

# Resignation, Redundancy and Re-appointment

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## Leaving the Forestry Commission

### Resignation and Periods of Notice

18000 If you resign from the Forestry Commission you must give the following periods of notice in writing:

Pay Band 2 and above	3 months notice if you were promoted or appointed to former Grade 7, now Pay Band 2, after 2 April 1990 or if you are in PB1 or the SCS 1 month if you were promoted or appointed to former Grade 7 before 2 April 1990 and have not been promoted since.
Pay Band 1-7 (permanent and fixed term)	1 month
Short Term Temporary Appointments	2 weeks, unless otherwise specified in your contract.

### Letters of Resignation

18001 If you decide to resign, your **letter of resignation** should be addressed to your line manager, who will forward it to HR Services. It will be acknowledged in writing.

You have no right to withdraw your notice, unless we agree that you can do so.

### Exit Interviews

18002 The FC does not require you to explain the reasons for your resignation, though you are free to do so. However, you will be invited to an **exit interview**.

These interviews help the Commission decide whether to change or improve its policies or management practices in order to retain people and skills. Your views are therefore of interest to us.

### Periods of Notice by the FC

18004 As a result of the constitutional position of the Crown, civil servants cannot demand a period of notice as of right. However, in practice, the FC will normally apply the periods of notice set out in 18005, unless:

- employment is terminated by agreement; or

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- you are employed on a fixed term or 'rolling' contract which does not expressly provide for notice to be given if the appointment is terminated before the contract end date.

18005 In cases of dismissal on inefficiency grounds, dismissal is the result of disciplinary proceedings where summary dismissal is not justified or where probationary appointments are terminated, the minimum periods of notice from the FC will be:

Continuous service for:	Notice
up to 4 years	5 weeks.
over 4 years	1 week plus 1 week for every year of continuous service up to a maximum of 13 weeks notice.

## Medical Early Retirement

18006 In cases of medical retirement, **9 weeks'** notice will be given to allow sufficient time for you or your trade union to decide whether there are grounds for appeal to a medical board. A shorter period of notice may be set if this is mutually acceptable.

In cases where a probationer is dismissed on medical grounds following advice from the Medical Advisor, **5 weeks' notice** will be given. This may be extended by 3 weeks where the individual is considering an appeal.

## Compulsory Termination of Employment

18007 The Commission will give you **6 months'** notice (or a period equal to the unexpired part of the fixed period of employment specified in your contract, where this is less), if your appointment is to be terminated compulsorily for reasons of:

- structure;
- limited efficiency; or
- compulsory redundancy.

This period of notice does **NOT** apply to;

- flexible and approved early retirement/severance and voluntary redundancy, where the date of termination is agreed;
- where you leave voluntarily before the end of a period of notice;

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- where you are summarily dismissed for disciplinary reasons or which is otherwise justified in common law.
- if you volunteer for redundancy, where an earlier departure date will be agreed with you.

18008 We will give longer periods of notice if you are over age 60 if you are being made compulsorily redundant:

- with less than 10 years service: 12 months' notice; or
- 10-25 years service: 9 months' notice;

## Compensation in Lieu of Notice (CILON)

18009 Where the minimum periods of notice set out cannot be given, we will compensate you in accordance with the Civil Service Compensation Scheme (CSCS).

However, CILON **is not** payable:

- to flexible and approved early retirements and voluntary redundancy, where the date of termination is agreed;
- where you leave voluntarily before the end of the period of notice;
- where you are summarily dismissed for disciplinary reasons or otherwise justifiably in common law ;
- if you are on a fixed term or rolling contract where the contract specifically excludes such payment (though other compensation may be available under the CSCS. All queries on this to Pensions, HR).

## Redundancy

18017 The Forestry Commission's Redundancy Agreement with the Trade Unions is available on the [HR Intranet site](#). It explains the procedures that are followed by FC Managers when employees become surplus to the Commission's requirements. Additional management guidance is available for managers who are managing a redundancy situation in **Personnel Memorandum 13**.

18018 The Agreement is underpinned by the commitment that the FC will aim to avoid or minimise as far as possible the need for compulsory redundancies and seek alternative vacancies, including other Civil Service posts, to reduce the costs associated with redundancy and to assist employees remain in employment.

18019 You have no entitlement to a redundancy payment where you are offered another, suitable FC or Civil Service job but refuse it.

18020 Where compulsory redundancy is unavoidable, a selection process is used to decide which employees will be made redundant. The criteria used will usually include:

- The individuals' experience, skills, aptitudes, or qualifications (or any combination): with the aim of ensuring the retention of a balanced staffing profile to meet future needs.
- specialist knowledge: including knowledge of a specific work area, or where special or advanced training has been received (based on objective evidence of its practical application to the needs of the business);
- individual ability and standard of work performance. This will be based on evidence that is objective, for example, Performance Appraisals covering a period of 3 years;
- attendance and disciplinary records.

Further information on selection is given in the Redundancy Procedure and PM.

## Re-appointment

18021 If you leave the Civil Service or Forestry Commission you may later apply to be considered for re-appointment. You should appreciate that there is no right to re-appointment and if there are vacancies, you may be required to compete in an open competition in line with the principles of equality of opportunity. This could involve an interview or tests to ensure that you meet current competency and/or skill requirements. You may also be required to serve a period of probation.

However, applications from those who left to bring up a family or for other domestic reasons will be considered sympathetically if there are suitable vacancies.

If you apply for and are successful in an open recruitment competition you may be request to be appointed on re-appointment terms, if you were previously a civil servant. However, this will be at the discretion of the FC.

## Applications and Eligibility

18022 To be eligible for either re-appointment you must meet the following conditions:

- You were recruited for your earlier appointment on merit by fair and open competition in accordance with the Civil Service Recruitment Code operating at that time;
- You were assessed as a Good Performer at the time of departure (or the assessment mark in place at the time that indicated a fully satisfactory performer) or you clearly met the performance requirements of the job, if you were in another Department;
- You left under acceptable circumstances.

18023 You **will not** usually be eligible for consideration if:

- Your previous performance or attendance record was unsatisfactory;
- You signed an undertaking not to seek re-employment in the Civil Service;
- You retired for health reasons (unless we can obtain approval from the Civil Service Medical Advisor);
- You were dismissed for gross misconduct or you resigned during disciplinary procedures.

18024 Different rules may apply if you resigned to become a Parliamentary candidate, or if you left to serve in European Union or HM Forces. Advice on the separate arrangements applying in those circumstances may be obtained from HR Services.