

## HR Policy Amendments Tracker

Policy Section Number (new number)	Existing/New Section	Section Heading	Amendment/addition Notes
<b>Flexible Working Request Policy</b>			
3.1	Revised Existing	Conditions and Arrangements	The provision set out the statutory time limit of 2 months to respond to a request (including appeal). It is still LCC's commitment to dealing with flexible working requests within 1 month, but the statutory requirement is 2 months to <i>respond</i> to a request, <i>not</i> to have also dealt with an appeal (as there is no statutory right of appeal). Amended to re-state the statutory requirement of 2 months to respond.
12.1	Revised Existing	Appeal	Revised to include reference to the recently approved LCC appeal policy. This will give employee's a further 5 days to appeal a decision and brings the appeals process in line with all other decisions which carry a right of appeal for consistency.
Flexible Working Request Application Form	n/a	n/a	Removed the section which previously requested employee's to set out the impact the request may have on the service in line with new legislative requirements.
<b>Disciplinary Policy</b>			
N/A	N/A	Branding	Policy re branded to new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.
3.2	New	Employee's Responsibilities	Introduced 2 new employee responsibilities: <ol style="list-style-type: none"> <li>1. To make the Commissioning Officer and/or Disciplinary Hearing Manager aware of any reasonable adjustments that may be required to co-operate with the process (this has been updated in the invite letters to remind employees); and</li> <li>2. To provide any evidence, including naming any relevant witnesses to either the Investigating Officer or the Disciplinary Hearing Manager to consider as soon as possible (see "witnesses" below)</li> </ol>
3.3	New	Council's Responsibilities	The previous policy had objectives and principles but no Council responsibilities. We have introduced Council Responsibilities which reflect the previous objectives and principles to showcase the fact that it is not just line managers and employees who are responsible for good conduct; it is also the Council's responsibility to promote fairness and consistency.

4	Revised Existing	Misconduct or gross misconduct: what is the difference?	<p>The existing policy included a section around the difference between misconduct and gross misconduct. It acknowledged it would be impossible to provide a conclusive list but some of the examples given were misleading as to their severity i.e. equality and diversity breaches were listed under misconduct (when they could very possibly be gross misconduct). We have moved away from using lots of specific examples to highlight what is considered misconduct or gross misconduct as this will be dictated by the specific circumstances. The new policy focuses on the impact and distinguishes gross misconduct as a matter so serious that dismissal ought to be considered.</p> <p>The new mandatory training on disciplinaries aims to empower managers to evaluate the severity of misconduct and to know how to act immediately i.e. for matters which are minor with inconsequential impact, they should deal with it informally and for matters they consider cannot be remedied by a 1:1 conversation, they should initiate an investigation.</p>
5	Revised Existing	Conduct outside of work/criminal activity	Merged previous paragraphs 6 and 7 concerning conduct outside of work and criminal activity. Focus is on respect for a private life and the relevance of the conduct to the workplace but sets out detail as before around what the Council may consider dealing with internally.
	Removed from Existing	9. Raising Concerns Whilst at Work	Current paragraph 9 refers to the raising concerns whilst at work policy and makes it clear that if that policy has been misused then it could be a disciplinary matter. Policy misuse more generally is a matter to be considered for disciplinary, so it did not feel necessary to include this one specific example.
7.18 and 7.19	Revised Existing	Disciplinary Hearing (re appeals)	The recently introduced Appeals Policy ensures that all formal decisions with the right of appeal will be handled in the same manner consistently. A right of appeal is of course afforded in the case of any formal sanction under the disciplinary policy and rather than setting out the appeal process in detail or in an appendix, the appeal policy will be linked.
	Revised Existing	Existing policy "22. Witnesses"	The current policy provides that employees and managers can call witnesses to a disciplinary hearing and that they can each be "cross-examined" by the other. We want to move away from a case versus case mentality and focus on examination of evidence presented. It should not be a managers case versus an employee's case, it is an opportunity for an impartial manager to decide on the evidence whether they have formed a reasonable belief in the allegations. We have introduced a new employee obligation as above to identify any witnesses early in the procedure i.e., at investigation stage to ensure that investigation manager has taken those views into account when conducting the investigation (as these could be pivotal when the Commissioning Officer decides whether there is a case to answer). Witnesses may also be useful in mitigation, but again, a witness statement provided in advance of the hearing would be preferable. The emphasis is now on witness statements, but there is still cope for witnesses to attend where it has not been possible/foreseeable to obtain their evidence earlier.
	Revised Existing	Appeal	Revised to include reference to the recently approved LCC appeal policy. This will give employee's a further 5 days to appeal a decision and brings the appeals process in line with all other decisions which carry a right of appeal for consistency.
	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.
	Revised Existing	Review	Annual review is recommended. It is unlikely that substantive changes will be necessary to this policy as the disciplinary procedure is rather routine, but it will give HR the opportunity to add to FAQs or to address in-year cases which might prompt minor changes.
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 appoint 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>Sickness Absence Policy</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.
N/A	N/A	Consolidation of all provisions	All provisions have been consolidated. All substantive changes are set out in the below areas:
	New	FAQs	Moved the sections on withdrawal of sick pay, attendance at appointments, employee third party compensation claims (the notification of a claim having been made now being an employee obligation), work-related ill-health or injury to the FAQ section, so the main body of the policy can get straight into entitlement and the process to follow to report absence and then the informal and formal management steps.
5	Revised existing	Sickness Absence Reporting Procedure	Employee's (unless severely inhibited) <i>required</i> to make contact by telephone only. More flexibility for manager and employee to agree how much checking in is necessary (which ought to be dictated by the reason for the absence). LCC recognises that too much contact may not be conducive to recovery.
		Self-certification	Existing policy required a fit note for any sickness absence taken during an existing holiday. This is not consistent with self-certification, which is now applicable across the board in the first 7 days of absence (pro-rated for part-time employees).
8	Consolidated existing	Formal absence management	Stages 1 – 3 of the formal process contained a lot of repetition as the process is the same (save for how the first stage is triggered). Removed repetition and consolidated into one section rather than separate sections for each stage.
9	New	Disabilities and reasonable adjustments	Intro of definition of disability. HR should be engaged where a manager suspects or is told directly that an employee has a disability. This is so that occupational health can be engaged as appropriate and reasonable adjustments can be reflected on as soon as possible.
13	Revised existing	Repeated LTS	Policy previously provided for a 36-month period to look back at when a third LTS absence had started. This has been reduced to 24 months, as the 36-month period was considered too long and would not likely cause as much disruption as 2 LTS instances in 24 months. Disability related LTS will not count towards this, and neither will work related illness/injury.
15.6	Removed existing	Re: interim reviews	During formal absence management, it was previously necessary to have an interim review. If absence targets have been set, and there are no absences, it will be clear to each party that good progress is being made against those targets. If there are any absences during the review period, a return to work will still be necessary, so it feels unnecessary to also be holding interim reviews. A review will be important at the end of the review period to confirm that targets have been met and to confirm the current absence indicator points (and therefore make the consequences of follow up absences clear).
	Revised Existing	Case Review Hearing(s)	Consistent with other changes to grievance, performance improvement and appeal, no longer a <i>requirement</i> for previous decision maker to be present in hearing., But, if <i>either</i> the employee or the Chief Officer wants them there, they are <i>required</i> to attend to answer questions.
	Revised Existing	Appeal	Revised to include reference to the recently approved LCC appeal policy. This will give employee's a further 5 days to appeal a decision and brings the appeals process in line with all other decisions which carry a right of appeal for consistency.

	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.
	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.			