the right not to be treated less favourably if they are fixed term or a temporary employee;
- to have access to all relevant information;
- to have the opportunity to explain their position;
- to be given clear written reasons for dismissal; and
- have a right to appeal.

Each step and action within the relevant procedure will be fully undertaken without undue delay and the timing and location of meetings will be reasonable.

Notice to Terminate Employment

If an employee's employment is terminated by the Council (other than for reason of gross misconduct) they will normally be entitled to the period of notice set out below.

Period of continuous service	Minimum notice
Less than 4 weeks	None
4 weeks but less than 2 years	1 week
2 years but less than 12 years	1 week for each year of service
12 years or more	12 weeks

Settlement Agreements

There may be occasions where the Council makes use of Settlement Agreements in appropriate circumstances. Further information on this is available from People Management.

Re-Employment or Re-Engagement

If an employee is in receipt of a Local Government Pension (with the Council or another local authority), any decision to re-employ them will be made on merit, and subject to the agreement of the Head of People Management in consultation with the relevant Director and Chief Executive.

In particular, if an employee left their employment on grounds of voluntary redundancy, they will not be re-employed in the Council in the same or similar role within 2 years except in exceptional circumstances and subject to the agreement of the Head of People Management in consultation with the relevant Director and Chief Executive.

Advice

Advice to Managers is available from People Management.