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James Ellis
Head of Legal and Democratic Services

MEETING : LOCAL JOINT PANEL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : TUESDAY 20 MAY 2025
TIME : 12.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE

Membership to be confirmed following Annual Council.

CONTACT OFFICER:
Michele Aves
michele.aves@eastherts.gov.uk
01279 502177

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AGENDA

1. Appointment of the Chair for 2025/26

To appoint a Chair from the Employer's Side for 2025/26.

2. Appointment of the Vice-Chair for 2025/26

To appoint a Vice-Chair from the Staff Side for 2025/26.

3. Apologies

To receive apologies for absence.

4. Minutes - 30 October 2024 (Pages 4 - 7)

To confirm the Minutes of the meeting held on 30 October 2024.

5. Chair's Announcements

6. Declarations of Interest

To receive any Members' Declarations of Interest.

7. Reports by Secretary to the Employer's Side

(A) Policy Updates 2025_(Pages 8 - 77)

8. Reports by Secretary to the Staff Side

There are no reports from the Staff Side.

9. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

Agenda Item 4

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MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
WEDNESDAY 30 OCTOBER 2024, AT 12.00 PM

PRESENT: **Employer's Side**

Councillors A Daar, J Dumont and D Hollebon

Staff Side (UNISON)

Jackie Bruce (Chair)
S Forde, H Marsh and N Munroe

OFFICERS IN ATTENDANCE:

Michele Aves	- Committee Support Officer
Katie Mogan	- Democratic and Electoral Services Manager
Alex Wanless	- Service Manager (Human Resources and Organisational Development)

202 APOLOGIES

There were apologies for absence from Councillor Eric Buckmaster and Jordan Morris. It was noted that Nicola Munroe was substituting for Jordan Morris.

203 MINUTES - 31 JULY 2024

It was moved by Councillor Dumont and seconded by Councillor Daar that the minutes of the meeting of the Local Joint Panel held on 31 July 2024 be confirmed as a

correct record and signed by the Chair. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the minutes of the meeting held on 31 July 2024 be confirmed as a correct record and signed by the Chair.

204 CHAIR'S ANNOUNCEMENTS

The Chair welcomed all to the meeting and asked that all participants used their microphones when speaking so they could be heard.

205 DECLARATIONS OF INTEREST

There were no declarations of interest.

206 REPORTS BY SECRETARY TO THE EMPLOYER'S SIDE

206 BULLYING AND HARASSMENT POLICY UPDATE

The Human Resources and Organisational Development Manager introduced the report. He said that the update to the Bullying and Harassment Policy was in response to statutory changes.

The Chair circulated two copies of the updated policy to the Panel, on which Unison representatives had made further comments and suggested further amendments. She said that the amendments were both grammatical and legislative, and included the naming of the protective characteristics.

The Chair said that with the agreement of the Panel she proposed that a redraft of the policy (to show all of the Unison comments and amendments with tracked changes) be circulated to Members outside of the

meeting. She said that this would enable them to give the policy their attention without the time constraints of the meeting and allow them to add their own comments/ suggested amendments on one document.

The Chair said that the final version of the policy would then be emailed to the Panel for their oversight and recommended for approval by the Human Resources Committee at their meeting on 20 November 2024.

The Chair said that moving forward her intention was that future policies to be drafted by officers, and a workshop set up to enable officers and union members to formulate any proposed changes prior to them coming before the Panel.

The Panel agreed with this approach.

Councillor Daar said that it was sensible to update the terminology within the policy.

Councillor Dumont agreed, noting that there was nothing unreasonable within the amended policy.

The Human Resources and Organisational Development Manager said he did not disagree with any of the comments received from the Panel.

It was moved by Sharon Forde and seconded by Councillor Dumont, that the recommendations, as detailed, be approved. After being put to the meeting and a vote taken, this motion was declared CARRIED.

RESOLVED – that (A) delegation be given to the Chair to circulate the amended policy to the Panel for their comments, and the final version of the updated Bullying and Harassment Policy be recommended to the Human Resources Committee for approval.

(B) that the action plan be recommended to the Human Resources Committee for approval.

207 REPORTS BY SECRETARY TO THE STAFF SIDE

There were no reports from the Staff Side.

208 URGENT BUSINESS

There were no urgent items.

The meeting closed at 12.20 pm

Chairman
Date

Agenda Item 7a

East Herts Council Report

Local Joint Panel

Date of meeting: Tuesday 20 May 2025

Report by: Emily Cordwell, HR Officer

Report title: Policy Updates 2025

Ward(s) affected: (All Wards);

RECOMMENDATIONS FOR Local Joint Panel

- a)** To approve the revised Sickness Absence Management Policy (Appendix 1),
- b)** To approve the revised Grievance Policy (Appendix 2),
- c)** To approve the revised Expenses Policy (Appendix 3),
- d)** To approve the revised Appeals Policy (Appendix 4)

1.0 Proposal(s)

1.1. The proposals are set out in the recommendations above. Four HR policies have been updated in line with legislation and best practice, ensuring consistency with layout and language.

1.2. The appeals process is currently incorporated at the end of all policies, with exception to the redundancy policy. We are proposing to reinstate the appeals policy as the appeals process is largely the same for all.

2.0 Background

2.1 The HR Policies have not been updated since 2021, the full suite of HR policies needs to be updated to incorporate best practice. HR have updated the first tranche of policies and consulted with unison to ensure they are fit for purpose and user friendly.

2.2 HR have included an executive summary at the beginning of each policy, along with a paragraph outlining 'when to use this policy' to provide greater clarity for staff regarding the content of each.

3.0 Summary of changes to policies

3.1 Sickness Absence Management Policy

- Clearer language distinguishing between employee/manager
- Discounting recovery period from triggers. (e.g. 4-week sickness absence recovery following a planned operation)
- Colour coded for sickness absence stages- easier to distinguish and find the relevant forms/flow charts
- Updated flow charts and stress risk assessment
- Section added on medical/dental appointments.

3.2 Grievance Policy

- Greater clarity on when to use the informal vs formal process
- More information on grievance investigations
- New section on dealing with collective grievances
- Updated flowchart
- Appeals process moved into Appeals Policy

3.3 Appeals Policy

- Incorporated the appeals process back in to one policy
- Updated flowchart

3.4 Expenses Policy

- Subsistence rates have been updated.

Implications/Consultations

Community Safety

No

Data Protection

No

Equalities

The policies have been updated in line with equalities legislation. An Equality impact assessment has been carried out for all.

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

HR to maintain policy review.

Human Rights

No

Legal

The policies have been updated in line with employment legislation.

Specific Wards

No

7.0 Background papers, appendices and other relevant material

7.1 The updated policies are attached as appendices 1 – 4.

Contact Member

Executive Member for Corporate Services

joseph.dumont@eastherts.gov.uk

Contact Officer

Elaine Starling

Strategic HR Lead

elaine.starling@eastherts.gov.uk

Report Author

Emily Cordwell, Human Resources Officer

emily.cordwell@eastherts.gov.uk

Sickness Absence Management Policy

Executive Summary

This policy sets out:

- The procedure for absence reporting
- How attendance will be managed
- Sick pay
- Recording sickness and return to work interviews.
- Mental Health and stress
- Short term and long-term absence procedures

Contents

1.0 Introduction	4
2.0 Scope	4
3.0 Definitions of absence	5
4.0 Responsibilities	5
5.0 Reporting sickness absence	7
6.0 Evidence of sickness absence	7
7.0 Keeping in touch	8
8.0 Return-to-work meeting	9
9.0 Special cases	9
10.0 Sick pay	10
11.0 Medical and dental appointments.....	11
12.0 Sickness absence and annual leave	11
13.0 Stress and Mental Health	12
14.0 Medical reports	13
15.0 Sickness absence management procedure.....	14
15.1 Short term absence level 1	14
15.2 Short term absence Level 2	15
15.3 Long Term absence Level 1.....	17
15.4 Long term absence level 2	18
15.5 Level 3- Sickness and attendance hearing (Capability Review hearing)	20
16.0 Appeal.....	22
Appendix 1.....	23
Appendix 2.....	24
Appendix 3.....	25
Appendix 4.....	26
Appendix 5.....	27
Appendix 6.....	28
Appendix 7.....	29
Appendix 8.....	30
Appendix 9.....	32
Appendix 10.....	33
Appendix 11.....	35

Appendix 12.....	36
Appendix 13.....	38
Appendix 14.....	39
Appendix 15.....	43

1.0 When to use this policy

1.1 This policy should be referenced when:

- Staff are reporting sickness absence,
- Staff have a planned procedure resulting in a recovery period,
- Absence coincides with booked annual leave,
- Absence is related to stress and a stress risk assessment is required,
- Occupational health referral is needed,
- To pro rata absence triggers,
- Staff hit trigger points and a formal meeting is required.

2.0 Introduction

- 2.1 While the Council understands that there will inevitably be some sickness absence among employees, it must also pay due regard to its operational needs. If an employee is persistently absent from work, this can damage efficiency and productivity and place an additional burden on the employee's colleagues. By implementing this policy, the organisation aims to strike a reasonable balance between the pursuit of its operational needs and the genuine need of employees to take time off work because of ill health.
- 2.2 The policy does not form part of your contract of employment, and we reserve the right to amend it at any time.

3.0 Scope

- 3.1 This policy applies to council employees. It does not apply to workers, contractors, consultants, or any self-employed individuals working for the organisation.
- 3.2 The following procedure covers incidences of absence due to sickness, injury, a medical/health related condition, or disability including the following:
- frequent short-term illness,
 - long-term medically certificated illness,
 - absence for recovery following a planned procedure and
 - Inability to perform requirements of a job owing to a medical condition or disability.
- 3.3 This policy applies to all employees except for chief officer level or any other nominated statutory posts. Reference should be made to the separate

nationally agreed terms and conditions.

3.4 Members of Leadership Team (LT) (excluding the statutory post holders and the chief officers) will be managed through this procedure with the manager role allocated by the Chief Executive Officer (CEO). In order to ensure that the CEO is available to consider any appeal the following roles will be allocated at stages 1 to 3:

- Stage one – the CEO will allocate the manager role to a statutory post holder, either the Section 151 Officer or Monitoring Officer as appropriate.
- Stage two – the manager role would remain with the statutory officer designated by the CEO.
- Stage three – the statutory officer would remain in the manager role with the director (with Deputy Chief Executive responsibilities) hearing the matter at stage 3.
- Appeal – should the matter reach the appeal stage this would be heard by the CEO.

4.0 Definitions of absence

4.1 Short term absence

Short term absence is defined as any period of time where an employee is not at work due to sickness for a period of up to four weeks in duration, from the first day of absence (including half days).

4.2 Long term absence

Long term absence is defined as a period of time where an employee is absent from work due to sickness for a continuous period of greater than 28 calendar days.

4.3 Unauthorised absence

If an employee fails to attend work without permission, or you do not comply with the sickness absence reporting procedure or the evidential requirements set out in this policy, this will be treated as unpaid and a potential disciplinary offence which will be dealt with under the council's disciplinary procedure.

5.0 Responsibilities

5.1 The guidelines below for managers and employees provide a high-level overview of the council's expectations and processes. You should always refer to more detailed sections of the policy when managing absence (either yours or your team's).

5.2 *Guidelines for line managers*

As line managers, you are responsible for ensuring that you:

- manage attendance and absence in accordance with this policy,
- maintain a proper record of sickness absences by ensuring the sickness is logged on My View,
- require the employee to complete a self-certification eform for sickness of seven calendar days or less and to provide medical evidence for sickness of more than seven calendar days,
- conduct a return-to-work meeting each time the employee returns from a period of sickness absence,
- be alert to patterns of absence, for example frequent absences on Fridays or Mondays, or immediately before or after bank or public holidays,
- seek medical advice through the council's occupational health serviceⁱ, if appropriate, to determine whether or not there is any underlying medical cause for the employee's frequent absences,
- be particularly sensitive when absences are caused by personal or family problems,
- check whether the employee's absences are in any way work related, for example as a result of workplace stressⁱⁱ,
- be aware of the potential for discrimination when managing absence, particularly where the employee's ill health is related to protected characteristics such as pregnancy or disability and
- keep in mind the council's duty to make reasonable adjustments for disabled people when managing absence.

5.3 *Guidelines for employees*

As an employee, you are responsible for ensuring that:

- if you are unable to attend work because of ill health, you notify your line manager as soon as reasonably practicable, but no later than 10am that day,(if your line manager is not available you should notify a colleague and ask them to notify the appropriate people)
- you give your line manager a clear reason (i.e. the nature of the illness or injury) why you cannot attend work, and if possible an estimate of how long you think the absence will last,
- you continue to notify and keep in touch with your line manager while unable to attend work as agreed between you and your manager. You must complete the MyView self-certification eform for periods of sickness of seven calendar days or less and provide medical evidence such as a 'fit note' for sickness of more than seven calendar days,

- you attend a return-to-work meeting with your line manager each time you return from a period of sickness absence,
- be open with your line manager about the reasons for your absence, to give your line manager the opportunity to provide support where possible,
- tell your line manager of any extenuating circumstances, for example personal or family problems or an unmanageable workload,
- you bear in mind that the council may seek a medical report, for example from your doctor or occupational health advisers and
- you cooperate with the council in regard to the possible implementation of any adjustments to job duties, hours or working conditions, particularly those suggested by a healthcare professional.

6.0 Reporting sickness absence

- 6.1 On the first day of sickness absence, you must inform your line manager as soon as reasonably practicable that you will not be working because of illness or injury.
- 6.2 You must notify your line manager as soon as reasonably practicable, but no later than 10am that day,(if your line manager is not available you should notify a colleague and ask them to notify the appropriate people)
- 6.3 You should provide a clear reason (ie the nature of the illness or injury) why you cannot attend work, and estimate how long you think the absence will last. You should also be prepared to discuss briefly any consequences of your absence, for example if customer appointments need to be cancelled or any essential work needs to be covered.
- 6.4 Notification of sickness absence must be via telephone, rather than text message, email or social media. In exceptional circumstances where you are unable to telephone (for example, because of hospitalisation), another person such as a friend or relative can contact the organisation on your behalf.
- 6.5 If you come to work, but need to leave during the day because of ill health, you should inform your line manager before leaving work. If your manager is unavailable, you should inform the next most appropriate person within the department.
- 6.6 Sickness absence that begins part way through the day will count as one full day's sickness absence if you leave before completing 50% of your working day. Where sickness absence begins after you have completed 50% of your working day, this will be recorded as half a day's absence.

7.0 Evidence of sickness absence

7.1 Self-certification

If you are absent for seven calendar days or less, you must complete and sign a self-certification form within My View, setting out the dates of your absence and the nature of your illness or injury.

7.2 Statement of fitness for work (fit note)

If you are absent for eight consecutive days or more (including weekends), you must provide your line manager with a fit note (statement of fitness for work) as soon as possible. If your absence persists beyond the end of the first fit note, you must continue to submit further fit notes to cover the whole period of your absence. It is your responsibility to keep the Council informed about your progress and your likely date of return to work.

Fit notes can be issued by doctors, nurses, occupational therapists, pharmacists, and physiotherapists as long as they have conducted an assessment of your fitness for work.

A fit note may state that:

- you are "not fit for work", in which case you should remain off work or
- you "may be fit for work", if the healthcare professional's recommendations are followed (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations).

While there is no legal obligation to follow the recommendations in the fit note, your line manager will take the recommendations seriously and give fair consideration, in consultation with you and the HR team, as to whether any of the changes recommended can be accommodated. The manager may also need to refer your case to the council's occupational health advisor for further guidance.

8.0 Keeping in touch

8.1 It is important that we maintain regular contact with you while you are absent to:

- see how you are progressing in terms of your health,
- support you and actively maintain your engagement with us,
- provide information to you so that you may make informed decisions (for example, in relation to health-related benefits),
- provide practical support from our occupational health advisers,
- facilitate a phased return to work if required, by making appropriate temporary or permanent adjustments and
- ensure that you are kept up to date about events in the workplace.

8.2 You and your line manager are both jointly responsible for maintaining contact with each other. Once you are absent on sick leave for 28

continuous days, your line manager will contact you to agree the method and frequency of contact. Contact will be on a regular basis, most likely weekly/fortnightly.

9.0 Return-to-work meeting

- 9.1 On your first day back at work after any period of sickness absence, or as soon as reasonably practicable, your line manager will arrange to meet with you to conduct a return-to-work meeting. The purpose of the return-to-work meeting is to provide you with an opportunity to discuss the reason for your absence and whether you need any particular support.
- 9.2 At the meeting, your line manager will inform you if they have any concerns about your absence record and if the need for formal action under the organisation's absence management procedure has been triggered.
- 9.3 All discussions between you and your line manager will be treated sensitively and in confidence. Following this discussion, your manager will complete the return to work eform on My View which will be sent to HR and saved on your personnel file.

10.0 Special cases

10.1 Pregnancy-related absences

If you are pregnant and are absent from work for a pregnancy-related illness, your sickness absence will not be included when checking to see if the sickness absence management procedure has been triggered.

10.2 Disability

If you have a disability, you do not have to tell us. However, we would encourage you to let the council know so that we can support you, for example by making reasonable adjustments to our premises, aspects of your role, our working practices, and/or our sickness absence management procedure.

If your sickness absence is due to a disability, please contact your line manager/HR to discuss potential reasonable adjustments that may help you return to work or support you after you have returned to work. We may need to discuss your needs with you and your medical adviser or occupational health to help us get the right support in place.

10.3 Recovery time

Absence will be discounted towards triggers if you have a doctor's certificate following an operation or procedure outlining recovery time is needed before

returning to work.

10.4 Part-time workers

If you are a part-time worker, the trigger points in the sickness absence management procedure will be pro-rata based on your Full Time Equivalent (FTE).

For example, the trigger of ten days absence within a rolling 12 month will be adjusted for part-time workers to:

- 8 days in 12 months if you work 30 hours per week;
- 6 days in 12 months if you work 22.5 hours per week;
- 5 days in 12 months if you work 18.5 hours per week

11.0 Sick pay

11.1 We operate a contractual sick pay scheme that is more generous than statutory sick pay (SSP). Your entitlement to contractual sick pay is set out in your contract of employment.

11.2 We reserve the right to withhold or suspend sick pay under our contractual sick pay scheme at our discretion. Circumstances in which contractual sick pay may be withheld include where:

- you have failed to comply with the organisation's sickness absence notification and evidence requirements,
- you refuse to attend a medical examination at the reasonable request of the organisation,
- you make or produce a misleading or untrue statement or document concerning your fitness to work,

11.3 You will normally be entitled to receive SSP when contractual sick pay is withheld or suspended, although we can withhold or suspend SSP if we are not satisfied that you are ill, and no evidence of sickness is provided.

11.4 You will be given written notice if your SSP or contractual sick pay is being withheld or suspended.

12.0 Medical and dental appointments

12.1 You should endeavour to arrange medical and dental appointments in your own time. However, we recognise that it may not always be possible or practical to arrange medical and dental appointments outside working hours, and that you may from time-to-time need time off work for such

appointments. This should be managed using annual leave or flexi.

- 12.2 To make a request for time off to attend a routine medical or dental appointment, you should contact your line manager. You should give as much notice as possible of when you need the time off and, wherever possible, arrange your appointments outside your core hours/as near to the start or end of the working day.
- 12.3 If you are given a specific date and time to attend a hospital appointment and fertility treatments, you are entitled to use paid absence. Your manager may ask you to provide proof of the date and time of your appointment. hospital appoint for surgery would be paid absence, but the following days in hospital or recovering at home will be sick pay.
- 12.4 Medical or dental emergencies requiring urgent, unforeseen medical or dental attention and cases where you are admitted to hospital for emergency surgery will be treated as sickness absence in accordance with this policy.

13.0 Sickness absence and annual leave

13.1 Sickness during holiday

If you fall sick or are injured while on holiday, you may choose to take your holiday as sick leave subject to the following conditions:

- the total period of sickness must be fully certificated by a qualified medical practitioner,
- you must contact your line manager (by telephone if possible) as soon as you know that there will be a period of sickness during your holiday,
- you must submit a written request to your line manager after returning to work, setting out how much of your holiday was affected by sickness and
- if you are overseas when you fall ill or are injured, the total period of sickness absence must still be evidenced by way of a medical certificate.

If you fall sick or are injured before the start of a period of planned holiday, and as a consequence you are unable to take your holiday, you may postpone your holiday dates to another mutually agreed time.

13.2 Holiday during sick leave

You will continue to accrue your holiday entitlement during any period of sick leave.

If you are unable to take your full holiday entitlement due to sickness absence, or if you are still absent at the end of the holiday year, you may carry over any unused holiday to the next holiday year.

Any holiday that is carried over under this provision must be taken within 18 months of the end of the holiday year in which it was accrued.

Alternatively, you may book a period of holiday while on sick leave to receive holiday pay for that period, provided that you give your manager as much notice as possible.

14.0 Stress and Mental Health

- 14.1 There is often a link between stress and mental health. Managers can support employees affected by mental health problems by:
- exploring whether their mental health problem is impacted by problems at work and if so, trying to find a resolution to their concerns,
 - encouraging employees to raise and discuss issues concerning their mental health confidentially,
 - keeping in touch with employees who are off sick; managers should not pressurise employees but should encourage them to keep them informed,
 - offering employees returning to work from a period of mental health sickness absence a gradual return to work,
 - encouraging employees to look after their mental health; ensuring employees take lunch breaks and have a good work-life balance and
 - reminding employees of the support and advice available to them through the Employee Assistance Programme and/or the Mental Health First Aiders.
- 14.2 Managers should respond to work related concerns that are having an impact on the employee's stress levels and undertake reasonable measures to eliminate or control these.
- 14.3 Where an employee has cited job related stressors within their service areas, managers must conduct a stress risk assessment as soon as reasonably practicable (see Appendix 14 for template).

15.0 Medical reports

- 15.1 At various stages of managing your sickness absence, we may need to obtain a medical report on you to:
- determine your fitness for carrying out your role,
 - determine whether you are fit to return to work after a period of sickness absence, or when you might return to work,
 - determine your entitlement to health-related benefits (e.g. sick pay),
 - assess the need to make reasonable adjustments to your working environment and/or
 - comply with other legal obligations.

- 15.2 Depending on the circumstances, we might instruct your own doctor/consultant, occupational health, and/or an independent medical adviser. When deciding which medical practitioner to instruct, we will consider the purpose of the report and factors such as the need for objectivity, specialist expertise, and knowledge about your medical history and the requirements of your role.
- 15.3 If we decide that a medical report is necessary, we will write to you confirming why we intend to obtain a medical report and from whom the medical report will be obtained. In addition, you will be fully informed of your rights under the General Data Protection Regulation (GDPR).
- 15.4 Where we decide to obtain a medical report directly from your own doctor/consultant, the Access to Medical Reports Act 1988 applies. Therefore, when we write to you, we will also ask you to confirm whether you provide your consent for us to approach your doctor/consultant. You will be notified of all your rights under the Access to Medical Reports Act 1988, including the right to see the medical report before it is supplied to us.
- 15.5 Once we have received the report, we will arrange a meeting with you to discuss the contents and identify the appropriate next steps.
- 15.6 You should be aware that if you refuse to attend a medical examination, or you withhold your consent to a medical report being disclosed to us, we may need to make decisions affecting your employment without the benefit of medical input, which could be to your detriment.

16.0 Sickness absence management procedure

We will work to ensure that we handle any issues concerning poor attendance promptly and fairly. However, where our attempts at encouraging good attendance have been unsuccessful, we will follow a formal sickness absence management procedure. The procedure will be triggered when an employee reaches a certain level of absence. When applying the trigger points for each stage of the procedure, the special rules that apply to pregnancy and disability will be taken into account.

16.1 Short term absence level 1

Level 1 - Trigger point

The trigger point for a 'Level 1' formal absence meeting is there have been:

- 10 days or more of absence over the previous 12 months, or
- three or more periods of absence in any three-month period.

If you reach a 'Level 1' trigger point, you will be invited in writing to a 'Level 1' absence meeting.

Conducting a Level 1 absence meeting

The Level 1 absence meeting will be conducted by the employee's line manager. Where it is considered appropriate, a member of the HR department may also be present.

The purpose of this meeting is to discuss the employee's level of attendance, establish if there are any underlying health problems and whether there is anything that we can do to facilitate an improvement in their attendance levels. A review period will be set, and they will be advised of possible outcomes if expectations are not met.

At the meeting, the employee will be given an opportunity to ask questions, comment on the issues and put forward any explanation they may have for the matters identified by their line manager as amounting to unsatisfactory attendance.

The outcome of the meeting will include:

- setting a 4-month review period and
- setting out the levels of absence that would trigger a level 2 meeting. For full time staff this will be 3.5 days or more and/or 3 spells of absence in 3 months (this will be pro-rated for part time staff).

Please see Level 1 meeting form at Appendix 6, the completed form should be sent to HR.

Level 1 – Follow up review meeting.

If at the end of the review period the attendance expectations have been met, the manager will advise you that:

- no further action is necessary,
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 2 and
- if trigger points are not reached again within 12 months of the review meeting, but are reached again after that time the procedure will normally start from Level 1.

Where there has been some improvement, but expectations have not been met completely, the line manager may extend the level 1 review period or if the triggers have been met, move to Level 2.

Please see Level 1 *review* meeting form at Appendix 7, the completed form should be sent to HR.

16.2 Short term absence Level 2

Level 2 - Trigger point

The trigger point for a stage 2 formal absence meeting is:

- if absence continues beyond the agreed Level 1 review period or
- where the employee's absence hits trigger points within 12 months of a Level 1 review meeting.

The employee may be referred to Occupational Health at this stage and or medical reports obtained from the GP or medical practitioner.

If the employee reaches a Level 2 trigger point, they will be invited in writing to a Level 2 formal absence meeting. The employee will usually be given at least five working days' notice of the meeting, to allow them to prepare and to arrange for a companion to accompany them.

Employees will be entitled to be accompanied by a colleague or a trade union representative if they are a member of UNISON. The responsibility for finding a companion rests with the employee.

Conducting a Level 2 absence meeting

The Level 2 formal review meeting will be conducted by the employee's line manager. Where it is considered appropriate, a member of the HR department may also be present.

The purpose of this meeting is to discuss the employee's level of attendance, establish if there are any underlying health problems and whether there is anything that we can do to facilitate an improvement in their attendance levels.

At the meeting, the employee will be given an opportunity to ask questions, comment on the issues and put forward any explanation they may have for the matters identified by their line manager as amounting to unsatisfactory attendance.

The outcome of the meeting may include:

- where it's clear there is no improvement to sickness, the manager may refer the case to a member of LT for consideration in line with level 3 or
- setting a further review period of no more than five days absence in six months or three occasions in three months.

When considering setting a further review period:

- if the employee has previously been through the Level 2 or Level 3 process on more than one occasion, the review period should be 12 months,
- if there is no improvement the matter must be referred to Level 3 and
- where it's considered to be a disciplinary rather than a sickness matter, your manager may refer to the Disciplinary Policy.

Please see Level 2 meeting form at Appendix 8, the completed form should be sent to HR.

Level 2 – Follow up review meeting.

If at the end of the review period the attendance expectations have been met, the manager should advise the employee that:

- no further action is necessary,
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 2 and
- if trigger points are not reached again within 12 months of the review meeting, but are reached again after that time the procedure will normally start from Level 1.

Please see Level 2 *review* meeting form at Appendix 9, the completed form should be sent to HR.

16.3 Long Term absence Level 1

If an employee has been absent for four weeks or more continuously, they should normally be referred to Occupational Health. If they are too ill to attend, they must be asked to give consent to obtain relevant medical information.

On receiving advice from Occupational Health, the employee will be invited in writing to a Level 1 formal review meeting. They will usually be given at least five working days' notice of the meeting, to allow them to prepare and to arrange for a companion to accompany them.

If you return to work prior to the Level 1 meeting, the meeting will take place in accordance with the short-term absence procedure.

The employee will be entitled to be accompanied by a colleague or a trade union representative if they are a member of UNISON. The responsibility for finding a companion rests with the employee.

Conducting a Level 1 absence meeting

The Level 1 absence meeting will be conducted by the employee's line manager. Where it is considered appropriate, a member of the HR department may also be present.

The purpose of this meeting is to review the employee's absence so far, confirm the reason for absence and the likelihood of returning to work in the near future.

The outcome of the meeting will include:

- setting a reasonable date for review,
- considering measures to assist the employee in returning to work and
- outlining the possible range of outcomes.

Please see Level 1 long term absence meeting form at Appendix 10, the completed form should be sent to HR.

Level 1 – Follow up review meeting.

If at the end of the review period the attendance expectations have been met, the manager will advise the employee that:

- no further action is necessary,
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 2 either the Long Term or Short Term procedure, as appropriate and
- if trigger points are not reached again within 12 months of the review meeting, but are reached again after that time the procedure will normally start from Level 1.

Please see Level 1 *review* meeting form at Appendix 11, the completed form should be sent to HR.

16.4 Long term absence level 2

Level 2 - Trigger point

The trigger point for a Level 2 formal review meeting is:

- if absence continues beyond the agreed Level 1 review period or
- where the employee's absence hits long term trigger points within 12 months of a Level 1 review meeting. E.g. another absence of four weeks or more.

The employee may be referred to Occupational Health at this stage and or medical reports obtained from the GP or medical practitioner.

If the employee reaches a Level 2 trigger point, they will be invited in writing to a Level 2 formal absence meeting. The employee will usually be given at least five working days' notice of the meeting, to allow them to prepare and to arrange for a companion to accompany them.

The employee will be entitled to be accompanied by a colleague or a trade union representative if they are a member of UNISON. The responsibility for finding a companion rests with the employee.

Conducting a Level 2 absence meeting

The Level 2 formal review meeting will be conducted by the employee's line manager. Where it is considered appropriate, a member of the HR department may also be present.

The purpose of this meeting is to discuss the employee's level of attendance, establish if there are any underlying health problems and whether there is anything that we can do to facilitate an improvement in their attendance levels.

At the meeting, the employee will be given an opportunity to ask questions, comment on the issues and put forward any explanation they may have for the matters identified by their line manager as amounting to unsatisfactory attendance.

Depending on the outcome of the medical advice, the manager may decide on any of the following courses of action:

- where it's clear there is no improvement to sickness, the manager may refer the case to a member of LT for consideration in line with Level 3,
- set a further review period or
- if no improvement the matter will be referred to Level 3 and consideration may be given to the employee's continued employment.

Please see Level 2 Long Term Absence form at Appendix 12, the completed form should be sent to HR.

Level 2 – Follow up review meeting.

If at the end of the review period the attendance expectations have been met, the manager should advise the employee that:

- no further action is necessary,
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 2 of either Long Term or Short Term procedure, as appropriate and
- if trigger points are not reached again within 12 months of the review meeting, but are reached again after that time the procedure will normally start from Level 1.

Please see Level 2 *review* meeting form at Appendix 13, the completed form should be sent to HR.

**16.5 Level 3- Sickness and attendance hearing
(Capability Review hearing)**

Level 3 - Trigger point

The trigger point for a Level 3 formal review meeting is where:

- attendance expectations not being met during a Level 2 review period or
- w the matter has been directly referred to Level 3.

The employee will be referred to Occupational Health for an up to date medical opinion and/or medical reports obtained from the employee's GP or medical practitioner. The employee's line manager will prepare a report including:

- a summary of your employment record: length of service, job description and performance record,
- attendance record during your employment,
- actions taking so far (including notes of previous meetings),
- factual medical information, underlying health conditions,
- reasonable adjustments that can be made or why proposed adjustments are not reasonable,
- the effects on the service and financial impact on the council and
- any other relevant information.

The employee will be invited in writing to a Level 3 formal review meeting by a member of Leadership Team. The employee will usually be given at least five working days' notice of the meeting, to allow them to prepare and to arrange for a companion to accompany them.

The employee will be entitled to be accompanied by a colleague or a trade union representative if they are a member of UNISON. The responsibility for finding a companion rests with the employee.

We will give the employee a copy of all documents relevant to their case in advance of the formal review meeting, and they will be invited to submit any further evidence that they consider to be relevant.

Conducting a Level 3 absence meeting

The Level 3 formal review meeting will be conducted by a member of Leadership Team, accompanied by a HR Officer.

The meeting is to discuss the employee's future employment with the council. Depending on the medical advice received, the LT member may decide on any of the following courses of action:

- **Additional review period in current role:**
If attendance expectations are not met within review period, your employment may be terminated.
- **Redeployment with a review period**
Part-time work on a temporary or permanent basis with a pro-rata reduction in salary and/or
Transfer to a less demanding post if available (four weeks' trial, salary protection not included)
- **Dismissal on grounds of ill health retirement**
- **Dismissal on the grounds of:**
-Non-attendance at work is unacceptably high and is not reasonable for the

council to continue to employ them.

-No long-term improvement can be expected within a reasonable time period.

At the meeting, the employee will be given an opportunity to ask questions, comment on the issues and put forward any explanation they may have for the matters identified by their line manager as amounting to unsatisfactory attendance.

Level 3 - The outcome

The outcome will be confirmed to the employee in writing as soon as possible and usually within seven working days after the formal review meeting.

If performance and attendance expectations have been met, the employee will be advised:

- no further action is necessary and
- if trigger points for investigation are reached again within 12 months of the review meeting, the procedure will continue from the beginning of Level 3.

If there has been some improvement, but expectations have not been met completely, the review period may be extended.

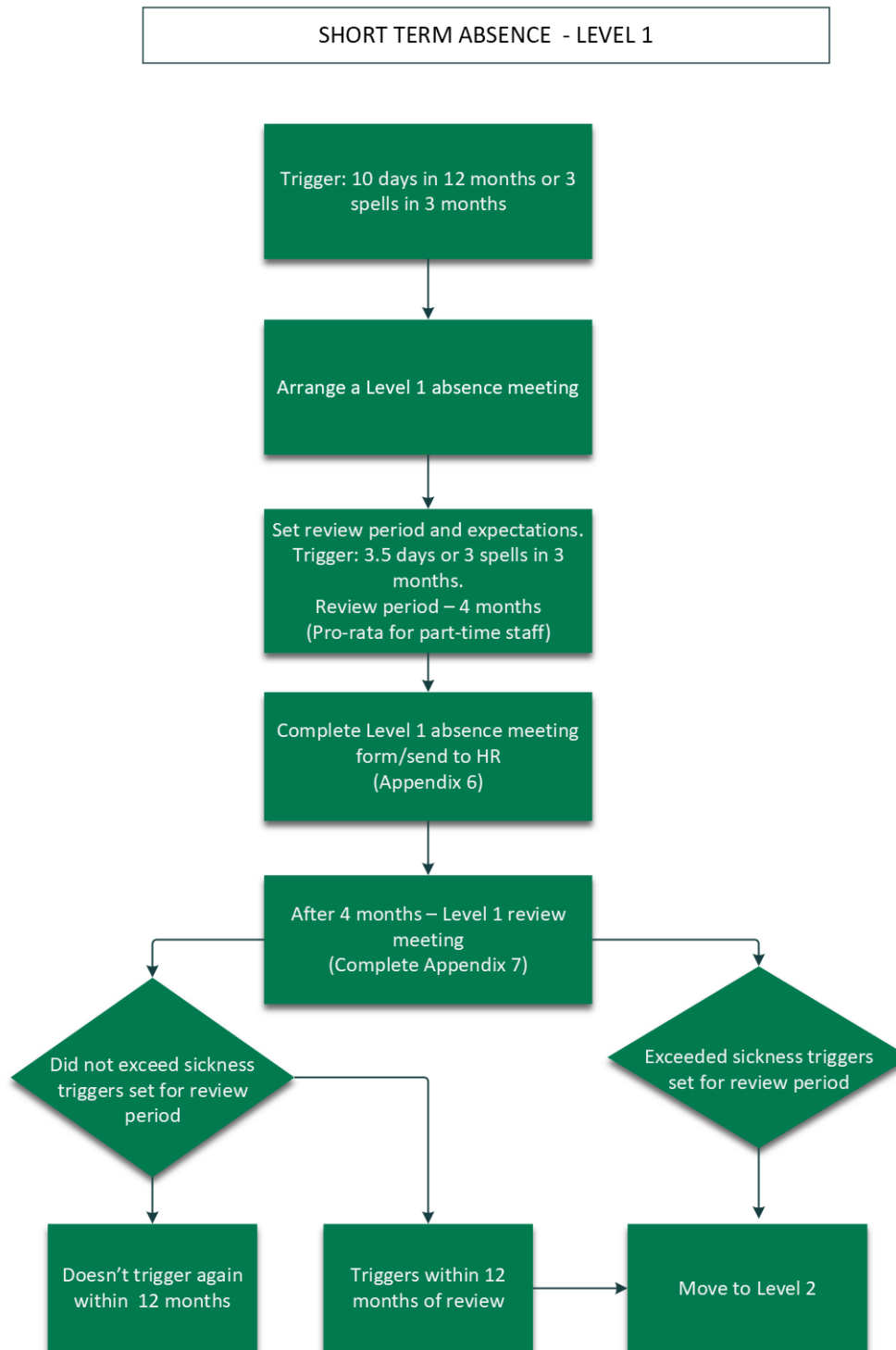
If expectations have not been met, dismissal will be considered. The decision to dismiss together with the reasons for dismissal will be set out in writing and sent to the employee.

17.0 Appeal

The employee has a right of appeal against a sanction issued under Levels 1, 2 or 3 of this policy. This will be dealt with in line with the council's Appeals policy.

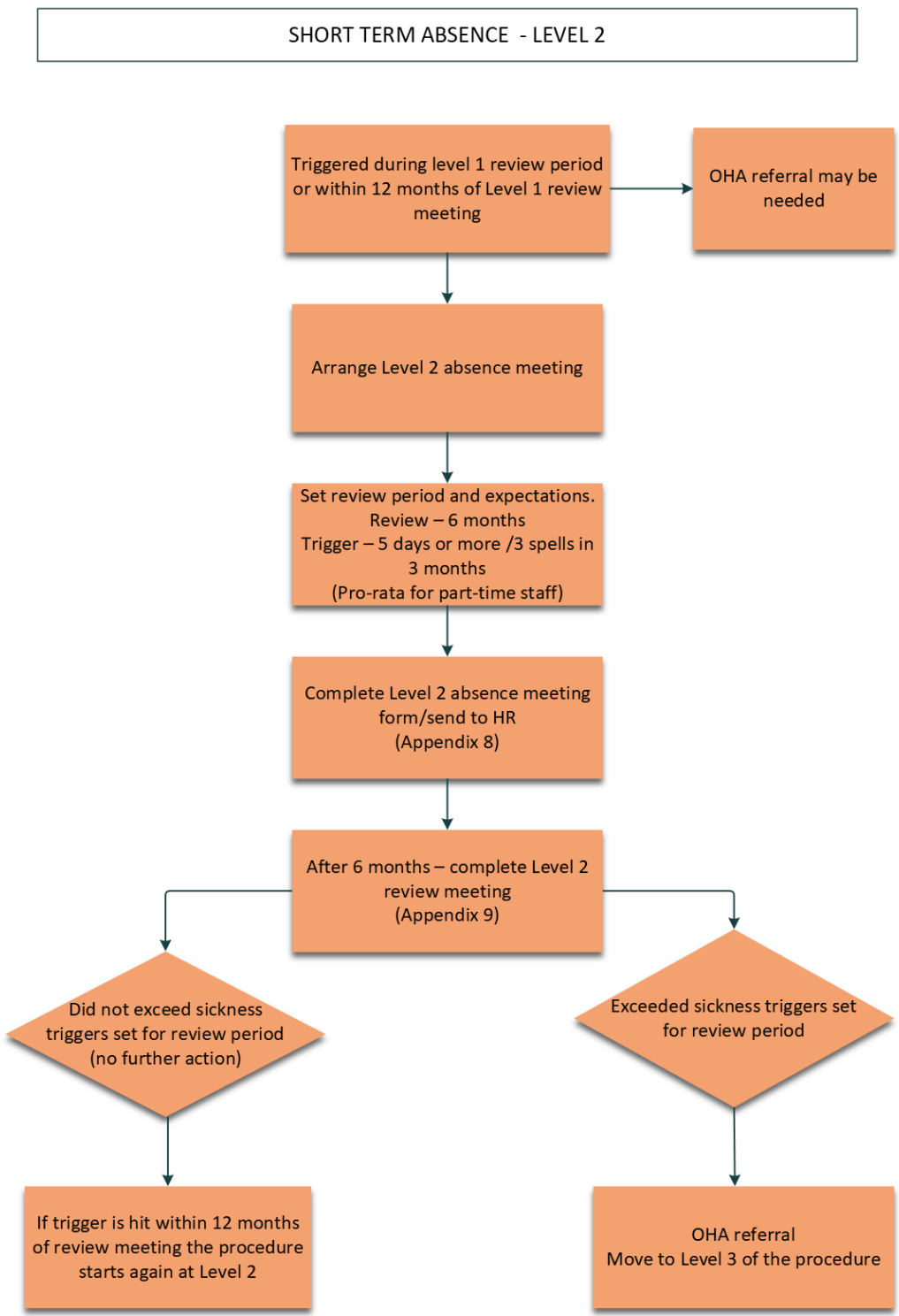
Appendix 1

Short Term Absence Flowchart Level 1



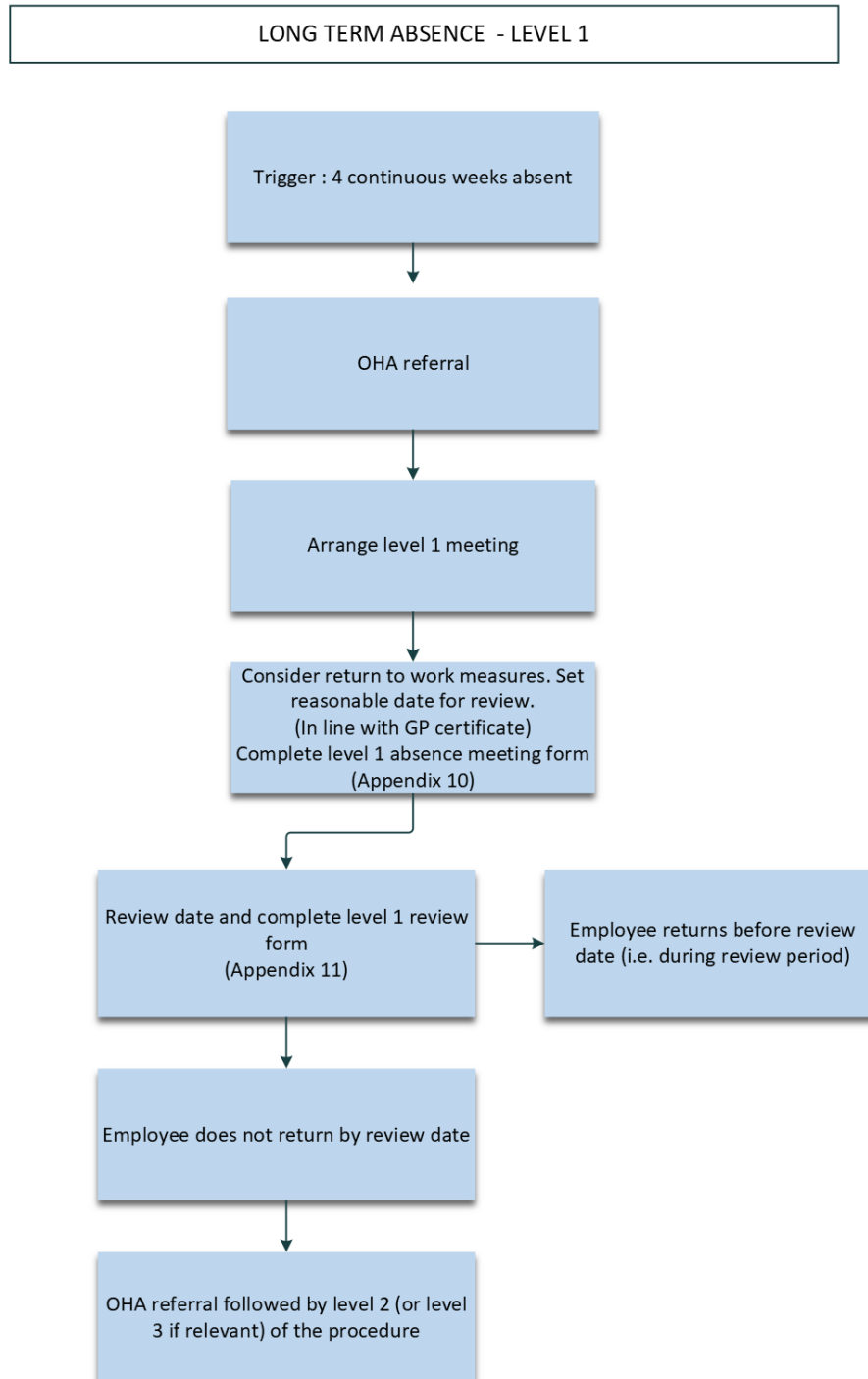
Appendix 2

Short Term Absence Flowchart Level 2



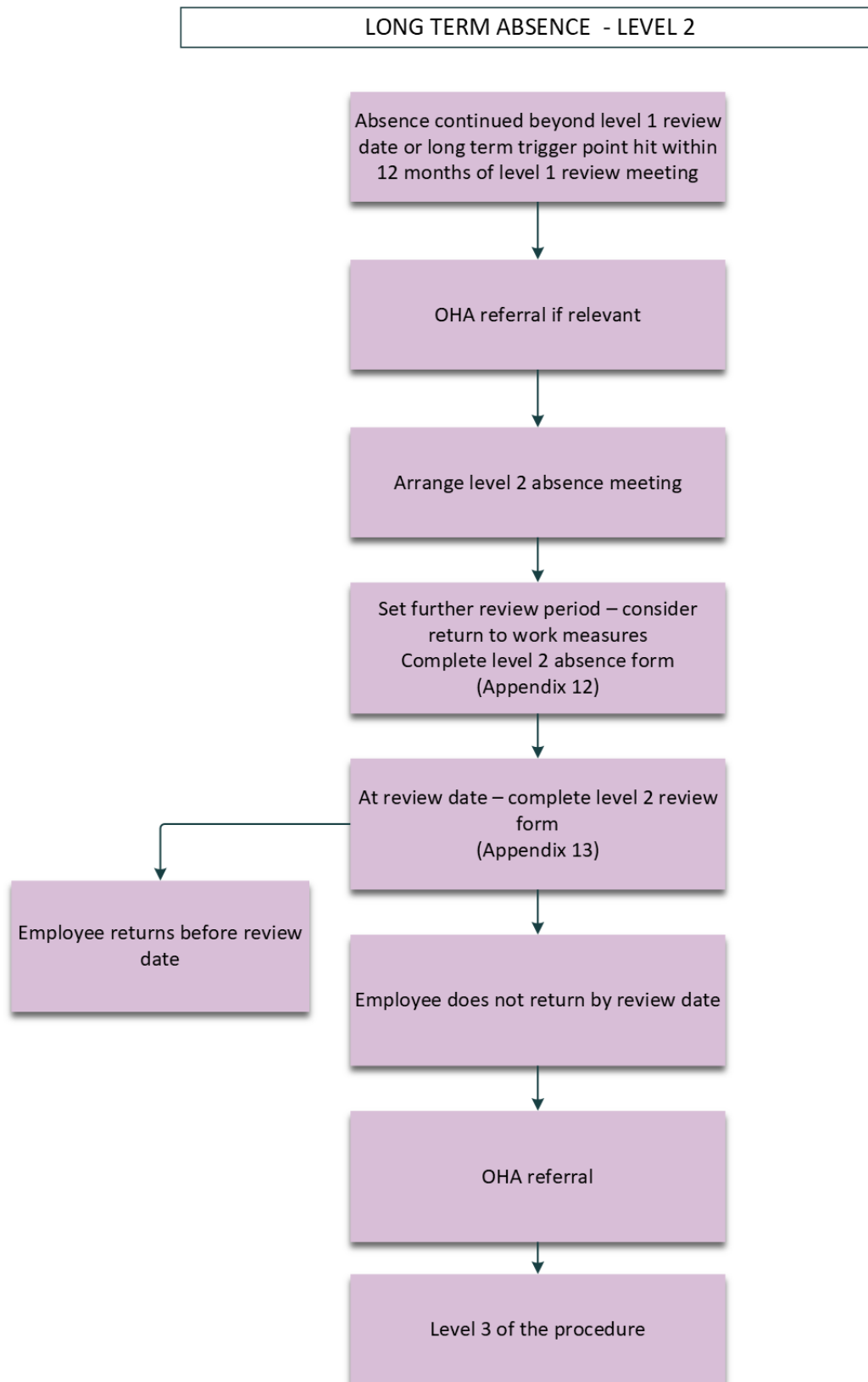
Appendix 3

Long Term Absence Flowchart Level 1



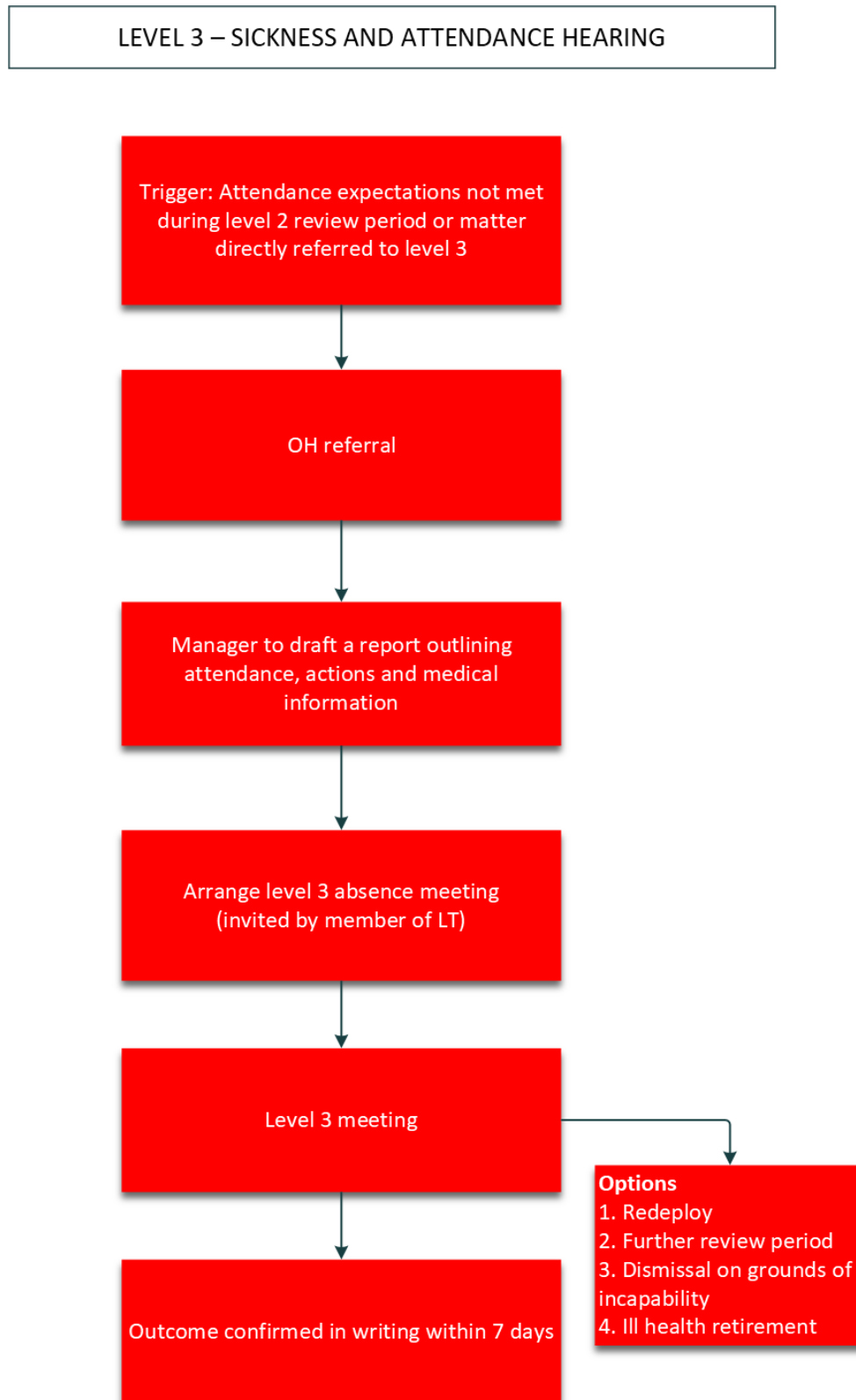
Appendix 4

Long Term Absence Flowchart Level 2



Appendix 5

Level 3- Capability Hearing flowchart



Appendix 6

Short Term Level 1 sickness meeting form (*initial meeting*)

Employee Name:

Service:

Line Manager Name:

Meeting Date:

Action required	Response
Explain reason for meeting: (<i>Outline what triggers have been met & confirm absence dates</i>)	
Request explanation for absences. (<i>check details are correct</i>)	
Is there a pattern of absence/link between sickness bouts:	
Have any health issues been discussed with employees own doctor:	
Any work or personal factors exacerbating absence:	
Level 1 Sickness Meeting Review Date:	
Level 1 Review Period Triggers:	
Explain that Level 2 can be triggered by normal annual triggers which follow in 12 months from review period.	

Employee Signature_____

Date_____

Line Manager Signature_____

Date_____

Appendix 7

Short Term Level 1 sickness review meeting form

Employee Name:

Line Manager Name:

Date of Review Meeting:

Date of L1 Sickness Meeting:

Action required	Response
Outline any absence due to sickness during the review period:	
Have the targets/expectations been met with reference to the council policy?	
If absence is borderline re targets/expectations, is an extension of the review period necessary? <i>State extension period & date as necessary.</i>	
Date sickness review expires if triggers are not met within 12 months.	
Should absence exceed council policy within the next 12-months, state next level of sickness process:	

Employee Signature:

Line Manager Signature:

Date:

Appendix 8

Short Term Level 2 sickness meeting form *(initial meeting)*

Employee Name:

Service:

Line Manager Name:

Meeting Date:

Action required	Response
Explain reason for meeting: <i>(Outline how triggers have been met & confirm absence dates)</i>	
Request explanation for absences. <i>(check details are correct)</i>	
Is there a pattern of absence/link between sickness bouts:	
Any underlying health issues:	
Have health issues been discussed with employees own doctor: What action is the employee taking to improve health / ability to attend? What support/guidance has been given by GP or medical services.	
Review advice from Occupational Health and any action required	
Any work or personal factors exacerbating absence: What support is required from work?	
Return to work, agreed support and phased return plan if relevant.	

Level 2 Sickness Meeting Review Date:	
Level 2 Review Period Triggers:	5 days in 6 months or 3 spells in 3 months

Level 2 Sickness Meeting Review Date:	
Explain that Level 2 can be re-triggered by normal annual triggers which follow in 12 months from review period.	

Employee Signature_____

Date_____

Line Manager Signature_____

Date_____

Appendix 9

Short Term Absence Level 2 sickness review meeting form

Employee Name:

Line Manager Name:

Date of Review Meeting:

Date of L2 Sickness Meeting:

Action required	Response
Outline any absence due to sickness during the review period:	
Have the targets/expectations been met with reference to the council policy?	
If absence is borderline re targets/expectations, is an extension of the review period necessary? <i>State extension period & date as necessary</i>	
Date sickness review expires if triggers are not met within 12 months.	
Should absence exceed council policy within the next 12-months, state next level of sickness process:	

Employee Signature:

Line Manager Signature:

Date:

Appendix 10

Long Term Absence Level 1 Sickness Meeting form (initial meeting)

Employee Name:

Service:

Line Manager Name:

Meeting Date:

Action required	Response
Explain reason for meeting: (Outline what triggers have been met & confirm dates)	
Request explanation for absences	
Is the recent long-term absence part of any pattern:	
Any underlying health issues:	
Have health issues been discussed with employees own doctor: What action is the employee taking to improve health / ability to attend? What support/guidance has been given by GP or medical services.	
Review advice from Occupational Health and any action required	
Any work or personal factors exacerbating absence: What support is required from work?	
Return to work, agreed support and phased return plan if relevant.	

Actions required	Response
Level 1 Sickness Review Date:	
Level 1 Review Period Triggers:	

Actions required	Response
Explain that Level 2 can be triggered by normal annual triggers which follow in 12 months from review.	

Employee Signature _____

Date _____

Line Manager Signature _____

Date _____

Appendix 11

Long Term Absence Level 1 sickness review meeting form

Employee Name:

Line Manager Name:

Date of Review Meeting:

Date of L1 Sickness Meeting:

Action required	Response
Outline any absence due to sickness during the review period:	
Have the targets/expectations been met with reference to the council policy?	
If absence is borderline re targets/expectations, is an extension of the review period necessary? <i>State extension period & date as necessary.</i>	
Date sickness review expires if triggers are not met within 12 months.	
Should absence exceed council policy within the next 12-months, state next level of sickness process:	

Employee Signature:

Line Manager Signature:

Date:

Appendix 12

Long Term Absence Level 2 sickness meeting form *(initial meeting)*

Employee Name:

Service:

Line Manager Name:

Meeting Date:

Action required	Response
Explain reason for meeting: <i>(Outline how triggers have been met & confirm absence dates)</i>	
Request explanation for absences. <i>(check details are correct)</i>	
Is there a pattern of absence/link between sickness bouts:	
Any underlying health issues:	
Have health issues been discussed with employees own doctor: What action is the employee taking to improve health / ability to attend? What support/guidance has been given by GP or medical services.	
Review advice from Occupational Health and any action required	
Any work or personal factors exacerbating absence: What support is required from work?	
Return to work, agreed support and phased return plan if relevant.	

Level 2 Sickness Meeting Review Date:	
Level 2 Review Period Triggers:	5 days in 6 months or 3 spells in 3 months

Level 2 Sickness Meeting Review Date:	
Explain that Level 2 can be re-triggered by normal annual triggers which follow in 12 months from review period.	

Employee Signature_____

Date_____

Line Manager Signature_____

Date_____

Appendix 13

Long Term Absence Level 2 sickness review meeting form

Employee Name:

Line Manager Name:

Date of Review Meeting:

Date of L2 Sickness Meeting:

Action required	Response
Outline any absence due to sickness during the review period:	
Have the targets/expectations been met with reference to the council policy?	
If absence is borderline re targets/expectations, is an extension of the review period necessary? <i>State extension period & date as necessary</i>	
Date sickness review expires if triggers are not met within 12 months.	
Should absence exceed council policy within the next 12-months, state next level of sickness process:	

Employee Signature:

Line Manager Signature:

Date:

Appendix 14

East Herts Council Stress Risk Assessment Form

The HSE Management Standards cover six key areas of work design that, if not properly managed, are associated with poor health and well-being, lower productivity and increased sickness absence. In other words, the six Management Standards cover the primary sources of stress at work, this form prompts discussion on each source so that action can be informed.

Demands – this includes issues such as workload, work patterns and the work environment.

Control – how much say the person has in the way they do their work.

Support – this includes the encouragement, sponsorship and resources provided by the organisation, line management and colleagues.

Relationships – this includes promoting positive working to avoid conflict and dealing with unacceptable behaviour.

Role – whether people understand their role within the organisation and whether the organisation ensures that they do not have conflicting roles.

Change – how organisational change (large or small) is managed and communicated in the organisation.

STRESS ASSESSMENT & ACTION PLAN

Service:

Team:

Employee Date of assessment:

Review date:

Manager's signature:

HR's signature:

Employee signature:

RISK LEVEL	High	Medium	Low		
	High probability of long term sickness due to work related stress	Medium probability of sickness due to work related stress	Low probability of work-related stress		
	Immediate action required	Action required	Exposure to hazard - rare.		
Potential work-related stressors identified	Risk Rating	Individual concerns	Reasonable adjustments	Target date for implementation and person(s) responsible	Review date
Demands					
What causes you to feel under unnecessary pressure?					
Are priorities clarified?					
Are deadlines realistic and agreed?					
Do you have appropriate skills and knowledge to undertake the tasks?					
Do you have sufficient resources?					
Do you feel the work is boring/repetitive?					
Control					
Is there clarity of who does what in the team?					
Do you have control over the way you carry out tasks?					
Do you have a say in your work speed?					
Support					

Can you rely on your manager to help you with a work problem?					
Does your line manager encourage you at work?					
Are you given supportive feedback on the work you do?					
Do you get help and support from colleagues and staff?					
Do you receive the respects at work you deserve from your colleagues/staff?					
Relationships					
Is there friction or anger between colleagues?					
Are you subject to bullying at work?					
Are relationships at work strained?					
Role					
Do you understand the key aspects of your role?					
Are the standards expected clearly outlined?					
Are there demands placed upon you that are not in line with the role?					

Is there a clear reporting structure?					
Change					
Have you been given the opportunity to comment on change at work?					
Have you been consulted about change at work?					
Have you been supported through change by the team?					
Other stressors					
Do you have any other issues that's affecting your work?					

Appendix 15

Change Log:
2025 Policy issued.

Contents

1.0 When would I use this policy?	2
2.0 Introduction	2
3.0 Scope	2
4.0 Time limits and submission	3
5.0 Grounds for appeal	3
6.0 Appeals Procedure	4
7.0 Appeal meeting process	4
Appendix 1 Appeal Submission Form:	6
Appendix 2 Appeal Process Flowchart	7
Appendix 3 Change log	8

Appeals policy

June 2025

Executive Summary

This policy provides a clear and structured appeals process for employees who wish to challenge employment-related decisions. It ensures fairness, compliance with UK employment law, and adherence to ACAS guidelines. Key provisions include eligibility criteria, acceptable grounds for appeal, procedural steps, and timeframes for submission and resolution.

This policy takes precedence over any appeals processes detailed in existing policies.

Employees who wish to challenge employment-related decisions. It ensures fairness, compliance with UK employment law, and adherence to ACAS guidelines. Key provisions include eligibility criteria, acceptable grounds for appeal, procedural steps, and timeframes for submission and resolution.

This policy takes precedence over any appeals processes detailed in existing policies.

Employees who wish to challenge employment-related decisions. It ensures fairness, compliance with UK employment law, and adherence to ACAS guidelines. Key provisions include eligibility criteria, acceptable grounds for appeal, procedural steps, and timeframes for submission and resolution.



1.0 When would I use this policy?

1.1 This policy should be used when an employee wishes to appeal against a formal decision made under an employment policy listed in section 3.2. Appeals may relate to:

- disciplinary matters,
- grievances,
- performance management,
- absence management,
- redundancy and suitable alternative decisions,
- flexible working decisions,
- harassment and bullying cases,
- whistleblowing or
- discrimination claims.

1.2 This policy takes precedence over any appeals processes detailed in existing policies.

1.3 The appeals process for collective grievances is covered in the council's Grievance Policy.

2.0 Introduction

2.1 This policy provides a structured process for employees to appeal decisions made under various employment policies, ensuring fairness, compliance with UK employment law, and adherence to ACAS guidelines

3.0 Scope

3.1 This policy applies to all East Herts Council employees, excluding Chief Officers, who are subject to alternative procedures listed in the constitution.

3.2 This policy covers appeals related to the following:

- Disciplinary Policy,
- Grievance Policy,
- Managing Performance Policy,
- Absence Management Policy,
- Redundancy Policy (excluding voluntary redundancy),
- Flexible Working Scheme,
- Ending of Fixed Term Employment Policy and procedure,
- Harassment and Bullying Policy,
- Process for dismissal for some other substantial reason (SOSR) and

- whistleblowing and discrimination appeals.

3.3 Any formal appeal not covered by the policies listed above will follow the procedure in section 5.

4.0 Time limits and submission

4.1 Appeals must be submitted in writing within ten working days of the written decision.

4.2 Late appeals will not be considered unless there are exceptional circumstances.

4.3 Appeals must be submitted using the Appeal Submission Form (Appendix A) and sent to the HR Officer.

5.0 Grounds for appeal

5.1 Employees may appeal on the following grounds:

- **Procedural unfairness** A breach of the correct procedure.
- **Unreasonable decision:** A decision that no reasonable person would have made.
- **Disproportionate sanction:** A penalty too harsh for the offence.
- **New evidence:** Significant evidence unavailable during the initial decision.
- **Discrimination:** A decision that breaches the Equality Act 2010.
- **Whistleblowing retaliation:** An appeal related to unfair treatment following whistleblowing.

6.0 Appeals Procedure

6.1 Appeals will be heard by a senior manager not previously involved in the case. Dismissal appeals will be heard by a Director or the Chief Executive.

6.2 Employees have the right to be accompanied by a work colleague or trade union representative if they are a member of UNISON.

6.3 **Remote hearings** will be permitted where appropriate.

6.4 Witnesses may be called only to present new, relevant evidence.

7.0 Appeal meeting process

7.1 Appeals overview

Appeals are typically heard by senior management, such as a Service Manager or Director, who has not previously been involved. Appeals against dismissal are heard by the Director or Chief Executive.

7.2 Against Chief Officers

For appeals concerning the Chief Executive or Chief Officer follow the Constitution for appeals.

7.3 Step 1 - Written notification

- Human Resources will notify the employee of the appeal meeting at least five working days in advance, including their right to be accompanied.
- Meetings should occur within 10 working days of receiving the appeal submission.
- Employees must submit new evidence or notify HR of witnesses five working days before the meeting.
- The senior manager or director must present a detailed response, including all relevant documents, before the meeting.

7.4 Step 2 - Appeal meeting

The appeal meeting will focus on the grounds of appeal, allowing any new and relevant evidence.

Role of Human Resources

An HR Officer will accompany the senior manager or director to advise on procedures and take notes. An additional note taker may be appointed where appropriate.

Witnesses

- Original witnesses are not required unless new evidence related to the appeal's grounds is introduced.
- Employees must notify HR five working days prior to the meeting if they wish to call a witness.

Meeting process

1. The senior manager or director ensures all parties understand the grounds of appeal.
2. The employee presents their case and evidence, followed by questioning.

3. The senior manager or director responds and is also subject to questioning.
4. The employee has the right to sum up their case.
5. The meeting closes for consideration.

7.5 Step 3 - Written notification of outcome

- The employee will receive the decision in writing within five working days.
 - The decision is final, and the council's grievance procedure cannot be used for further challenges.
 - An appeal will not result in an increased penalty, and if a dismissal appeal is successful, the employee will be reinstated with full back pay.
-

Appendix 1: Appeal Submission Form:

Employee Name:

Service:

Job title:

Date of Appeal submission:

Policy Under Which Appeal is Being Made: _____

Decision Being Appealed: _____

Grounds for Appeal (tick as appropriate):

- Procedural unfairness
- Unreasonable decision
- Disproportionate sanction
- New evidence
- Discrimination
- Whistleblowing retaliation

Details of Appeal:

(Provide an explanation of why you are appealing and attach any supporting evidence)

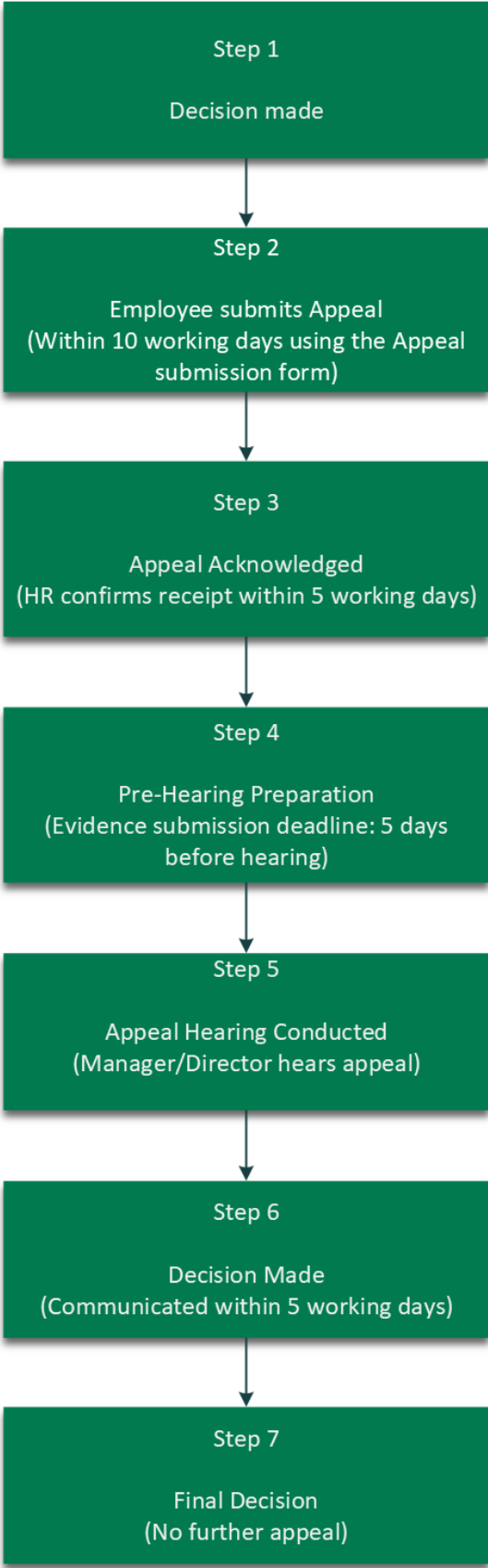
Desired Outcome:

Signature: _____

Date: _____

Submit to: HR Officer within **10 working days** of the decision.

APPENDIX 2 – APPEAL PROCESS



Appendix 3: Change log
2025 Policy issued.

Contents

When would I use this policy?	1
1.0 Introduction	1
2.0 Scope	1
3.0 General Principles	3
4.0 Mediation	4
5.0 Fairness and respect	4
6.0 Confidentiality	4
7.0 Support	4
8.0 Raising an informal grievance	4
9.0 Raising a formal grievance	5
10.0 Collective grievances	7
Appendix 1: Grievance process flowchart	9
Appendix 2: Change Log	10

Grievance policy

June 2025

Executive Summary

The council fosters a culture in which any workplace problems, complaints or concerns can be raised within a supportive framework, and we will ensure that all genuine grievances are dealt with quickly and fairly. Most grievances can be resolved informally. However, if an informal approach does not resolve matters, or is not appropriate, the formal grievance process can be followed. This policy sets out the council's approach to resolving both informal and formal grievances. The policy outlines the grievance process, the roles of those involved and support available.



When would I use this policy?

This policy should be referenced when:

- You have a concern, problem or complaint at work, for example:
 - things you are being asked to do as part of your job
 - terms and conditions of your employment
 - the way you're being treated at work
 - discrimination at work
- You are a manager and one of your team has raised an informal or formal grievance.
- You have been asked by HR to hear a formal grievance as a Hearing Manager.

1.0 Introduction

- 1.1 We foster a culture in which you can raise any workplace problems, complaints or concerns in a supportive framework, and we will ensure that all genuine grievances are dealt with quickly and fairly.
- 1.2 Most grievances can be resolved informally. However, if an informal approach does not resolve matters, or is not appropriate, you may choose to raise a formal grievance.
- 1.3 This policy outlines the grievance process, the roles of those involved and support that is available to you.
- 1.4 This policy does not form part of your contract of employment, and we reserve the right to amend or withdraw it at any time.
- 1.5 This policy has been developed in accordance with the ACAS Code of Practice on Grievances and in consultation with Unison.

2.0 Scope

- 2.1 This policy applies to all employees except for Chief Officer level or any other nominated statutory posts. For these postholders, the principle will apply, however reference should be made to the separate nationally agreed terms and conditions of employment for policy and procedural guidelines. This policy does not apply to contractors, consultants or any self-employed individuals working for the organisation.
- 2.2 If your complaint relates to bullying or harassment, you should raise it under the separate Bullying and Harassment policy.

- 2.3 Issues that are the subject of collective negotiation or consultation with the trade union will not be considered under this policy.
- 2.4 If you have a grievance that relates to ongoing disciplinary proceedings against you, you should raise this during the disciplinary procedure (for example during the disciplinary meeting or appeal stage).
- 2.5 If you raise a grievance during disciplinary proceedings that is unrelated to those proceedings, the disciplinary proceedings and grievance procedure will normally run independently in parallel.
- 2.6 This procedure cannot be used as a way to appeal an outcome from another policy; in those cases the appeal process should be followed.
- 2.7 Grievances raised about the same issue by two or more employees (or by a union representative on their behalf) will follow this policy but will usually be dealt with collectively. See section 9 for more details.
- 2.8 Wherever possible a grievance should be dealt with before an employee leaves the council's employment. Grievances raised after employment ends will not be dealt with in line with the council's formal grievance policy.
- 2.9 Where an employee raises a concern as a 'protected disclosure' in compliance with the public interest disclosure provisions of the 1998 Act, the matter will normally be dealt with under the council's Whistleblowing policy.
- 2.10 The Council recognises the right of employees to raise grievances relating to their employment. However, if an employee continues to raise grievances which appear to be repetitive and unfounded, this may be regarded as vexatious and could lead to disciplinary action being taken against them.
- 2.11 A flowchart outlining the informal and formal grievance process can be found in Appendix 1.

3.0 General Principles

- 3.1 At any stage of the procedure, where specified people are designated to hear the grievance, appropriate substitutes may be used in cases of non-availability or where otherwise considered appropriate.
- 3.2 Where timescales are specified in the procedure, these may be varied on account of unavoidable circumstances – for example the need of the manager hearing the grievance to carry out further investigations - or by mutual consent.
- 3.3 At any stage of the procedure, the manager hearing the grievance will have the right to determine who they require to be present in order to gather the

information they need to make a decision. The aggrieved employee will be notified in advance who will be in attendance and in what capacity.

- 3.4 Where an employee has a disability, concern or a specific support need which makes any part of procedure more difficult the HR Officer should be advised so that additional support may be considered.
- 3.5 If it is not possible to hold a face-to-face meeting under this procedure, we will conduct the process remotely. We will ensure that all those participating have access to the necessary technology. Your rights will not be affected, and we will ensure that the procedure remains fair and reasonable.
- 3.6 A written record of all meetings conducted under this procedure will be made, either by the person holding the meeting or by an additional person arranged by us to take notes. We may use electronic support to support the note taker, for example using Teams to transcribe the meeting or recording the meeting for the note taker's reference. Where we intend to record meetings, we will comply with our data protection obligations and obtain prior consent from all attendees.
- 3.7 The aggrieved employee or any person acting on their behalf, are not normally permitted to record electronically any meeting held under the grievance procedure. This is to encourage openness and full participation. Any breach of this provision may lead to disciplinary action, which could include dismissal. In certain limited circumstances, we may permit a meeting to be recorded electronically, for example where it is a reasonable adjustment for an employee with a disability. Where we permit a meeting to be recorded electronically, we will take responsibility for making the recording. Where we intend to record meetings held remotely, we will comply with our data protection obligations and obtain prior consent from all attendees.

4.0 Mediation

- 4.1 Depending on the nature of your grievance, we may suggest mediation as a means of trying to resolve it. This involves the appointment of a third-party mediator, who will discuss your grievance with all of those involved and seek to facilitate a resolution. We will use mediation only where you, and the other parties involved in your grievance, agree to do so.

5.0 Fairness and respect

- 5.1 We recognise that a grievance procedure can be stressful and upsetting. Everyone involved in the process is entitled to be treated calmly and with respect. We will not tolerate abusive or insulting behaviour from anyone taking part in a grievance procedure and will treat any such behaviour as misconduct under our disciplinary procedure.

6.0 Confidentiality

- 6.1 All parties involved in a grievance must respect confidentiality, this includes any witnesses interviewed as part of the investigation. Any records will be kept securely and in accordance with the General Data Protection Regulations (GDPR).

7.0 Support

- 7.1 Support for all parties involved in a grievance is available through the employee assistance programme (EAP). Further details can be found on the [intranet](#).

8.0 Raising an informal grievance

- 8.1 In the first instance, you should raise any grievance that you may have informally with your line manager. If your grievance is about your line manager, you should raise this with your Senior Manager/Director or the HR & OD Service Manager.
- 8.2 The relevant manager will meet with you to give you the opportunity to explain your grievance and seek to identify whether the issue can be resolved informally. Many concerns can be resolved informally. It is advisable for managers to keep a written note on the nature of the grievance, what was decided/actions taken and the reasons for the actions.
- 8.3 While we encourage the informal resolution of complaints, we recognise that this is not always possible or appropriate, for example if your grievance relates to an issue such as discrimination. Therefore, if the informal process does not resolve matters or is not appropriate, you should raise a formal grievance under this procedure. If it is decided after initial investigation that a grievance has been incorrectly raised as a formal grievance when it could be resolved informally, the HR team reserves the right to ask you to try and resolve it informally in the first instance.

9.0 Raising a formal grievance

- 9.1 Where your grievance has not been resolved informally, or if your grievance is serious in nature, you should raise the matter formally in writing.
- 9.2 It is important that you set out clearly the nature of your grievance and indicate the outcome that you are seeking. If your grievance is unclear, we may ask you to clarify your complaint before we hold a grievance meeting.
- 9.3 You should complete the grievance form found on the [intranet](#) and send it to your HR Officer.
- 9.4 **Stage 1 – Investigation**

- 9.4.1 HR will allocate an appropriate manager (the Hearing Manager) who has not been involved in the case so far and has the appropriate skills and knowledge to hear your grievance.
- 9.4.2 Your grievance will be kept confidential as far as possible. However, before proceeding to a grievance meeting, we may have to carry out an investigation. This will usually be conducted by the same manager who will hear your grievance. The relevant manager will write to you confirming that they are conducting the investigation and the timescale for completion.
- 9.4.3 You will be given a copy of any evidence collated during the investigation in advance of the grievance meeting. However, in some cases, the evidence given by individuals may have to remain confidential. Where confidentiality is necessary, we will provide you with an appropriate summary of the evidence.

9.5 **Stage 2 - Hearing your grievance**

- 9.5.1 The grievance meeting will be held within 10 working days of receiving your written complaint. However, if this is not possible, you will be informed of the reason for any delay and provided with a revised estimated timeline.
- 9.5.2 You will be entitled to be accompanied by a fellow employee or a trade union representative.
- 9.5.3 HR will provide support and guidance at the meeting to ensure the process is followed appropriately.
- 9.5.4 At least 3 working days prior to the meeting, all documents/ evidence and names of witnesses should be exchanged. The Hearing Manager will determine whether it is appropriate for witnesses to be called.
- 9.5.5 The purpose of the meeting is for you to explain the nature of your complaint and what action you feel should be taken to resolve the matter. If more information comes to light, it may be necessary to adjourn the grievance meeting to conduct a further investigation and reconvene the meeting when this has been done.
- 9.5.6 If you are unable to attend the grievance meeting because of circumstances beyond your control, you should inform the manager conducting the meeting as soon as possible. If you fail to attend without explanation, or if it appears that you have not made sufficient attempts to attend, the grievance meeting may take place in your absence, based on your written grievance statement and any other documentation available.
- 9.5.7 If your chosen companion is not be available at the time proposed, we will postpone the hearing to a time proposed by you, provided that the alternative

time is both reasonable and not more than five working days after the date originally proposed.

9.5.8 Following the meeting, the Hearing Manager will inform you in writing, usually within 5 working days after the meeting, of the outcome and any action that will be taken as a result of your complaint. Any other parties involved in the grievance will also be appropriately informed of the outcome.

9.5.9 The Hearing Manager may consider postponing the decision to give more time for deliberation/clarifications however this must be done without unreasonable delay. An estimated timescale for resolution should be communicated to all parties. If it is necessary to clarify any of the evidence presented, including recalling witnesses, all parties will be recalled, even if the point of clarification only concerns one party.

9.6 Stage 3 – Appeal

9.6.1 If you are not satisfied with the outcome of your grievance, you may submit a formal appeal.

9.6.2 The appeal should be submitted to the HR & OD Service Manager using the Appeal Submission form, stating your grounds of appeal and the resolution sought. The appeal must be submitted within 10 working days of receipt of the grievance outcome letter.

9.6.3 The appeal will be held in accordance with the Council's Appeals Policy.

10.0 Collective grievances

10.1 If you and another employee (or more than two of you) have identical grievances and you all wish to have it addressed in one grievance process, you can raise a collective grievance.

10.2 If you are raising a collective grievance, the requirements set out in this policy are varied as follows:

10.3 Raising a formal grievance

10.3.1 You must make it clear on the grievance form that it is a collective grievance. The complaint must be submitted on one form and must clearly identify each employee raising the collective grievance. You and your colleagues will need to nominate one of you to act on behalf of all of you throughout the grievance process. Your grievance form must identify whom you have appointed to be the nominated representative.

10.3.2 If you and your colleagues are all members of the same trade union, your trade union representative may raise the collective grievance on your behalf.

10.4 Stage 2 - Hearing your grievance

10.4.1 If you have been appointed to be the nominated representative, you will be invited to attend one collective grievance meeting. You will be entitled to be accompanied by a fellow employee or a trade union representative. Following the meeting, there will be one identical outcome. Your nominated representative will be notified of the outcome in writing and any action that will be taken as a result of your collective complaint.

10.5 Stage 3 – Appeal

10.5.1 If you, or any of your colleagues, are not satisfied with the outcome of your collective grievance, you may submit a formal appeal. The appeal should be submitted to the HR & OD Service Manager using the Appeal Submission form, stating your grounds of appeal and the resolution sought. The appeal must be submitted within 10 working days of receipt of the grievance outcome letter.

10.5.2 Your appeal must be submitted in one document and must clearly identify those withdrawing from the process and those wishing to appeal. You must also identify whom you have appointed to be the nominated representative throughout the appeal stage.

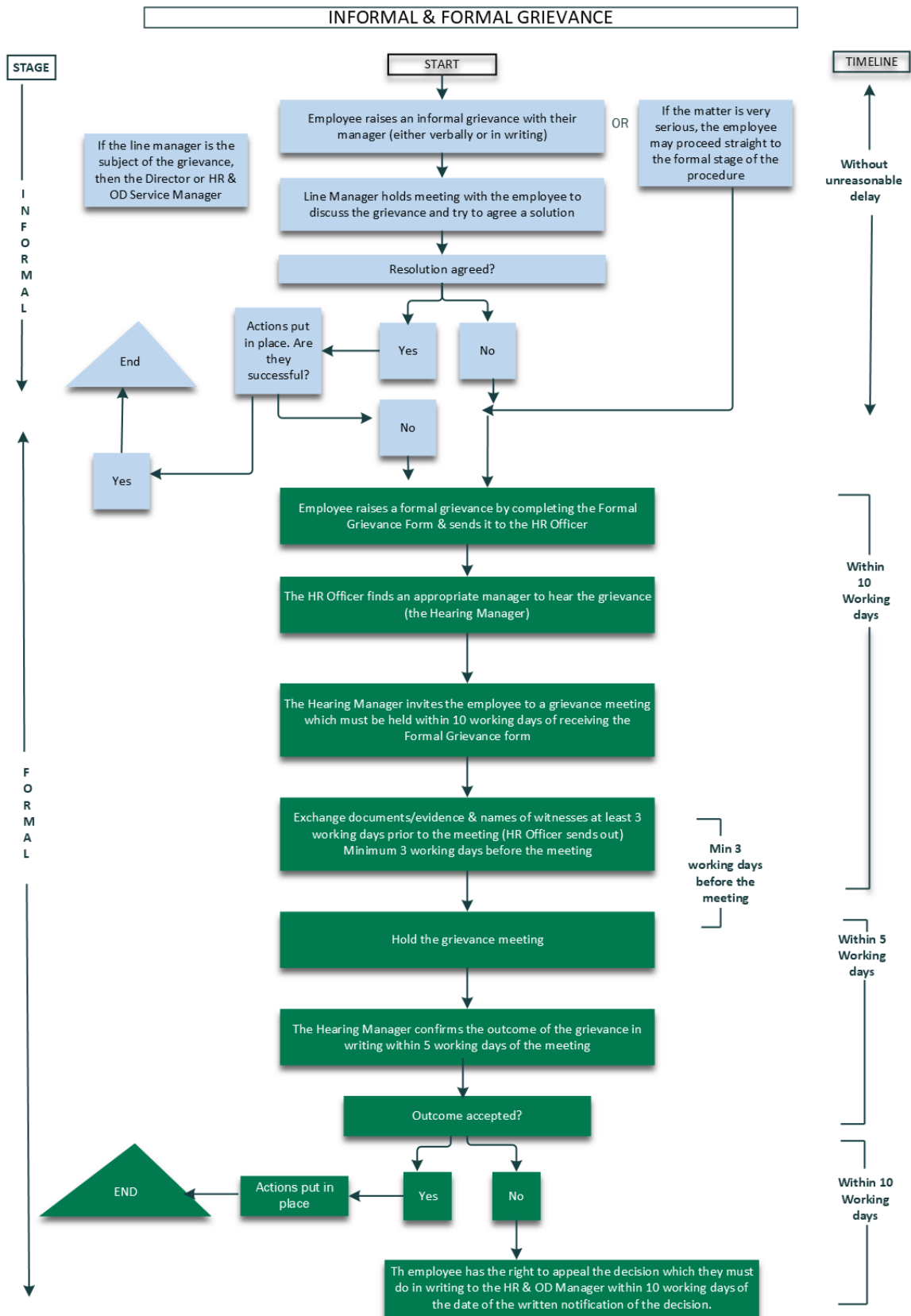
10.5.3 If you have been appointed to be the nominated representative, you will be invited to attend one collective grievance appeal meeting. You will be entitled to be accompanied by a fellow employee or a trade union representative. Following the appeal meeting, there will be one identical outcome. Your nominated representative will be notified of the outcome in writing. The outcome of the collective appeal is final.

10.5.4 If only one employee wishes to appeal, the normal appeals process will apply.

10.6 Dealing with your grievances individually

10.6.1 We reserve the right to hear your grievances individually if you do not all voluntarily agree to the collective grievance process, if your grievances are not identical, or there are exceptional circumstances.

Appendix 1: Grievance process flowchart



Appendix 2: Change log

2025 Policy issued.

Contents

1.0	When to use this Policy	1
2.0	Introduction.....	1
3.0	Travel Expenses	1
4.0	Public Transport.....	2
5.0	Car Parking charges	2
6.0	Subsistence.....	3
7.0	Accommodation	3
8.0	Individual’s Responsibilities.....	3
9.0	Director and Manager Responsibilities.....	4
10.0	Claiming expenses/mileage	4
11.0	Reviewing and approving CEO expenses	5
	Appendix 1: Subsistence increments	6
	Appendix 2: Change log.....	7

Expenses policy

June 2025

Executive Summary

This policy sets out the council’s approach to reimbursing travel and subsistence expenses incurred by employees while conducting official council business. It ensures that expense claims are handled fairly, consistently, and transparently while aligning with the council’s green travel policy. Employees are expected to minimise travel costs by prioritising public transport, car-sharing, and virtual meetings where possible.

The policy outlines the types of expenses that can be claimed, including mileage reimbursement at HMRC-approved rates, public transport costs, car parking fees, subsistence allowances, and accommodation expenses. It also sets clear guidelines for receipt submission, the approval process, and the responsibilities of employees, directors, and service managers in managing and approving claims.

The reimbursement process is designed to cover legitimate, ‘out-of-pocket’ expenses incurred for business purposes, excluding ordinary commuting costs. Claims must be submitted via MyView with appropriate documentation and will be reviewed for accuracy and compliance.



1.0 When to use this Policy

1.1 This policy should be referenced when:

- an employee needs to claim reimbursement for business travel expenses, including mileage and public transport costs,
- a claim for subsistence allowances is required due to additional meal expenses incurred during work-related travel,
- accommodation needs to be booked for business-related overnight stays, ensuring compliance with the approval process,
- employees and managers need guidance on required documentation, such as VAT receipts and proof of business-use insurance,
- directors and service managers review and approve travel and subsistence expense claims, ensuring compliance with council's guidelines,
- the CEO's expenses require independent review by the Leader of the Council and
- there is a need to ensure compliance with the annual review process for travel and expense claims.

2.0 Introduction

2.1 The council will ensure that the reimbursement of expenses is carried out in a fair and consistent manner across the council, supporting the council's green travel policy and based on business need.

2.2 The council reserves the right to reject or delay payment for any expense/mileage claims that do not meet the requirements outlined in this policy.

3.0 Travel Expenses

3.1 All employees who are required to travel for business purposes must adhere to the ethos of the green travel plan; for example, use public transport, car share, and hold virtual meetings where possible.

Mileage	HMRC Rates
Car/van (petrol or diesel) (first 10,000 business miles per annum)	45p per business mile
Car/van (after 10,000 business miles per annum)	25p per business mile

Car/van (electric)	45p per business mile
Car/van electric (after 10,000 business miles per annum)	25p per business mile
Motorcycle	24p per business mile
Bicycle	20p per business mile
Passenger (employee/member)	5p per passenger per mile

Passenger allowance:

This is to be claimed only when you are taking another employee or elected member with you on your journey. Passengers should not claim mileage separately.

4.0 Public Transport

4.1 Claims can be reimbursed for standard class train fares, London Underground and bus fares. Taxi fares can only be claimed for in exceptional circumstances where no other form of travel is reasonably available.

5.0 Car Parking charges

5.1 Car parking charges incurred on council business will be reimbursed only where East Herts Council car parking is not provided. You will receive instructions on where applicable car parks are when issued with a pass from the Facilities team.

6.0 Subsistence

6.1 Employees can claim reimbursement only for the additional expense incurred for meals taken on council business away from their normal base. This does not include alcohol but may include soft drinks.

The maximum claim for meals is as follows:

Breakfast	Before 7am	£7.95
Lunch	Between 12 noon & 2.30pm	£10.97

Evening meal	After 7pm	£16.76
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In exceptional circumstances subsistence allowances can be varied by a director or the Chief Executive. Rates will be increased in line with annual salary awards. Last increase, see Appendix 1.

7.0 Accommodation

7.1 Accommodation must be selected that is appropriate and normally no more than a 4 star level. Approval before booking is required by your director.

8.0 Individual's Responsibilities

8.1 Members of staff who have to travel by car must hold a full current driving licence and insurance covering business use at all times. These will be regularly checked by the employee's line manager as part of the annual PDR process.

8.2 Employees should submit expense or mileage claims via MyView.

8.3 If approved by the 6th of the month, all approved claims will be paid in the same month. Claims exceeding three calendar months will not be authorised to be paid.

Receipt submission:

All expense claims must be accompanied by a valid VAT receipt at the time of submission.

Missing receipts:

If a receipt is unavailable, provide an explanation detailing the reason for the missing receipt.

9.0 Director and Manager Responsibilities

9.1 The HR Officers will provide guidance to them in meeting their obligations listed below.

Director and Manager will be responsible for:

- Review all official travel and agree that it is necessary for the employee to carry out their duties effectively.
- Checking documents for employees using their own vehicle for any journey on Council business to ensure that their insurance covers them for business use and that they have a valid driving licence, insurance certificate and MOT certificate (if applicable) as part of the induction process. Documents must be checked on joining and then carried out on the annually in their PDR.
- Authorising expense/mileage claims submitted via MyView that are in accordance with this policy. The authoriser should confirm that the receipt

matches the details of the claimed expense and that the expense falls within the Council's allowable expense categories.

- Documenting the reason provided by the employee for any missing receipt. Mileage claims should be verified against available records/logs. For any other expenses, the plausibility of the claim should be assessed while checking for any available supporting evidence.

10.0 Claiming expenses/mileage

10.1 Employees can claim for business journeys made in the performance of their duties but NOT journeys which are ordinary commuting or private travel. This also applies to home workers; for further guidance see the Home Working Policy. Ordinary commuting or private travel does not include callouts on a non-working day or a requirement for a repeat journey on a work day.

10.2 Mileage to a temporary workplace can be claimed LESS ordinary home to workplace mileage. If the journey is less than the normal home to the permanent workplace, then no claim is permitted.

10.3 As a general rule, reimbursement should only be for 'out of pocket' expenses.

11.0 Reviewing and approving CEO expenses

- The CEO must submit all expense claims with appropriate receipts and documentation in accordance with the general expenses policy.
- The CEO's expense claims will be reviewed by The Leader of the Council, ensuring an independent review process.
- The reviewer will assess the claims for compliance with the council's expense policy, ensuring all expenses are legitimate, adequately documented and fall within allowable categories.

Appendix 1: Subsistence increments

	Pay award % per year	pay increase multiplier	Breakfast	Lunch	Evening meal
2020			£7.21	£9.95	£15.20
2021	1.75	1.0175	£7.34	£10.12	£15.47
2022	1.75	1.0175	£7.46	£10.30	£15.74
2023	3.88	1.0388	£7.75	£10.70	£16.35
2024	2.5	1.025	£7.95	£10.97	£16.76

Appendix 2: Change log

2018 Policy issued.

2021: Policy reviewed.

2025: The policy was reviewed. Subsistence allowances were included, and formatting was improved. Clarity on the claims process and receipts was required.