

## HR Policy Amendments Tracker

Policy Section Number (new number)	Existing/New Section	Section Heading	Amendment/addition Notes
<b>Grievance Procedure</b>			
N/A	N/A	Branding	Policy rebranded to new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.
1	New	Who does this policy apply to?	The previous policy excluded hearing grievances from past employees and also to discontinue grievances for employees whose employment is terminated before resolution. The scope is restricted to current employees only, but now includes discretion to consolidate the process for employees who have ceased employment during the course of a grievance and those who raise grievances post-termination.
Deleted	Deleted	N/A	The general principles section has been deleted, and the content re-distributed e.g., the right to be accompanied sits more sensibly in the process to be followed, and the associated obligations on the manager and the Council are grouped together with their responsibilities.
3	New	What can I raise a grievance about?	Shifting the focus from what a grievance can be about, to what LCC will not consider a grievance. Since a complaint can be made about anything at all, the focus is merely to exclude what LCC will not consider a grievance to be dealt with under this procedure i.e., anything which should be dealt with under the appeal policy. The exclusions mirror those in the existing policy, it is just the focus which has been shifted from including what a grievance can be, to what will not be accepted.
4	New	What roles do the employee, management, Council and HR play in this policy?	All of the obligations placed upon each of these parties has been grouped and included at the beginning of the policy. This is to ensure that from the outset, each party knows what they are responsible for. The only new obligation upon employees is to provide as much supporting information and evidence as possible. All other obligations/responsibilities were in the previous policy but were not grouped under these headings.
N/A	N/A	N/A	All references to his/her him/her have been replaced with them/their to be inclusive of all genders.
4	Revised Existing	Grievance Procedure – Informal Stage	It was observed that the informal stage of the process felt very formal. The previous policy required a meeting to be held and a written response to be provided to the employee within five days of the meeting. An informal conversation should happen as soon as an issue is brought to a managers attention. It is now recommended that a written record of the meeting be kept by both parties to show that informal attempts at resolution have been made. It is expected that informal resolution is attempted first unless the matter is so serious that informal resolution is not appropriate.
5	Revised Existing	Mediation	In the previous iteration of the policy, mediation was something offered only in exceptional circumstances. It is now envisaged that mediation can and should be utilised during the informal and formal stage of the grievance process and also as a recommended outcome by a decision maker.

6	Revised Existing	Grievance Procedure – Formal Stage	<p>The previous grievance procedure was informal stage – stage 1 meeting – stage 2 meeting – referral to People and OD Committee. This effectively gave an employee two rights of appeal. Hearing grievances in this way has meant a grievance takes considerable time to reach the point of resolution. This approach goes much further than what is required by the Acas code of practice.</p> <p>The recommended process for consideration is the following:</p> <ol style="list-style-type: none"> <li>1) Informal stage, 2) Formal Stage – grievance in writing with grievance hearing where requested by the employee, or if considered necessary by the grievance manager, 3) Appeal to be heard by CO.</li> </ol> <p>This limits the employee to one right of appeal following a formal outcome being delivered to them.</p> <p>Once a grievance has been received, the line manager receiving this should advise HR, who will (if appropriate in the circumstances) appoint an investigation officer and grievance manager. Who is appointed to these roles will depend upon the severity of the complaint, and the seniority of the employee raising the complaint and the subject of the complaint. Typically, the investigation manager will be at the same level as the subject of the complaint's line manager, and the grievance manager will be at the same level as the investigation manager's line manager. If the Chief Officer is appointed as the grievance manager, they will always be able to delegate that authority to a suitable senior manager of their choosing.</p> <p>Meetings will be heard, and outcomes delivered in the same way as the existing policy – the only change is the removal of the People and OD Committee stage. The previous stage 2 meeting is now the appeal stage which will be conducted in line with the new appeal policy.</p>
7	New	When will the policy be reviewed?	Annually or earlier in the event of relevant legislative action.
N/A	N/A	FAQ's	<p>Introduction of FAQs to separate out some of the nuanced points. This will serve as an area we can continue to add to if anomalous scenarios arise which were not envisaged at the time of review.</p> <p>These FAQs include information that was already included in the policy, but a new introduction is the idea of an anonymous grievance/complaint. The previous policy confirmed that grievances would be kept confidential and limited to those members of LCC who were required to know about it, however there may be instances where it is possible to protect the identity of a complainant. Where a request like this is made, it is important that LCC reflects upon whether this is possible and is transparent with the aggrieved employee about whether this will be possible from the outset. This is to balance the other employee's right to be able to respond to allegations against them.</p>
<b>Performance Improvement Policy</b>			
N/A	N/A	Branding	Policy re branded to new format.
N/A	N/A	Generic Layout	Layout follows new format. <u>Scope, Purpose, Roles &amp; Responsibilities followed by the procedure to be followed.</u>
Name of Policy			The name of the policy has been revised from capability and performance improvement to just focus on performance improvement. We do not want there to be any confusion/overlap between ill-health capability and underperformance. Ill-health capability will be dealt with under the sickness absence policy, and underperformance in the absence of any health condition will be dealt with using the Performance Improvement Policy.
2	New	What is the purpose of this policy?	The purpose has been expanded to explain the correlation between the existing Performance Conversation Framework and the Performance Improvement policy i.e., the first stage of the performance improvement policy is the Performance Improvement Conversation set out in the Performance Conversation Framework. It is understood that there has been

			confusion among managers about where ongoing performance management ends and performance improvement (under the policy) begins.
3	New	What roles do the employee, management, Council and HR play in this policy?	All of the obligations placed upon each of these parties has been grouped and included at the beginning of the policy. This is to ensure that from the outset, each party knows what they are responsible for.
N/A	Revised Existing	Stage 3 – redeployment	The previous policy recommended that redeployment was considered at stage 2 of the process (i.e., the first formal stage). It is now recommended that this only be considered at stage 3 when there has been a considerable period of underperformance. Guidance will be provided to managers on the appropriateness and availability of any redeployment opportunity, and this will be considered collaboratively with the employee.
5 and 6	Revised Existing	Performance Improvement Process Stages 2 and 3	Stages 2 and 3 of the previous policy had a minimum performance review period of 3 months. We have committed to the 3 months for the informal stage (the Performance Improvement Conversation) however have reduced the <i>minimum</i> commitment at stages 2 and 3 to one month. This is due to an unsustainable level of underperformance prior to a Stage 4 – case review hearing (a minimum of 9 months underperformance). This is a <i>minimum</i> , and the circumstances of the underperformance, in particular the success against the Performance Improvement Objectives will drive the agreed upon Performance Review Period.
7.5	Revised Existing	Stage 4 – Case Review Hearing	Historically the previous decision maker has been present in a stage 4 hearing to present the case against the employee. Following internal consultation, this has been revised to allow the Chief Officer the discretion to invite them if they consider it would be beneficial. This will no longer be <i>necessary</i> under the policy. The employee will have the right to call them as a witness, and the CO will be able to speak to the previous decision maker and make a minute of that conversation available in the evidence bundle to the employee or invite them to the hearing if they deem this necessary. This is to alleviate pressure on employees, particularly where the evidence and rationale for referral to Stage 4 is clear.
	Revised existing	Removal of appendices	There were extensive appendices to the policy document setting out how the meeting and hearing would be run. This information is better served in guidance document which is tailored to the relevant party. Manager guidance will be implemented to ensure managers are equipped to conduct fair hearings, and employee guidance will be implemented to give employees an idea of what to expect in these meetings and how to effectively contribute.
N/A	N/A	FAQ's	Introduction of FAQs to separate out some of the nuanced points. This will serve as an area we can continue to add to if anomalous scenarios arise which were not envisaged at the time of review. For Performance Improvement purposes these FAQs include applicability of the policy to employees on probation or appointment review, those who have lost any relevant licences, pay increment and more. All of this information was included within the policy previously, it has just been set out so it is more accessible.
<b>Appeal Policy – New</b>			
N/A	N/A	Branding	Policy introduced with branding to match new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.
3	New	Roles & Responsibilities	Introduction of roles and responsibilities at the beginning to focus the reader on their specific responsibilities within the policy. These roles and responsibilities have been taken from the body of the policies which carry a right of appeal, where expectations are placed on a specific role to perform a specific task e.g., an employee will be expected to provide a thorough explanation and any associated evidence to support their appeal and the Council will be expected to ensure appeals are considered fairly and consistently.
4	New	What is an appeal?	This section focuses on the validity of an appeal and sets out acceptable grounds of appeal. This should assist employees in focusing on the aspects of the decision/procedure that they consider were incorrect/unjust.

5	New	What decisions can be appealed?	This section links to all the decisions (taken under existing policies) that can be appealed i.e., formal disciplinary sanctions short of dismissal, any type of termination of employment, a formal grievance outcome and a rejection of a flexible working request.
6	New	Appeal Process	<ol style="list-style-type: none"> <li>1. An appeal must be made in writing to HR (Chief Officer – People and Policy) within 10 working days of the decision being appealed.</li> <li>2. A Chief Officer has the authority to hear an appeal but can also delegate this authority to a suitable senior manager. This will typically only be the case for sanctions/decisions which have not resulted in the termination of an employee's employment.</li> <li>3. There needs to be 5 working days' notice of an appeal hearing, and copies of the notes and evidence from the previous meeting should be shared as soon as possible (if not with the invite letter). If the employee has any new evidence to introduce, they should do so with at least 2 working days' notice to allow the Appeal Hearing Officer to review it in advance of the hearing.</li> <li>4. Usual statutory arrangements apply. An employee can be accompanied by a TU official or work colleague who can sum up the case, confer with the employee and make representations for them, and HR or another note-taker will be present.</li> <li>5. The Hearing may be rescheduled once if there is a failure to attend by the companion or the employee. If there is further non-attendance, the Appeal Hearing Officer will decide on the basis of the evidence available.</li> <li>6. An Appeal Hearing Officer will have the option to decide whether to invite the previous decision maker to the appeal hearing. This will no longer be mandatory.</li> <li>7. An Appeal Hearing Officer will also have the option to re-hear the original case if they consider there were material deficiencies with the previous process. In this case, the hearing will follow the original procedure and the outcomes will be consistent with the <i>appeal</i> procedure.</li> <li>8. The decision may be given verbally or in writing, but an outcome <i>must</i> be provided in writing within 10 working days (and an explanation provided if this timescale cannot be met).</li> </ol>
7	New	What are the possible outcomes of an appeal?	<p>The outcomes will be relevant to the procedure followed but could include:</p> <ul style="list-style-type: none"> <li>Upholding the original decision, sanction, or dismissal</li> <li>Reducing the original sanction</li> <li>Increasing the original sanction</li> <li>Overturning a rejection of a flexible working request</li> <li>Revising a response to a grievance outcome and/or making different determinations as to resolution</li> </ul> <p>Any appeal outcome which would have an impact on an employee's pay will be back dated to the date of the original decision.</p>
8	New	When will the policy be reviewed?	Annually or earlier in the event of relevant legislative action.
Document control added and footer with version reference.			