

Victoria Police Manual

The Victoria Police Manual is issued under the authority of the Chief Commissioner in s.60, Victoria Police Act 2013. Non-compliance with or a departure from the Victoria Police Manual may be subject to management or disciplinary action. Employees must use the VPM Professional and ethical standards to inform the decisions they make to support compliance.

End of employee service

Context

An employee's service with Victoria Police may end for various reasons, including:

- resignation
- reaching retirement age
- ill-health retirement
- redundancy
- termination/dismissal
- abandonment of employment
- moving to another Victorian Public Sector role.

This policy applies to employees within the scope of the *Victoria Police Act 2013* and the *Public Administration Act 2004*.

Policy at a glance

This policy includes:

- information to assist employees and managers throughout the end of service application process
- guidance where the employee is under investigation
- information on items that need to be returned prior to concluding employment
- guidance on the ability for the employee to retain certain issued items
- eligibility requirements for a Certificate of Service or a Statement of Service.

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Responsibilities and procedures

1. Accountabilities

- Assistant Commissioner, Human Resources Command (HRC) - advises the Chief Commissioner of Police (CCP) on end of service policy and monitors overall compliance with policy.
- HRC - responsible for developing, monitoring and reporting on the application of policy and ensuring that effective systems and processes are in place to facilitate application of the policy.
- Local management – responsible for management of employee end of service within their area and progressing the End of Service Notification to Payroll [Form 39B].
- Assistant Commissioner, Professional Standards Command (PSC) or their nominee - responsible for undertaking probity checks and providing recommendations and any other relevant reports against eligibility criteria to the Level 1 delegate.
- Delegates – responsible for accepting the proposed end of service date and actioning a written notice of resignation or retirement by completion of End of Service [Form 39]. There are different delegates for different forms of end of service; see the People Management Delegations for details.

2. Resignation or retirement

2.1 Process

- Victoria Police employees who decide to resign or retire must simultaneously complete Forms 39 and Form 39B notifying of their intention, through their line management to the following delegate for acceptance of the proposed end of service date:
 - police members to a Level 2 delegate or above
 - VPS employees to a Level 3 delegate or above.
- To ensure prompt payments following the end of service, after endorsement by the work unit manager (or VPS equivalent) Form 39B must be emailed to PAYROLL-SERVICES-MGR in advance of Payroll Services receiving the completed Form 39 and End of Service Checklist and Declaration [Form 39A].
- Following endorsement by the Divisional Commander (or VPS equivalent) Form 39 must be emailed to WAREHOUSE & DISTRIBUTION UNIT-END OF SERVICE-MGR and PAYROLL SERVICES-MGR.
- In circumstances where a VPS employee is moving to another Victorian Public Sector role, Payroll Services, HRC will initiate the transfer of personnel process with the employee.
- Where a VPS employee is ceasing employment at the end of their fixed term contract, there is no requirement to complete a Form 39. Payroll Services, HRC will coordinate the end of service process in these circumstances, once local management has confirmed in writing to the VPS employee that their contract is concluding.
- All departing employees, including Executive Officers, must also complete Form 39A in consultation with their work unit manager. The Form 39A must be forwarded to PBEA

WAREHOUSE & DISTRIBUTION UNIT-END OF SERVICE-MGR and PAYROLL SERVICES-MGR.

- All employees concluding their employment can complete the Victoria Police Exit Survey and have an exit interview with a Human Resources Business Partner or their work unit manager.

2.2 *Police members*

- Police members may opt to retire from the age of 50.
- Police members must provide a minimum of four weeks' written notice of their intention to resign or retire or may propose, and the Level 1 delegate may agree to a shorter notice period.
- Where the Level 1 delegate does not accept a shorter notice period, the end of service will be effective 28 days from the date the employee signed the Form 39.

2.3 *Reservists*

A police reservist must give seven days' notice in writing of their intention to resign. A Level 1 delegate may waive this notice period.

2.4 *VPS employees*

- VPS employees may opt to retire from the age of 55, depending on the applicable superannuation legislation.
- VPS employees (other than a probationary employee) must provide a minimum of four weeks written notice of their intention to resign or retire unless otherwise agreed with their manager.
- Probationary VPS employees must give a minimum of two weeks' written notice.
- The Manager (Level 3 delegate) may approve less than the required notice period if requested, however final payment will be for the days actually worked.

2.5 *Elections for public office*

As stated in **VPM Conflict of interest**, employees who wish to nominate for election to the Parliament of Australia must resign prior to nomination. An employee who wishes to nominate must notify their department head as early as possible. The resignation must be accepted without the required period of notice.

2.6 *Withdrawal of End of Service Form*

Approval of a request to withdraw an End of Service Form is at the discretion of the relevant delegate. The employee must submit a General Report [Form 47] detailing the reason(s) for withdrawal to the relevant delegate, as per section 6 or 7 on Form 39. The delegate will only accept a request to withdraw an End of Service Form in exceptional circumstances. The employee's circumstances will be considered by the delegate before accepting or rejecting the request. The decision by the delegate must be made and communicated to the employee prior to the end of service date to allow sufficient time for the employee to respond if necessary.

If accepted, Payroll Services must be notified as soon as possible and provided with a copy of the paperwork.

2.7 *Superannuation*

Employees are responsible for making arrangements with their superannuation fund in regard to accessing superannuation payments on their end of service.

2.8 *Deductions*

Employees should contact their respective Payroll Services Team for any final leave audits and Corporate Payroll for any queries relating to ceasing salary sacrifice deductions. Employees are advised to seek independent financial advice as this is not provided by Victoria Police.

3. Concluding employment

3.1 *Police members*

Upon receipt of a request to conduct a mandatory probity check, the Assistant Commissioner, PSC or their nominee must assess whether the employee is both:

- eligible to receive a Certificate of Service and/or retain their issued items
- classified on HR records to have 'concluded employment under investigation'.

3.2 *VPS employees*

If an application to resign or retire is submitted while a VPS employee is under investigation for allegations related to misconduct as defined by s.22, the *Public Administration Act* or clause 25, the *Victorian Public Service Enterprise Agreement 2024*, upon notification by PSC, the Director, Business Partnering and Workplace Relations Division (BPWRD) will assess whether the employee is both:

- eligible to receive a Certificate of Service and/or retain their issued photo identification card (ID card)
- classified to on HR records to have 'concluded employment under investigation'.

3.3 *Classification of employees who resigned or retired whilst under investigation*

Employees will be classified to have 'concluded employment under investigation' where they have been:

- dismissed from Victoria Police
- charged with a criminal offence and have left Victoria Police while the charge is outstanding
- convicted of a criminal offence and have left Victoria Police prior to the conviction being considered by an Inquiry Officer
- charged with a discipline offence which has not been resolved
- currently under investigation for a criminal offence, which has yet to be finalised; or
- the subject of an investigation into a misconduct or unethical behaviour matter, that has yet to be finalised, as determined by BPWRD and/or PSC.

3.4 *Approval process for employees classified as concluded employment under investigation*

Where an employee is to be classified as having 'concluded employment under investigation' their end of service application and probity outcome will be submitted to the Level 1A delegate (members of Executive Command and Assistant Commissioner, HRC) for consideration. Where the Level 1A delegate does not accept a shorter notice period, the end of service will be effective 28 days from the date the employee signed the Form 39. The Level

1A delegate will also determine whether the employee can receive a Certificate of Service and/or retain items (where requested) subject to eligibility criteria detailed in sections 9 and 10 of this policy. When a shorter notice period than four weeks has been sought the Level 1A delegate may consider the following:

- any concerns regarding an employee's mental capacity to make major decisions regarding their employment
- where the employee is physically or mentally fit to participate in any discipline processes before the employee's end of service date
- where any outstanding Discipline Inquiry or Criminal Charge Inquiry may be finalised before the employee's end of service date
- potential for continuing to cause harm to other employees within or the reputation of the organisation
- the desirability of expediting the employee's end of service in all circumstances.

3.5 *Employee records*

Employees, who have been classified to have 'concluded employment under investigation':

- will have their HR employee records, including electronic records on HR Assist, endorsed with the reason for leaving as 'concluded employment under investigation'; and
- if they consent in writing to have their Victoria Police employee history released as part of a job application in the future, it will have the result include the allegations related to this investigation.

3.6 *Re-employment*

Should the employee make an application to return to Victoria Police at a later date, their application will be considered in accordance with the relevant legislation and VPMs. If not excluded from applying any outstanding investigation or complaint may be finalised upon their return if not completed after the employee exited from the organisation.

4. Termination and dismissal

4.1 *Natural justice*

The principles of natural justice and due process will be applied in all cases of termination and dismissal.

4.2 *Recruits*

Police recruits (including protective services officers (PSOs)) may have their appointment terminated at any time prior to their swearing in to office. This may include where they have failed to comply with any requirement of the original signed Offer of Appointment.

4.3 *Probationary constables*

The CCP, Assistant Commissioner, People Development Command (PDC) or Discipline Inquiry Officer may terminate the appointment of a probationary constable at any time during an initial or further period of probation for reasons which include:

- failing to comply with any requirement of the original signed Offer of Appointment
- performance issues

- breaches of the *Victoria Police Act*.

4.4 *Police members*

A police member (excluding probationary constables) may be dismissed where:

- the member has been charged with an offence punishable by imprisonment and the offence has been found proven
- a discipline charge has been found proven
- an inquiry into fitness for duty determines the member is physically or mentally incapable of performing their duties
- the member is incapable of performing their duties and the incapacity is not caused by any physical or mental impairment and the incapacity has been the subject of remedial action which has not resolved the matter.

4.5 *Protective services officers*

- The CCP or their delegate may terminate the appointment of a PSO at any time during an initial or further period of probation for reasons which include:
 - failing to comply with any requirement of the original signed Offer of Appointment
 - performance issues
 - breaches of the *Victoria Police Act*.
- A PSO (excluding those on a period of probation) may be dismissed where:
 - the member has been charged with an offence punishable by imprisonment and the offence has been found proven
 - a discipline charge has been found proven
 - an inquiry into fitness for duty determines the PSO is physically or mentally incapable of performing their duties
 - the PSO is incapable of performing their duties and the incapacity is not caused by any physical or mental impairment and the incapacity has been the subject of remedial action which has not resolved the matter.

4.6 *VPS employees*

- VPS employees may be terminated in accordance with the *Public Administration Act* and the *Victorian Public Service Enterprise Agreement 2024*.
- Except where disciplinary action or serious misconduct has resulted in instant dismissal, the employee is entitled to either the appropriate notice period (refer to table below) or compensation in lieu of the notice period.

If the employee's period of continuous service with the employer is...	the minimum period of notice is
Not more than three years	Two weeks
Three years or more	Four weeks

- Employees over 45 years of age at the time of giving notice with two years or more continuous service are entitled to an additional week's notice.

5. Ill-health retirement/incapacity to work

Ill-health retirement is managed in accordance with the *Victoria Police Act*, *Public Administration Act* and **VPM Mobility (members)**.

6. Abandonment of employment

Victoria Police is entitled to treat an employee as having resigned and the employment as having been terminated by the employee at their initiative if the employee has been absent from work for more than 20 consecutive working days (VPS employees) or more than one calendar month (police members); where all the following apply:

- without authorisation from the work unit manager
- without lawful reason
- without contacting the work unit manager to provide a reasonable explanation for the absence
- in circumstances where the work unit manager could not reasonably, after due enquiry, have been aware of any grounds for the absence.

7. Death of an employee

If an employee passes away during their employment with Victoria Police, all monies owing will be paid to their legal personal representative.

In these cases, work unit manager or a nominated local contact should work with the member's next of kin to obtain all Victoria Police equipment and identify which, if any, items the next of kin wish to retain.

Work unit manager or the nominated local contact should complete the Form 39 and 39A, as far as possible, for processing the retention of items and recording purposes only.

8. Employees to return access controls, information and equipment

8.1 Requirements for all employees

- At the end of their service, employees must return all Victoria Police equipment, including all identification, Purchasing Card and access controls and information in their possession. Departing employees must also be aware of their ongoing obligation not to access, use or disclose Victoria Police information. Unauthorised access, use or disclosure of such information by former employees is a summary offence under s.227, of the *Victoria Police Act 2013* and an indictable offence under s.228.
- Where an employee has been issued with a Purchasing Card, the employee is to notify their Card Controller of their impending end of service. The Card Controller is to contact Financial Services Department to cancel the card following the end of service date via FSD-Corporate-Card-MGR@police.vic.gov.au.
- To verify that these tasks have been completed, the departing employee and their work unit manager must complete the Form 39A.
- Where an employee has been absent from the workplace prior to their end of service, the work unit manager must:
 - arrange for the retrieval of all work-related information and equipment
 - ensure the Form 39A is completed.

- Where items are lost, stolen or misplaced, prior to departure the employee must comply with **VPMP Managing equipment**.

Note: Risk and Assurance Division, Investment, Governance & Assurance Department conduct active monitoring on accounts of all employees upon notification of them ending their service Victoria Police. The purpose of these audits is to reduce breaches of information security as the unauthorised distribution, use and access of police information is a criminal offence under the *Victoria Police Act*.

8.2 Police members – requirement to return equipment and uniform

- On the final day of duty (or earlier), the departing member must return to their work unit manager all personal issue serial controlled items in their possession. This includes:
 - Victoria Police ID card (two copies where applicable)
 - Interstate certificate of identity (if applicable) Employees must also notify the respective jurisdiction of their impending end of service (see below)
 - cap/hat, badges
 - wallet and wallet badge
 - issued operational safety equipment

Note: it is an offence not to return identification or equipment (s.254, *Victoria Police Act*).

- Interstate certificate of identity requirements:

South Australia Police	New South Wales Police
Employees <u>must</u> advise SAPOL.SpecialConstables@police.sa.gov.au of the impending end of service. Following the end of service date, work unit managers are to return the ID card to: Special Constables GPO Box 1539 ADELAIDE SA 5001	Employees <u>must</u> advise pcc- rleo@police.nsw.gov.au of the impending end of service. Following the end of service date, work unit managers are to return the ID card to: NSW Police Recruitment Branch Locked Bag 5102 Parramatta, NSW 2124

- Once received, the work unit manager must notify the Collingwood Complex of the member's departure by sending them a copy of the completed Form 39A and arrange for any firearms to be conveyed to the Armoury. All personal issue serial controlled items and other equipment must be returned to the Warehouse and Distribution Unit. (Refer to Warehouse and Distribution Unit intranet page for approved methods of transporting equipment and items).
- As stated in **VPM Uniform and Appearance Standards**, uniform items must be disposed of in a manner that ensures they cannot be reused or be identified as uniform or clothing provided by Victoria Police. Members must dispose of uniform items or return them to the work unit manager to arrange destruction/ reallocation.

8.3 Retention of issued items

Employees may apply to retain specific issued items upon their resignation or retirement in accordance with section 9 of this policy.

8.4 *Final payment*

- An employee's final payment will not be processed until the completed Form 39 has been processed by the relevant Payroll Services Team, HRC.
- Final payment will occur in conjunction with the next available scheduled pay day.

8.5 *Fingerprint records*

An employee may make a written request to have their fingerprints held for the duration of the employee's tenure with Victoria Police destroyed. The request must be submitted to Fingerprints Sciences Group, Forensic Services Department via FINGERPRINTS-ADMIN-MGR.

9. Retention of issued items

9.1 *Retainable items*

Upon notice of their resignation or retirement, and subject to the eligibility criteria detailed in section 9.2, employees may apply to retain the following items:

- VPS employees may retain their ID card
- Police members may retain both:
 - one cap or hat badge; and
 - their ID card, wallet and wallet badge (excluding interstate certificates of identity).

Note: In accordance with S.255(3)(c), *Victoria Police Act 2013*, a former employee may be required to return any retained items, including those authorised, at any time.

- Where a PSO is transitioning via the Constable Qualifying Program, they may also apply to retain their PSO items subject to the eligibility criteria detailed in section 9.2. This can occur by completion of the relevant sections of the Form 39 once the employee has received their Letter of Offer and they are sworn in as a constable.
- Other employees who transition from one employment category to another within Victoria Police, may also apply to retain items, subject to the eligibility criteria detailed in section 9.2.

9.2 *Eligibility criteria*

- Employees must have completed five years of continuous service with Victoria Police and/or PSC must provide advice to the delegate in relation to the retention of items. Continuous service is work on a regular and systematic basis, including any period of authorised leave and any period of recognised prior service.
- Employees may not be eligible to retain issued items where either of the following apply:
 - they are classified to have 'concluded employment under investigation', as per section 3.3 of this policy
 - they are the subject of any other misconduct or unethical behaviour matter, where the retention of items is deemed not to be appropriate by BPWRD and/or PSC.
- Where an employee is found ineligible to retain issued items, the employee may provide additional information to a different Level 1A delegate to request re-consideration of the initial Level 1A delegate's decision.

9.3 *Conditions of approval*

Approval will only be granted if the employee declares both of the following on the Form 39:

- loss or theft of retained item(s) will be reported to Victoria Police immediately (lost or stolen items will not be replaced)
- the retained item(s) remain the property of the Victoria Police and must be returned on request.

9.4 Application process

Step	Action
1.	Employee • Makes application for Certificate of Service and/or to retention of items via Form 39 and submits it to their supervisor (if applicable) for progression to the work unit manager
2.	Work unit manager • Signs the Form 39B and progresses to Payroll Services, HRC, as soon as possible • No earlier than one month prior to the end of service date, email PSCPROBITY-UNIT-OIC outlining: - end of service reason - end of service date - whether the employee has applied for a Certificate of Service and/or retention of items
3.	PSC Reviews the probity request against the requisite eligibility criteria and then notifies the work unit manager of the result of the assessment Eligibility PSC's advice will only include if the employee meets or does not meet the eligibility criteria and (if applicable) the specific criteria not met. This includes whether the employee is deemed 'dismissed' or 'concluded employment under investigation'. Note that PSC will liaise with BPWRD for VPS misconduct matters
4.	Work unit manager • Once the result of the probity assessment is received, signs the Form 39 and progresses the form and assessment to the delegate - Police members – Level 2 delegate - VPS employees – Level 3 delegate
5.	Level 2/3 delegate • Determines whether to accept the end of service application effective date, considering timing requirements contained within this policy, and request for a Certificate of Service and/or retain items • Sends the completed form to Payroll Services, HRC and Warehouse and Distribution Unit, Logistics and Operations Support Division • Notifies the work unit manager of the outcome of the application For Police members - Where the minimum notice requirements have not been met, the Form 39 and probity assessment are to be progressed to the Level 1 delegate for consideration For employees under investigation – the Form 39 and probity assessment are to be progressed to the Level 1A delegate

Step	Action
6.	Level 1 or 1A delegate - Accept a shorter notice period or confirms the end of service will be effective 28 days from the date the employee signed the Form 39 and records the decision on the Form 39 - Approves or refuses the request to retain issued items and records the decision on the Form 39 - Sends the completed form to Payroll Services, HRC and Warehouse and Distribution Unit, Logistics and Operations Support Division - Notifies the work unit manager of the outcome of the application.

9.5 *Other considerations*

- Retrospective applications may be made up to two years following the date the employee concluded their employment with Victoria Police. Note: the eligibility criteria in effect at the time of the employee's departure will apply. Requests are at the discretion of the original delegate (in accordance with steps 5 and 6 above).
- An employee's issued items will be destroyed after two years time. Victoria Police will not re-issue ID cards or cap/hat badges should they be sought after that time.

9.6 *Actioning of approvals*

- The work unit manager must ensure a copy of the Form 39A is sent to WAREHOUSE & DISTRIBUTION UNIT-END OF SERVICE-MGR, Logistics and Operations Support Division.
- On the employee's last day of service, the items must be collected from the employee by the work unit manager, who must then:
 - convey personal issue serial controlled items to the Armoury or Warehouse and Distribution Unit as required
 - arrange with VPC Support Services Office for overprinting or embossing (retired or resigned as appropriate) of the ID card and wallet/badge.

10. Certificate of Service

10.1 *General*

- Subject to the eligibility criteria, employees may apply for a Certificate of Service detailing their service within Victoria Police.
- The certificate shows the period of service and rank/classification at the end of the employee's service and any honours, awards, commendations or decorations received by the employee. The certificate may also state the reason for the end of service, if requested by the employee.
- In the case of deceased employees, the next of kin will be offered a Certificate of Service by the work unit manager, local nominated contact or Wellbeing Services, HRC.
- Replacement certificates may be issued on approval of the Assistant Commissioner, HRC.
- A Statement of Service will be provided at the employee's request when an employee is ineligible for a Certificate of Service (see section 12 of this policy).

10.2 Eligibility criteria

- Employees must have completed five years of continuous service with Victoria Police and/or PSC must endorse the receipt of a Certificate of Service.
- Employees will not be eligible to receive a Certificate of Service where either of the following apply:
 - they are classified to have 'concluded employment under investigation', as per section 3.3
 - they are the subject of any other misconduct or unethical behaviour matter, where the receipt of a certificate of service is deemed not to be appropriate by BPWRD and/or PSC.
- Where an employee is found ineligible to receive a Certificate of Service, the employee may provide additional information to a different Level 1A delegate to request re-consideration of the initial Level 1A delegate's decision.

11. Letters of appreciation

The department head should prepare a personalised letter reflecting the contribution of the employee's service to Victoria Police and the community to accompany the Certificate of Service for the CCP's signature where any of the following apply:

- the employee has retired
- the employee has resigned and has been employed for 10 years or more with Victoria Police
- the employee is being ill-health retired.

Department heads may also choose to provide a letter for an employee who has been employed with Victoria Police for less than 10 years.

12. Statements of Service

Where an employee is ineligible for a Certificate of Service, a Statement of Service may be issued at the request of the employee. Statements of Service include the employee's dates of service with Victoria Police.

Related documents

- VPM Complaints
- VPM Discipline
- VPM Management of misconduct (VPS employees)
- VPM Police and Protective Services Officer recruiting
- *Victoria Police (Police Officers, Protective Service Officers, Police Reservists and Police Recruits) Enterprise Agreement 2025*
- *Victorian Public Service Enterprise Agreement 2024*
- People Management Delegations – DS 5.4-5.6 and DU 5.6
- *Victoria Police Act 2013*

Further advice and information

For further advice and assistance regarding this policy, contact BPWRD, HRC by email WRD-GENERAL-MGR.

Update history

DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
12/10/20	Review and conversion of <i>VPMP End of service</i> with <i>VPMG Retention of equipment</i> and <i>VPMG Resignation and retirement</i> in to revised VPM format. Review resulted in new criteria for retaining issued equipment and Certificate of Service, and introduction of new VP Form 39A.	066162/11
18/12/20	Minor updates to incorporate changes to <i>Victorian Public Service Enterprise Agreement 2020</i> , updates to reflect reasons for dismissal consistent with the <i>Victoria Police Act 2013</i> and to allow employees to retain items where they are transitioning to another employment category within Victoria Police.	FF - 185267
10/03/21	Minor update to clarify process for employees ceasing employment at the end of their contract	FF-191451
21/04/21	Minor updates to remind employees of their security obligations upon leaving the organisation, inclusion of a section about employees having the opportunity to complete and exit survey and interview, inclusion to clarify end of service process for service providers and raised delegation for acceptance of resignation or retirement from employees classified as under investigation to the level 1A delegate.	D21/083358
28/02/24	Policy reviewed and amendments made in relation to the re-employment of employees who concluded previous employment whilst under investigation, the probity process and retention of items, the introduction of End of Service Notification to Payroll [Form 39B] and to reflect recent organisational changes.	FF-245830 1
29/10/2025	Minor updates to incorporate changes to <i>Victorian Public Service Enterprise Agreement 2024</i> and <i>Victoria Police (Police Officers, Protective Service Officers, Police Reservists and Police Recruits) Enterprise Agreement 2025</i> , updates in relation to Purchasing Cards, interstate certificates of identity and the administrative processes in relation to short notice end of service requests and where an employee has active probity matters.	FF-274419