

2.05 Notice

This policy sets out the minimum periods of notice which are given to Civil Servants.

- There are minimum periods of notice if you are retired on the grounds of age or dismissal on grounds of inefficiency – Section 2
- There are minimum periods of notice if you are retired on medical grounds – Section 3
- In certain circumstances if the minimum period of notice cannot be given you will receive compensation in lieu of the unexpired period of notice – Section 4
- If you are on a fixed-term appointment you need only give notice for termination prior to the expiry of the fixed-term – Section 5
- If you resign voluntarily you must give the required notice depending on whether you are weekly or monthly paid – Section 6
- The period of notice of resignation for recruits or promotees to the Senior Civil Service will depend on the date you joined the Senior Civil Service – Section 6.2 Voluntary Resignation

The following terms within this policy are defined in the glossary:

There are no terms defined .

This policy is version 3.0.

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This homepage is only a guide to the policy, not the policy itself. In the event of any discrepancy between the content of this homepage and the associated policy, the wording of the policy shall apply.

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2.05 Notice

1 Introduction

1.1 This Section of the Handbook gives details of the minimum periods of notice which are given to Civil Servants who are due to be retired on age grounds or who are to be prematurely retired on medical grounds or dismissed on grounds of inefficiency. Longer periods of notice may apply if you leave under compulsory early retirement/severance on the grounds of limited efficiency, structure or compulsory redundancy (see policy 2.01, Redundancy). The position of Temporary and Fixed-Term Appointments, and the notice required from you if you voluntarily resign, are also covered. In consequence of the constitutional position of the Crown, if you are a Crown employee you hold your appointment at its pleasure and so you cannot demand a period of notice as of right when your appointment is terminated.

2 Minimum Notice of Retirement on the Grounds of Age or Dismissal on Grounds of Inefficiency

2.1 When an appointment is terminated, unless you are dismissed on disciplinary grounds (in which case the period of notice to be given is entirely within the discretion of the Head of the Department) the following minimum periods of notice will apply if (excluding temporary staff employed on Fixed-Term Appointments – see paragraph 5.1) you have served continuously for four weeks or more:-

- a. Less than four years continuous service: five weeks
- b. Four years or more continuous service - minimum period of notice will not be less than 1 week for each year of continuous employment, plus 1 week, to a maximum of 13 weeks.

2.2 If your appointment is terminated before the completion of four weeks service you will be given a period of notice appropriate to your particular circumstances, but the period should be no less than one week and no more than two weeks.

2.3 If you are a temporary member of staff employed up to a maximum of 51 weeks, you will be given a period of notice of 5 weeks unless a lesser period can be objectively justified.

3 Minimum Notice of Retirement on Medical Grounds

3.1 The minimum period of notice of retirement on medical grounds will be nine weeks, unless a shorter period is mutually convenient. It is important that you are aware of the financial consequences for dependants should you die before the end of the formal period of notice, and your Department will advise you on this matter. If termination of your appointment on medical grounds during probationary service is necessary the period of notice will be five weeks. In addition, these periods of notice will be increased, where appropriate, in accordance with the provisions of paragraph 2.1 (see also policy 2.04, Early Retirement on Medical Grounds).

4 Compensation in Lieu of Notice

4.1 If, for any reason other than disciplinary dismissal, the minimum period of notice cannot be given, you will receive compensation in lieu of the unexpired period of notice. This compensation will be calculated by reference to the salary in payment on the last day of service. In such circumstances the last day of service will be regarded as the date of termination of appointment. Compensation is not payable when the date of leaving is mutually agreed, for example in cases of flexible early retirement, approved early retirement, voluntary redundancy or where you resign before the end of the notice period. See Civil Service Compensation Scheme (Northern Ireland).

5 Fixed-Term Appointments

5.1 A period of notice is not appropriate to terminate a Fixed-Term appointment, where the termination occurs on the expiry of the Fixed-Term. For termination prior to the expiry of the Fixed-Term a period of notice of five weeks is necessary if you have less than four years continuous service unless a lesser period can be objectively justified and should be specifically mentioned in the contract.

6 Voluntary Resignation

6.1 General

6.1.1 If you resign voluntarily you are expected to give not less than one month's notice in writing if you are monthly paid and not less than one week's notice in writing if weekly paid.

6.2 Senior Civil Service

6.2.1 If you have been recruited or promoted to the Senior Civil Service on or after the 1 January 1997 you will be required to give at least three months' notice of resignation.

6.2.2 Departments may also introduce a longer period of notice for individual posts, up to a maximum of six months and incumbents will be notified accordingly. This may be appropriate where the recruitment of a replacement is likely to be a protracted process.

6.2.3 At the time of resignation Departments may, by agreement with you, waive the required notice at paragraphs 6.2.1 and 6.2.2 above and accept a shorter period.

6.2.4 If you were an existing member of the Senior Civil Service to 1 January 1997 you will have a reserved right to give one month's notice.