**Note for Staff consultation HR policies: November 2021**

This note is to explain the purpose and context for seeking to update the following HR policies.

You can find all the existing policies on MyHR under Employment Policies & Guidance or by [following this link](https://molly.molevalley.gov.uk/myhr/employment-policies/).

The policies being replaced with this exercise are as follows:

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| **Existing policy** | **Proposed replacement** |
| Disciplinary Policy  | Disciplinary Policy (amended) |
| Grievance Policy  | Grievance Policy (amended)  |
| Absence Management policy | Sickness Absence Policy |
| Capability policy  | Sickness Capability Policy |
| Performance Capability Policy  |
| Appeals policy | To delete (incorporated within replacement policies above)  |

The Disciplinary and Grievance policies will be updated as proposed. The Absence Management Policy is to be replaced by a clearer Sickness Absence Policy focussing on all the day to day aspects of managing sick leave. The existing Capability policy will then be split into two – one for sickness (containing both informal and formal stages – these are currently in two policies) and one for performance (containing both informal and formal stages).

Currently it is confusing to have a policy that incorporates both sickness and performance as there are different routes for the start of each process depending on whether sickness is involved in performance concerns. Additionally, having a generic appeals policy was not helpful, it is better to include in the substantive policy to allow for variation according to the context of the original issue.

Aside from it being good practice to update policies from time to time (every 3-4 years or when there is a requirement to update based on legislative or required procedural changes), the following are the main reasons for change:

* Ability to hold meetings by Teams or Zoom in certain circumstances (e.g. when an employee is sick or unable to attend an office meeting). NB in many cases an in-person meeting will be preferable, however this additional option is extremely useful to prevent delays, which can on occasion be very protracted.
* Remove requirement for a separate note-taker at formal hearings, using tape recorded meetings where expedient to do so. As above, this reflects the need to move with the times and is far more practical and efficient. Note taking is extremely onerous and resource intensive, of limited accuracy, prone to challenge, and adds to the number of people in the room during highly confidential meetings.
* Embedding the appeal procedure within the substantive policy – as above.
* Reducing the need to escalate simple management decisions to a senior level early in the process. This was particularly prevalent in capability policies and, as a small organisation, caused issues as a case progressed, as well as appearing to be overkill for fairly run of the mill, early, formal meetings. The impact of this can be such that junior managers feel less empowered (and therefore less likely) to take responsibility for performance management.
* Clarifying that the policies can be updated from time to time – this is in line with our direction of travel for some time – there are many provisions in each of these policies and as a modern, responsive, agile organisation we must have the ability to update these without dismissal and re-engagement or issuing new contracts. (This, of course, does not impact the requirement to have (and follow) a fair procedure).
* Reduce reliance on Occupational Health. This is in line with our recent budgetary discussions on value for money. One of the factors increasing costs has been that our policies have stipulated over-prescriptively that OH advice ‘must’ be sought at several stages within formal processes – this is often not necessary and causes delay and additional expense.
* Clarifying that ‘absence’ includes employees who are not working in the office on a particular day if they fail to start work remotely.
* Being much clearer on a variety of day to day sickness absence procedures
* Being much clearer on the process for managing capability issues. Simplifying the process and being consistent with the language used ensures managers can easily follow the process, reducing the risk of error and the need to potentially repeat stages where policy has not been followed.

Timetable for consultation – stages in italics have been completed, current stage in red:

Please note once the policies are finalised, the accompanying guidance documents will be updated to match the content of the policies.

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| **Version** | **Version Status** ***(Draft, Approved /Published Internally or Externally)*** | **Date** | **Version Comment**  | **Version Author** |
| *V1.1* | *Final SLT draft* | *SLT meeting 7/10/21* | *For SLT approval for document to be shared with Business Managers and Staff Hub. SLT given 2 weeks to review and consider* | *KI* |
| *V1.2* | *SLT amends discussed and agreed* | *SLT meeting 21/10/21* | *Final SLT approved draft for BMT, Staff Hub consultation (2 weeks – 25/10/21 until Monday 8/11/21 10.00 am)* | *KI* |
| *V1.3* | *Amends discussed and agreed post Hub/BMT consultation*  | *SLT meeting 11/11/21* | *Agreed amendments following consultation*  | *KI*  |
| V2 | Proposed Policy for all staff consultation | Week comm 15/11/21 | Policies out for all staff consultation (2 weeks)  | KI |
| V2.1  | Amends made post  | SLT meeting 2/12/21 | Proposed amendments following consultation for SLT discussion and approval | KI  |
| V3 | FINAL | Week comm 6/12/21 | Policy finalised for publication and implementation  | KI  |
| V4 | Review | 2024  | Policies to be reviewed at least every 3 years or in the event interim changes are needed (e.g. changes in legislation, work practices). | KI |