

How to Terminate a Fixed Term Contract

Key activities for managers to consider and undertake before terminating a fixed term contract:

- At intervals of 3 months, 2 months and 1 month prior to the end of a fixed term contract, MyView will send an alert to the manager and employee to advise of the approaching end date.
- Ending a fixed term contract is regarded as a dismissal in law. Examples of valid reasons for ending a fixed term contract could include:
 - An agreed specific date has been reached
 - The completion of a specific task or project (e.g. the installation and testing of new computer software)
 - The occurrence or non-occurrence of any other specific event (e.g. a permanent employee's return to work after longer term absence, i.e. maternity leave or secondment)
- On receipt of the alert, review the employee's continuous service with the Council and other recognised employers as there may be a requirement to search for suitable alternative work as the Council's Redundancy Policy may apply.
- Where an employee has more than 2 years' continuous service, consult with HR Services as early as possible as the Council may have obligations depending on the reason for non-renewal of the fixed term contract e.g. if a fixed term contract is for a purpose **other than maternity leave cover, cover for long-term sickness absence or secondment**, the decision not to renew may constitute dismissal on the grounds of redundancy. Any costs associated with a redundancy payment will fall on the employing Service.
- Before the employee's notice period commences, it is the manager's responsibility to confirm the decision to end the contract and advise the employee in writing of the expiry date and the legitimate reasons for the non-renewal of the fixed term contract using the Non-Renewal of Fixed Term Contract letter. In the letter, offer the employee a meeting to discuss the termination of their contract. It is important to keep a note of the meeting as this may be required for future use.
- Notice periods can vary from contract to contract and the specific time period should be detailed in the employee's SEP, this information can also be found in the [Periods of Notice Guidance](#). HR Services can confirm an employee's notice period, if required by emailing HR@pkc.gov.uk.
- The Council's On [the Move](#) procedure should be referred to for completion of all the necessary paperwork.

All managers should be fully familiar with the [Main Legislation and Employment Rights](#) that are associated with recruiting for, extending and terminating a fixed term post. The implications of these should be fully considered prior to any action being taken. HR Services can provide further advice as required.