

## DEPARTING EMPLOYEES CHECKLIST

<p>1. Is it appropriate to place employee on garden leave:</p> <ol style="list-style-type: none"> <li>a. <b>Is there discretion for garden leave in the contract of employment?</b></li> <li>b. <b>Is the employee a senior employee with access to confidential information?</b></li> <li>c. <b>Is the employee going to work for a competitor?</b></li> </ol>	
<p>2. Has all Company property been returned including:</p> <ol style="list-style-type: none"> <li>a. <b>Mobile phones</b></li> <li>b. <b>Laptops</b></li> <li>c. <b>Tablets</b></li> <li>d. <b>Access keys/locker keys/desk keys</b></li> <li>e. <b>Company car</b></li> <li>f. <b>Files</b></li> <li>g. <b>Address books</b></li> <li>h. <b>Contact lists</b></li> <li>i. <b>ID's</b></li> <li>j. <b>Business cards</b></li> <li>k. <b>Company credit cards</b></li> <li>l. <b>Marketing materials/brochures</b></li> </ol>	
<p>3. Confidential Information:</p> <ol style="list-style-type: none"> <li>a. <b>Does the employee have any confidential information on any personal computers – do you need confirmation that this was destroyed/returned?</b></li> <li>b. <b>Remove access to any shared drives/networks/databases as and when appropriate.</b></li> <li>c. <b>Have all relevant passwords been returned to the Company and changed where appropriate? Watch out for password protected documents and files that may get forgotten.</b></li> <li>d. <b>Do you need to remind employee about their obligations in relation to confidential information? See Termination Letter below.</b></li> <li>e. <b>Disable any remote access the employee may have.</b></li> <li>f. <b>Consider if the employee created any inventions/intellectual property that you need assigned/actioned before departure.</b></li> </ol>	
<p>4. Restrictive Covenants:</p> <ol style="list-style-type: none"> <li>a. <b>Check if there are any restrictions in the employment contract on:</b> <ol style="list-style-type: none"> <li>i. <b>Working for a competitor or setting up in competition;</b></li> <li>ii. <b>Soliciting customers;</b></li> <li>iii. <b>Soliciting staff</b></li> </ol> </li> <li>b. <b>If required write to the employee reminding them of these obligations.</b></li> </ol>	
<p>5. Handover Matters:</p> <ol style="list-style-type: none"> <li>a. <b>Have you planned a handover meeting with the employee a few days before they finish?</b></li> <li>b. <b>Diary manage meeting to ensure the relevant employees meet with the departing employee to understand status of current work and next actions required.</b></li> <li>c. <b>Do you need to communicate the employee's departure to any current customers or clients? Be careful to manage the relationship correctly through timely communications.</b></li> <li>d. <b>Has employee's departure been communicated to other employees?</b></li> </ol>	

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<ul style="list-style-type: none"> <li>e. <b>Ensure you set an automatic out of office for the employee’s email and voicemail so that clients/customers/suppliers know who to contact. This can be set for a short while and eventually removed.</b></li> <li>f. <b>Does another employee need to be nominated to check departing employee’s emails for a period after their departure?</b></li> <li>g. <b>Update relevant organisation charts and web pages.</b></li> <li>h. <b>Amend letter head paper of the business if appropriate.</b></li> <li>i. <b>If employee was banking signatory – ensure mandates are updated with relevant financial institution.</b></li> </ul>	
<p>6. Pay &amp; Benefits</p> <ul style="list-style-type: none"> <li>a. <b>Calculate what salary/wage will be required to be processed in final payroll including any notice pay.</b></li> <li>b. <b>Confirm all expense claims have been received from the employee.</b></li> <li>c. <b>Review contract for pay in lieu of notice provisions and consider if this is appropriate in the circumstances.</b></li> <li>d. <b>If deductions are required from final salary e.g. training fees, additional annual leave used but not accrued, ensure this is clearly set out in the contract that relevant deductions can be made. If not advise and agree final figure with employee.</b></li> <li>e. <b>Calculate if any untaken annual leave is owed to the employee in final payroll.</b></li> <li>f. <b>Provide employee with relevant contact details and options in respect of any pension schemes of which they are a member.</b></li> <li>g. <b>Confirm final date of health insurance cover with employee and notify relevant insurer of date cover is to end.</b></li> <li>h. <b>Arrange P45.</b></li> </ul>	
<p>7. Provide Employee with Termination Letter:</p> <ul style="list-style-type: none"> <li>a. <b>Confirming reasons for departure;</b></li> <li>b. <b>Confirming all company property returned;</b></li> <li>c. <b>Reminding of restrictive covenants and obligations on confidentiality;</b></li> <li>d. <b>Setting out final pay and relevant deductions.</b></li> </ul>	
<p>8. Stocks &amp; Shares:</p> <ul style="list-style-type: none"> <li>a. <b>Does employee own stocks and shares in business?</b></li> <li>b. <b>Depending on circumstances of departure what procedures apply to those stocks and shares – check any Employee Share Option Scheme Policies/Shareholder Agreements.</b></li> </ul>	
<p>9. Directors:</p> <ul style="list-style-type: none"> <li>a. <b>Does employee need to resign as a director on the board?</b></li> <li>b. <b>Check memorandum and articles of association and contract of employment.</b></li> <li>c. <b>Ensure resignation letter is signed before departure.</b></li> </ul>	
<p>10. References:</p> <ul style="list-style-type: none"> <li>a. <b>Follow company policy on references and communicate policy to departing employee.</b></li> <li>b. <b>If statement of employment to be provided ensure it is accurate and signed by the correct manager.</b></li> <li>c. <b>Ensure no sensitive personal data is contained within the reference.</b></li> </ul>	

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