



**GREAT
YARMOUTH**
BOROUGH COUNCIL

JOB EVALUATION MAINTENANCE AND APPEALS POLICY

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JOB EVALUATION MAINTENANCE AND APPEALS POLICY

January 2008
(Revised December 2011)
(Minor amendments January 2012)

1. Introduction

This policy and its associated procedures replace the Council's previous 'Job Evaluation Maintenance Policy' and 'Job Evaluation Appeals Procedure' and appears as an appendix to the Council's Local Conditions of Service.

Great Yarmouth Borough Council has adopted the Local Government Single Status Job Evaluation Scheme, which provides a means of establishing systematically the relative values of different jobs. The Scheme is used to determine job grades and pay levels of both new and existing posts and is recognised by management and UNISON as the only mechanism within the Council for determining the pay of all posts below Chief Officer level. Having introduced the Single Status Job Evaluation Scheme, and in order to ensure that the Council continues to have in place a fair and equitable pay structure which meets the requirements of Equal Pay legislation, it is essential that this Job Evaluation Maintenance and Appeals Policy is applied fairly and consistently.

Part 2, Paragraph 5.3 of the NJC for Local Government Services 'National Agreement on Pay and Conditions of Service' advises: "An employee dissatisfied with the grading of their job is entitled to appeal for a reconsideration of the grading. Procedures will be agreed locally to deal with such appeals". This policy and its associated appeals procedure provides a mechanism for employees to raise these appeals.

For the avoidance of doubt, there is no right of recourse to the Local Grievance Procedure in terms of pay and grading issues. However, if the appellant feels that a process associated with this policy has been handled improperly, they may raise a grievance against this via the Local Grievance Procedure.

2. Situations Where Senior Managers will require posts to be evaluated

Category I - New posts - where a new post is to be formally added to the approved structure of the Council, the appropriate Senior Manager (normally the Service Manager, although on occasion this may be a Head of Department, Deputy Managing Director, or the Managing Director) will be responsible for ensuring the accurate completion and authorisation of:

- a job description,
- person specification
- job description questionnaire,
- service organisation chart

and their submission for evaluation prior to advertising the post.

Posts evaluated within this category cannot be advertised/filled where there are additional budgetary requirements, until the financial effects have been reported and agreed as appropriate.

Category II - Restructuring - before any restructuring can be implemented the full impact of the restructuring must be assessed and costed. This will mean that the affected post(s) must be properly evaluated using:

- a job description,
- person specification
- a completed job description questionnaire, and
- a service/departmental organisation chart

which should be provided by the appropriate senior manager (normally the Service Unit Manager).

It should be recognised that in these situations posts may go up or down and the impact of the protection arrangements should be taken account of in the final assessment of restructuring costs. Posts evaluated within this category cannot be advertised/filled where there are additional budgetary requirements, until the financial effects have been reported and agreed as appropriate.

Category III - Changes of significance to job descriptions – In considering how a job may have changed, Senior Managers must be mindful of the provisions of paragraph 5 of this policy (headed ‘Development Opportunities’). Where it is considered that a job has significantly¹ changed as a result of changes to working practices or the allocation of duties and responsibilities (but outside of the scope of a restructuring), the Senior Manager will be responsible for producing and agreeing:

- a new job description;
 - person specification, and
 - job evaluation questionnaire
- with the post holder(s).

The MAINTENANCE PROCESS for evaluating jobs under categories I, II and III above is shown in Appendix 1.

Within the Maintenance Process (which is a management driven process) there is no provision for appeals by managers or employees.

3. Situations where Post Holders may appeal against the grade of their own job

Category VI – the post holder is dissatisfied with the grading of their job

A post holder may appeal if they are dissatisfied with the grading of their job. Reasons for this may include:

- their job appears to have changed significantly since it was last evaluated
- they consider their job to be the same as another job within the Authority which is paid on a different grade, or
- they consider the current evaluation of their job to be incorrect.

It is, however, insufficient for the purposes of a valid appeal for the appellant to state solely that the total number of points awarded is incorrect or felt to be unfair. If an employee constructs their appeal solely on this basis the Appeals Panel will not hear it.

The APPEALS PROCESS for category IV is shown in Appendix 1

4. Provision of Information for Evaluation Panels and Appeals Panels

¹ A significant change is a change that has the potential to result in an amendment of the factor level of one or more of the 13 factors in the National Scheme

All information to be considered by panels must be submitted to Service Manager (HR) at least five working days before the panel is due to meet.

The following information is to be provided:

<i>Provider</i>	<i>Information for Evaluation Panel</i>	<i>Information for Appeals Panel</i>
Senior Manager	<ul style="list-style-type: none"> ▪ The proposed/current job description ▪ the proposed/current person specification ▪ the completed job evaluation questionnaire ▪ the service proposed organisation chart showing structure of the whole service (or department if relevant) 	<ul style="list-style-type: none"> ▪ The current, up-to-date, job description ▪ the current, up-to-date, person specification ▪ the service organisation chart showing structure of the whole service (or department if relevant) ▪ a completed 'Manager's Views' form outlining objective observations on the post holder's case for appeal
Post Holder		<ul style="list-style-type: none"> ▪ A completed appeal statement (using the form shown in Appendix 2) specify their grounds for appeal² ▪ Any other information supporting the appeal
HR		<ul style="list-style-type: none"> ▪ The score sheet for the evaluation with any comments made by the Panel

Where an appeal concerns an evaluation for a group of identical posts (a 'generic' group), the post holders within the generic group should ideally provide one written statement agreed by the whole group.

5. Attendance at Panel Meetings

Evaluation Panels will normally make decisions based solely on the information provided in documents from the Senior Manager. However, where the evaluation panel feels it appropriate, the panel will request the Senior Manager's attendance to clarify any issues it feels relevant.

Moderation Panels, being solely concerned with ensuring consistency of evaluation results and the identification of potential anomalies, will not normally require the attendance of any other individuals but will refer any concerns back to the evaluation panel for reconsideration and/or detailed explanation. However, where the moderation panel feels it appropriate, the panel will request the chair of the evaluation panel's attendance to clarify any issues it feels relevant.

Appeals Panels will require the presence of the Senior Manager. Joint representatives of JE Panel will also normally attend to give information and clarify issues. The employee may attend to present their case if they wish and may be accompanied by a work colleague or union representative. The employee may also call any relevant witnesses to support their case.

In the case of a group appeal (arising from a generic post) the group should nominate one person to address the hearing, with a representative if required (see above). All other members of a generic group may attend if they wish as observers, but may not contribute to the hearing.

6. Powers of the Appeals Panel

The Panel will have power to allow or reject an appeal (either wholly or in part). The Panel can amend the level award appealed against if, on hearing the evidence, it is judged to be appropriate. Outcomes of the appeal process could either be:

- (a) a higher level award is made;
- (b) there is no change to the level awarded;
- (c) a lower level award is made.

This means that there is a potential for the grade of the post to rise, remain the same or fall.

The findings of the Appeal Panel are subject to scrutiny by the Moderation Panel and, where anomalies are identified, may be referred back to the Appeals Panel for reconsideration and/or clarification.

7. Further Responsibilities of Senior Managers

Following the completion of any evaluation(s), the result must be referred by the Senior Manager to the Executive Management Team if there are budgetary issues. Otherwise, implementation of the results will normally take place within one month of an evaluation taking place³.

Development Opportunities - Where employees, as part of their personal development, agree to undertake (for a specified time) specific tasks to broaden their knowledge, skills and understanding, this will not result in grounds for re-evaluation. [An individual who is acting up into a higher-level post also has no recourse to this procedure, as that is covered by the Council's 'Principles for Payment of Honoraria'.] Senior Managers are responsible for explaining such situations to employees. Furthermore, an employee may bring specific skills and abilities to their job, by virtue of previous training, aptitude or experience, which significantly enhance their job performance or the way they carry out the job. These matters are not grounds for a re-evaluation of the post.

8. Assimilation and Pay Protection arrangements

The spirit of the assimilation and pay protection arrangements specified in the Local Collective Agreement for Implementation of Single Status will apply where a grade changes following an evaluation under Categories II, III, and IV of this Policy. Where the pay grade drops the employee's salary (in that post) will normally be frozen for up to three years.

Whilst the spirit of the assimilation arrangement will normally apply to posts evaluated under Category I when they are filled internally, the pay protection arrangement will not.

Backdating of any pay rises resulting from this process would normally be either:

³ *In the case of a restructuring, it should be borne in mind that UNISON have 21 days in which to be consulted on the proposals and this could cause implementation to take longer than one month*

- The date on which the Service Manager lodges details of the job to HR - see Appendix 1, step (B), or
- The date on which the employee lodges their appeal documents with HR - see Appendix 1, step (1)

Any applications, in extraordinary circumstances, for further backdating must be made to the HR Working Group.

9. Review

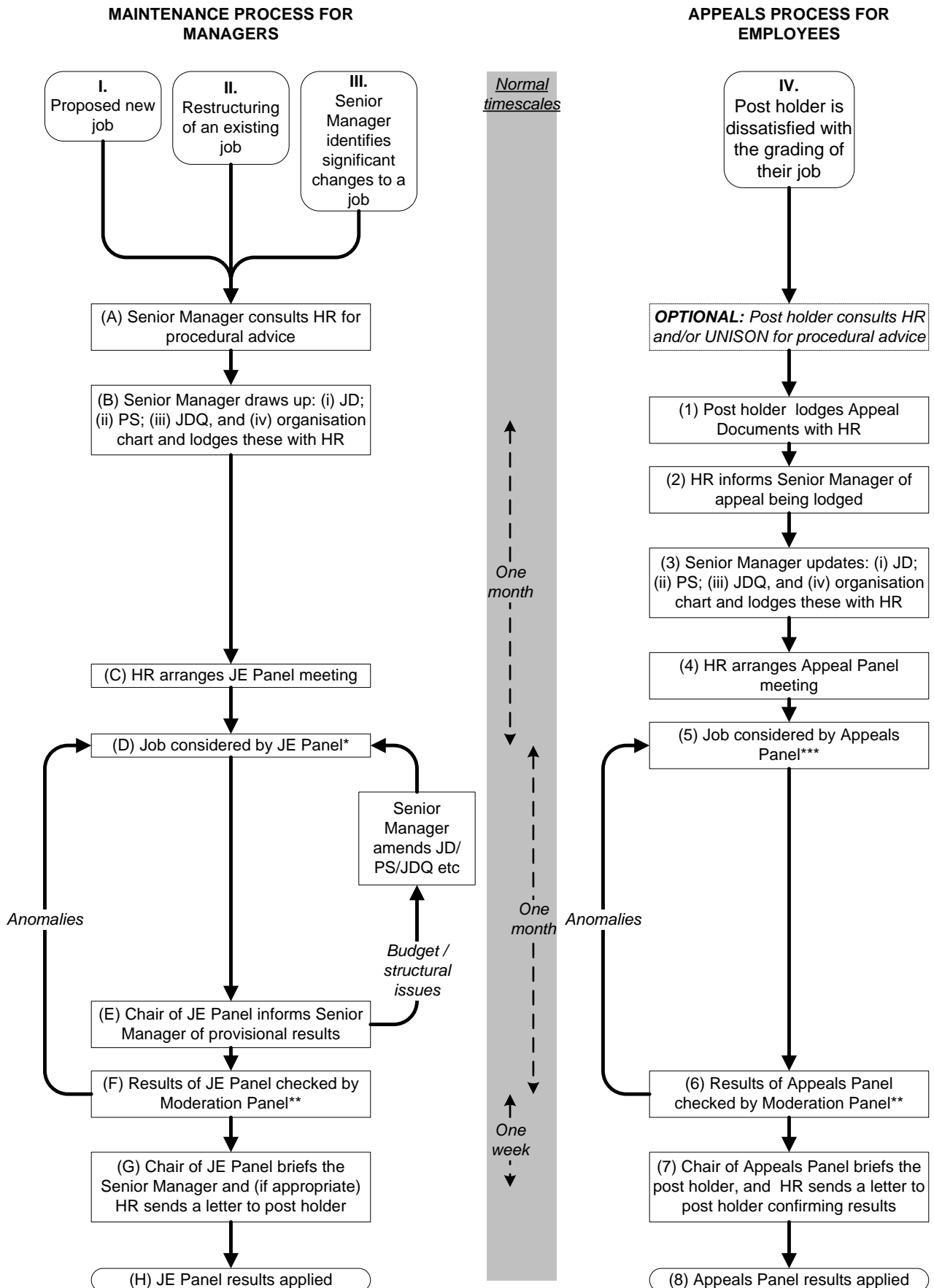
This Policy (and its associated Appeals Procedure) will be subject to annual review.

Reviewed: December 2011

Reviewed by: Service Manager (HR)

Next review due: December 2012

Appendix 1 – THE ‘JOB EVALUATION MAINTENANCE PROCESS’ AND ‘APPEALS PROCESS’



NOTES:

* Four person **JE Panel** is made up of two management reps, and two UNISON reps. A majority decision is required.

** Two person **Moderation Panel** is made up of one UNISON representative and a management representative.

*** Four person **Appeals Panel** is made up of two management reps and two UNISON reps. A majority decision is required.

Wherever possible, all panels will be gender balanced

To help ensure consistency the JE Panel and Moderation Panel will have standing members (with the opportunity to review membership every six months). Substitutes are permissible but, normally, only one substitute may stand in at a Moderation Panel, and no more than two at an Evaluation Panel.

No person should serve on more than one panel in respect of any individual case, nor consider a job within their own area of work or responsibility (i.e. their own service).

All panel members must be competent for their role. Normally this will involve attending an appropriate training course.

Reasonable adjustments will be made to the process to enable post holders (who would otherwise have difficulty) to participate. For example:

- ♦ *Appeals Panel meetings will normally be held at times and in venues which are accessible for the post holder(s), and*
- ♦ *In the event that the postholder cannot provide a written 'Job Evaluation Appeal Statement' statement' other forms of raising the appeal will be considered.*

When considering a job at evaluation panel meetings, and appeals panel meetings, each panel member will initially complete an assessment of the job on an individual level and complete a 'Job Evaluation Score Sheet'. The panel will then, as a whole panel, discuss the job and the chair will complete a further (summary) score sheet giving the consensus view of the panel - with details of the reasons for each decision at factor level. The summary score sheet and individual score sheets will kept in HR as a record of the meetings and decisions taken.

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JOB EVALUATION APPEAL STATEMENT

Your Post No. Your Post Title

Your Name

Is the appeal on behalf of a generic group? YES / NO

Do you intend to attend the appeal hearing? YES / NO

If 'YES', please include here any dates within the next four months on which you would be unavailable

Notes to help you: (see also Section 3 of the Job Evaluation Implementation and Appeals Procedure for more details)

- (i) Please set out below the reason(s) for your appeal. This will constitute your job evaluation appeal statement as required under the Procedure. The grounds for lodging an appeal are set out in the Procedure. Please ensure you cover all your points in as brief and non-repetitious way as possible.
- (ii) Please number all pages at the bottom right hand corner. You may use a continuation sheet if necessary.

The reason(s) for this appeal are as follows:

Appeal signed by

Date

Page No.

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JOB EVALUATION APPEAL STATEMENT - CONTINUATION PAGE

Your Post No. Your Post Title

Your Name

The reasons for this appeal are as follows (cont.):

Appeal signed by **Date**

Page No.

Appendix 3 - PROCEDURE AT THE APPEALS PANEL HEARING

The Appeals Panel will have before it the following:

- A copy of the completed job evaluation questionnaire;
- A copy of the post holder's job description;
- A copy of the post holder's person specification;
- The score sheet for the evaluation with any comments made by the Panel;
- A copy of the appellant's written appeal;
- A copy of the 'Manager's Views' form.

The following documents will also be available for reference:

- The Job Evaluation Scheme and the local conventions;
 - The scores of all posts (for appeals where appellants consider that jobs similar to their own are on a higher grade).
- (a) If the appellant has chosen to attend, s/he will introduce the written appeal after which the Appeals Panel and the Job Evaluation Panel representatives may question the appellant. Any witness permitted to address the hearing by the Appeals Panel may also be questioned.
- (b) The appellant's representative may speak on the appellant's behalf, or may act in an advisory capacity to the appellant. Where both parties speak, they should seek to avoid duplication.
- (c) The joint representatives of the Job Evaluation Panel will respond to the appeal to explain the rationale for the evaluation and in particular to respond to any issues raised in regard to the Level Award(s) brought into contention. The appellant may question the Job Evaluation Panel representatives, after which the Appeals Panel may then do so.
- (d) The appellant and the joint representatives of the Job Evaluation Panel may then make short closing statements after which the appellant, any representative and the joint representatives of the Job Evaluation Panel will retire.
- (e) If the Appeals Panel wishes to clarify any points all parties will be recalled, together with any representative.
- (f) The Appeals Panel will then reach a decision.
- (g) The decision of the Appeals Panel will be confirmed in writing to the appellant and, in the case of a generic post, all other jobholders (normally within one month) by Human Resources. A new score sheet will be supplied at this time to the individual(s) concerned, who will be advised of any grading/salary implication that the change(s) yield.

The decision of the Appeals Panel is final and there is no further right of appeal within the Council. Furthermore there is no right of recourse to the Local Grievance Procedure in terms of pay and grading issues. However, if the appellant feels that the process has been handled improperly, s/he may raise a grievance against this via the Local Grievance Procedure.