

## RESIGNATION & TERMINATION OF EMPLOYMENT POLICY

**Policy Statement:** At the McSence Group we hope that our employees will be with us for a long time but if the employee decides to resign or the company decides to terminate employment, then both parties must comply with the notice period that is specified in the employee's Statement of Principal Terms and Conditions.

**All Employees:** This policy applies to all persons working for or on our behalf of the McSence Group of Companies which includes the subsidiary companies - *McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd* in any capacity including but not limited to:

- All employees at all levels, prospective employees, agency workers, seconded workers, temporary workers, contractors/sub-contractors, clients, agents, external consultants, volunteers, members of the public, group's supply chain, third-party representatives and/or business partners who will be referred to in our Group policies as "all employees".

**The Workplace:** This policy applies to all persons working for or on our behalf of the McSence Group of Companies in any capacity at the workplace(s) as defined below which includes but not limited to:

- McSence Premises, Offices, Units, Business Park, Client's Premises, External Meeting Places, Customers' Homes, Gardens, Sheltered Housing, Whilst On-Call, On-Duty, Emergency Cover, Working from Home including On-Line Meetings, Whilst Driving in Company Time, Working Public Areas (café's, trains, coffee shops, buses etc) and will be referred to throughout this policy as "the workplace".

**Purpose:** The purpose of this policy is to outline the requirements when an employment contract which can be terminated at any time by either party, it could be a resignation, retirement, redundancy, or dismissal. All resignations must be made in writing (email is acceptable) to the immediate Line Manager with a termination date that complies with the notice period in the employee's Statement of Principal Terms and Conditions.

**Resignation of Employment:** The McSence Group or a Line Manager cannot refuse to accept an employee's resignation which includes retirement where the following must be adhered to and put in writing when an employee resigns:

- Employee to confirm their resignation and proposed leaving date
- Employees immediate Line Manager to confirm the notice period, when the last day at work will be and whether the employee will work all or part of their notice period

**Termination of Employment:** The McSence Group reserves the right to terminate employment without notice in event of gross misconduct or breach of contract.

**Verbal Resignations:** Verbal resignations or sometimes referred to "in the heat of the moment resignations" must be put in writing by the employee. There may also be a question as to whether the nature of the resignation may make it impossible for the working relationship to continue and disciplinary action may be required.

**Career Break &/or Sabbatical:** Any permanent member of staff who has been with the Company for a period of at least two years' continuous service can apply in writing however it is not contractual and by law, employers do not have to offer career breaks. In the first instance, the request needs put in writing to your Line Manager then submitted to the Senior Management Team for approval. The Company reserves the right to deny sabbaticals for business reasons. Ultimately the employee's contract of employment is terminated at the commencement of the career break where the Terms & Conditions of Employment and Statutory Employment Protection Rights are not preserved or maintained. When the employee wishes to return, re-appointment is **not** guaranteed but preferential consideration for employment to the same or similar role will be given.

**Company Property:** Employees are required to return all company property prior to leaving, including but not limited to ID badge, mobile phone, keys, fobs, vehicle, laptop, tablets, PC's, handbooks, uniform, tools, and equipment. Failure to return company property, the cost will be deducted from the final salary.

**Written Confirmation of Receipt of Resignation:** When an employee notifies their Line Manager of their intention to leave or their employment is being terminated, the line manager should issue an email (see link below) with both a read / delivery receipt to the employee and copy in the Accounts Mailbox and to the CEO, David Maxwell for IT (if applicable). Where the employee does not have an email address, a letter will be required with the same information and sent by “signed-for” post.

✚ Resignation <Z:\Group Templates\HR Forms>

✚ Termination <Z:\Group Templates\HR Forms>

**Internal Leavers Form:** Once an employee has advised their Line Manager in writing / email, the Line Manager should complete within 2 days the Leavers Form which can be found as follows: <Z:\Group Templates\HR Forms>

**Notification to Finance:** The employee’s Line Manager is responsible for notifying the Finance Team by emailing and/or handing over the leavers form within 2 days of the resignation.

**Final Salary Letter:** Once this form has been received and when running monthly payroll, Finance will issue a Return of Company Property & Final Salary letter with information relating to any payments due, deductions, company property etc. and final salary. If there are no deductions the salary will be paid by BACs payment. If there are deductions, the final salary will be paid by cheque for collection by the employee.

**Withdraw of Resignation:** The McSence Group cannot refuse to accept the written resignation from an employee and an employee cannot be compelled to retract their resignation. An employee does not have the right to unilaterally withdraw their written resignation once it has been given and there is no requirement by the court for McSence Group to automatically accept this, but fair practise is to have a reasonable cooling-off period where the employee can put their justification in writing to their immediate Line Manager within two days of the resignation. The Line Manager depending upon the facts of the individual case, has the discretion to accept and retract an employee’s resignation where there are exceptional or special circumstances which may be as follows but not limited to:

✚ **Ambiguous (unclear) Resignation** is where an employee has used words, actions or the employee has resigned verbally in the heat of the moment and have no genuine desire to leave their job. In many cases, these **resignations** are crystal clear in terms of the date they will take effect and why they are happening. However, many **resignations** do not prove so clear or concrete, and instead, are what are known as ‘**ambiguous resignations**’.

✚ **Unambiguous (clear) Resignation** is where the resignation is clear. If the employee requests to withdraw the resignation, McSence Group has no legal obligation to accept this however the line manager has discretion, depending upon the facts of the individual case, to consider this within reasonable cooling-off period of two days maximum.

**If there are any changes or the resignation of employment has been retracted, the Line Manager MUST inform Finance Team IMMEDIATELY and David Maxwell for IT, asap otherwise the employee will be processed as a leaver with the full recruitment process including creating a new employee, giving system access etc. will be required.**

**Exit Survey:** As part of the Leaver’s process, employees will be given the opportunity to complete an on-line Exit Survey to gain insight into employee’s experience(s) whilst working for the McSence Group. Responses are totally confidential, and any feedback will help us to look at improving the working conditions of current and future employees – the link is as follows. <https://www.surveymonkey.co.uk/r/NZ59JKL>

**Future References:** McSence Group’s policy is to provide a factual and basic reference using the standard company template which is optional and recommended that the Line Manager completes at the time of resignation or termination of employment from the McSence Group.

**Future Employment:** If the employee subsequently returns to the McSence Group, new terms & conditions of employment will be issued which may not have the same terms, benefits and previous employment will not be considered as continuous service.

**The Law:** Employees are bound by law not to reveal any confidential information about the company after leaving. Some employees may be subject to other contractual conditions regarding confidentiality if the nature of their role gives them access to particularly sensitive or confidential information. Please refer to the Statement of Principal Terms and Conditions.

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**Company Intranet – Staff Zone:** All the McSence Groups policies, procedures, handbooks are available on-line to all employees on the McSence Group’s Staff Zone Intranet via our website [Login | McSence](#)

**Compliance:** Failure to comply with the provisions of this Policy may result in Disciplinary proceedings.



*McSence Group Signatory:*

**David Maxwell | Chief Executive**

**McSence Group - McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd**

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*Policy Amendments & Revisions: This policy will be reviewed annually and, if necessary, revised in the light of legislative or organisational changes. Improvements will be made by learning from experience and the use of an established annual review. Should any amendments, revisions, or updates be made to this policy it is the responsibility of the Company Senior Management Team (SMT) to see that all relevant employees receive notice and training if necessary.*