**Employee Leaving Policy**

**General Comments -**

* This is a template/precedent document only. It should be tailored as appropriate to suit the needs of each individual firm.
* All sections should be considered and implemented as deemed appropriate for the firm. This cover page should not be included.
* The LQSI cannot accept any responsibility for any errors or omissions contained in this template document.
* The document should be reviewed on an annual basis, or as required.

**Specific Comments –**

* Updated to remove reference to Covid 19 although reference to general remote working has been maintained.
* Updated to include new process to inform IT provider about removing access rights when an employee is leaving. This is to ensure that the firm can answer ‘yes’ to the new Q37 on the updated 2024 IT questionnaire - *When an employee leaves the firm, is there a clear process in place to include revoking access rights to all systems?* The firm can expand further on this process either in this template or in the IT Security Policy.

**The Legal Quality Standard of Ireland**

**Updated March 2024**

**[FIRM NAME]**

**Employee Leaving Policy**

**Introduction**

Staff turnover can be a huge disruption to any business and it is important that it is managed as seamlessly as possible without affecting the quality of the service offered to our clients.

As soon as the exiting fee earner becomes aware of their pending departure it is the responsibility of the fee earner to liaise with the Principal/Partner in relation to the method and timing of informing clients that they are leaving and who will be taking over their files. It is important at this stage to manage any concerns the client has with regard to their file and its future outcome and that the transition to another fee earner will be managed as seamlessly as possible without any disruption to the work in progress.

Before a staff member leaves he or she is obliged to have an up-to-date memo placed at the front of the file detailing the current status of the file and outstanding work that needs to be done.

It is the policy of this firm for a principal/departmental manager to conduct an exit interview with the exiting staff member in order to manage the handover of work and return of company property. [~~Owing to the Covid-19 pandemic, where the~~ If an exiting staff member is working remotely ~~in response to the government guidelines~~ and where it is deemed unsafe/not possible to conduct this exit interview on-site, it ~~will~~ may be carried out remotely.]

The following items are to be discussed with the exiting fee earner at the exit interview:

* A full review of current files and outstanding matters.
* Any potential problems which require principal/partner attention on any of the active files they are responsible for.
* Any administrative/revenue issues which require attention.
* Any critical dates, undertakings, complaints or potential claims need to be brought to the attention of the principal/partner.
* Return of company property e.g. mobile phone, laptop, keys, etc.
* Ensure access (including remote access) to the firm’s Case Management system is cancelled in accordance with the firm’s IT security policy. All account access the fee earner had to software and web applications must be blocked or transferred. [Insert name] has responsibility for informing the firm’s Case Management Provider and IT company of this and checking that it has been done. [Insert further details of process in place, where applicable].
* Ensure the data protection rights of the employee have been communicated to the employee including rights in relation to access and retention of personal data.
* Reasons for leaving.
* Encourage the departing employee to share his/her knowledge with colleagues about how he/she may have handled problems or crises which may have arisen during his/her tenure
* Firms should discuss with their employees the position regarding work related contacts on social media accounts when employment ends.

In order to mitigate any potential loss of institutional knowledge or experience as a result of the departure of a highly experienced fee earner the firm will also address the following;

* + Agree with the departing fee earner how knowledge accumulated in the course of their employment will be transferred, to whom the knowledge will be transferred to and along what timeline. Agree the scope of the information that needs to be transferred.
  + The next step is to encourage the departing fee earner to share his/her knowledge.
  + Create an action plan where the departing fee earner is paired with one or more replacements so they can observe him/her in action while learning and practising skills.
  + Encourage apprentices and or team members trying to capture the fee earners knowledge to keep “learning logs” of information that, in some cases can later be entered into the firm’s knowledge database.
  + Encourage the maintenance of a good relationship with the departing employee – in some cases you may be in a position to go to him/her with the occasional question, engage him/her as a consultant or hire him/her back some day.

It is worth noting that the process goes much more smoothly if you already have tools and systems in place to ensure that knowledge is constantly being transferred from experts to their successors.

**Signed:**

**Dated:**

**Date of next review:**