



POLICY	
Cessation of Employment	
Scope (Staff):	All employees
Scope (Area):	CAHS (including PMH/PCH, CACH, CAMHS)

Aim

To outline the minimum requirements around cessation of employment.

Risk

Failure to comply with this policy may compromise CAHS' compliance in relation to human resources data, record keeping practices, security breaches and industrial relations obligations.

Definitions

Casual contract is a contract of employment with CAHS in accordance with relevant legislative provisions, industrial agreements and/or awards on a casual basis.

Cessation of employment includes termination of employment by; Resignation; Retirement; Completion of a fixed term or casual contract of service; Permanent transfer to another Health Service Provider (HSP) or within the public sector; and Death of an employee.

Employee is a person employed on a contract of employment with CAHS including permanent, fixed term and casual contracts.

Fixed term contract is a contract of employment with CAHS in accordance with relevant legislative provisions, industrial agreements and/or awards for a fixed term.

Health Service Provider is 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.

Resignation is cessation of employment initiated by an employee.

Retirement is cessation of employment initiated by an employee on grounds of age.

Transfer is the permanent movement of an employee at the same or comparable classification level between a Health Service Provider, the Department of Health or Public Sector in accordance with the Public Sector Standard in Human Resource Management - Employment Standard, industrial agreements and/or awards and/or legislation.

Principles

- 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 CAHS 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 agreement or award and the contract itself including notice periods, termination payments and employee entitlements; and
- [CAHS Authorisation Schedule](#) in consultation with Human Resources (HR).
- 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 agreement and/or in their employment contract. 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 CAHS in workforce planning.
- A person employed for a fixed term period, ceases employment at the conclusion of the fixed period unless another employment contract with CAHS is offered and commences within one week of their previous fixed term contract ending¹.
- Employees ceasing one position to take up another position within CAHS 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.
- Employees transferring employment to another health service provider, Department of Health or within the Public Sector are required to complete a termination form (T1) and provide notice in line with the relevant industrial agreement.
- An Employee deemed to be within a probationary period as defined in their relevant industrial agreement may resign in accordance with the notice period as stipulated in the applicable industrial agreement.
- To assist the Manager in determining that an Employee has made a genuine decision to resign or retire, and to avoid misunderstanding, the Employee's notice of cessation should be 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
- Where an Employee does not provide a notice of cessation in writing the verbal advice should be followed up in writing by the Manager.
- Managers are responsible for ensuring the Employee is informed about their rights, entitlements and responsibilities and that the appropriate documentation is complete and accurate when an Employee is ceasing employment with CAHS.

- Once an Employee's notice of cessation has been formally accepted by CAHS, the resignation or retirement has taken effect and it cannot be withdrawn without the approval of the employer.
- Managers shall offer all employees exiting the organisation the opportunity to participate in an exit survey with the aim to collect data on exits and use feedback to improve employment practices.
- 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 (see Related internal policies, procedures and guidelines).

Deceased Employees

- In the event of the death of an employee CAHS will deal with the necessary procedural requirements in a prompt and sensitive manner. Appropriate support will be offered to employees affected by the death of their colleague. Where there may be an issue of liability in contributing to the death of the employee, it is advisable to obtain guidance and input from the relevant insurer and legal representative to avoid complications in potential future legal proceedings.
- On receipt of a completed Termination Form (T1), 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.

Roles and Responsibilities

Employee

- Comply with notice period requirements stated in the relevant industrial agreement.
- Complete relevant sections of required forms within timeframes.
- Return all CAHS equipment and/or property.
- Capture relevant business information in the CAHS record management system/s.
- Complete an exit survey (optional).

Manager

- Ensure the notice period and any other requirements in the relevant industrial agreement are met.
- Complete relevant sections of required forms and checklists and submit to the relevant areas in a timely manner. Where unable to arrange the Employee to complete appropriate paperwork, managers should complete employer only sections (for example illness or lost contact with employee).
- Ensure the Employee has returned all equipment and property.
- Remind departing Employee of ongoing confidentiality and intellectual property obligations.
- Ensure relevant business information is captured in the record management system/s.
- Provide the Employee opportunity to participate in an exit survey.

Compliance Monitoring

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

Completed Exit Surveys will be monitored, analysed and reported on by CAHS Workforce Services.

Record Keeping

Since 2006, Health Support Services (HSS) maintains employment records on behalf of CAHS, which include information in relation to employee separations.

Employment records created prior to 2006 are kept in line with [CAHS Recordkeeping Plan 2015027](#).

Records produced as a result of this policy will be maintained in accordance with:

- [General Disposal Authority for State Government Information](#) (Section 69. Personal Files and Section 90. Separations)

Queries and Advice

Managers and employees are encouraged to contact HR for advice in relation to termination of employment matters, or for advice regarding an employee's inability to carry out their contractual obligations.


Related internal policies, procedures and guidelines
Cessation of Employment (CAHS Guideline)
Discipline Policy (WA Health Policy)
Managing Unsatisfactory and Substandard Performance (WA Health Policy)
Public Sector Management (Redeployment and Redundancy) Regulations 2014

References
Public Sector Standards in Human Resource Management – Termination Standard
1 Portability of Leave Entitlements within the Public Sector

Useful resources (including related forms)
T1 Termination Form
T2 Termination Checklist
When to use a T1? If Not what form to use?

[Exit Survey](#)

This document can be made available in alternative formats on request.

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