

Job Evaluation Appeals Process

Introduction

Derbyshire County Council has carried out a job evaluation review as required under the 1997 Single Status Agreement. All jobs have been evaluated against the HAY Scheme criteria that reflect the knowledge, skills, experience, accountabilities required and the job's physical demands and working conditions.

A summary of the Hay Scheme criteria is attached at Appendix 1.

The right of appeal is restricted to the evaluation result only. It does not allow for an appeal against the new pay structure or revised terms and conditions, including protection of earnings arrangements or pay and non-pay related allowances introduced under the Derbyshire Package.

The Appeals Process provides an objective and transparent process for employees to appeal against their job evaluation and defines the grounds for appeal. A flow chart setting out the process is attached at Appendix 2.

Grounds for Appeal

An appeal can only be logged on the grounds that:

1. The job is significantly different from the benchmark job/template it is has been slotted/matched to.
2. The Evaluation does not fully or appropriately reflect the requirements of the job.

Registration of Appeal

The Appeals Form (at Appendix 3) should be completed and lodged by the employee, either hard copy or electronic, with the Shared Services Centre (SSC) who will acknowledge receipt.

If any issues arise from data error or other straightforward matter that can readily be resolved this will be dealt with by the SSC.

The deadline for the registering appeals will be **25th January 2010**. Appeals will not be accepted after this date unless exceptional circumstances are evident, e.g. long term sickness, maternity, etc when the timescale may be extended at the Council's discretion.

Evidence required

The information supplied on the Appeal Form must demonstrate the grounds of appeal and sufficient evidence upon which the stage 1 panel form a view.

STAGE 1 Panel

The first stage is a screening process by a panel to determine whether the grounds of appeal are met and assess whether there is reasonable job evaluation substance to the submission. The panel will have the ability to reject appeals on the basis that the grounds of the appeal have not been met and / or the issue(s) under contention are insufficient, even if proven, to have an effect on the evaluated grade.

The Stage 1 Panel will have discretion to reject appeals in the following circumstances:

- Where the employee disagrees with the score but not provide sufficient evidence to justify a potential a potential change of score;
- Where the employee claims their job is different from the benchmark job, but the panel considers that the job is essentially the same in all significant aspects whilst recognising that there will inevitably be some variation in the way that the same jobs are done.
- Where the additional information could result in an alteration to the score but is insufficient to change the grade

The Stage 1 Panel will have authority to re-slot individual appellants to the appropriate job.

If the appeal is rejects at this stage, the employee will be informed accordingly and there is no further recourse under the Appeals Process.

The decision of the Stage 1 Panel will be final.

It is the Council's aim – subject to the numbers of appeals – that all appeals will be considered at Stage 1 by October 2010.

Composition

The Stage 1 Panel will comprise two authority representatives and two trade union representatives, both of whom must be recognised job evaluation practitioners. In the event of a failure to agree on a course of action the authority representative will have the casting vote.

STAGE 2 Appeal Panel

Priority of dealing with Appeals

The order in which appeals are considered will be determined by the Director of HR in consultation with the trade unions having regard to the impact of the new pay and grading and Derbyshire Package proposals on the job group concerned.

Process

The SSC will liaise with employees whose appeals are to be considered under Stage 2 to ensure that all relevant documentation is provided to enable them to make their case in full.

The employee will submit case in full.

A designated departmental management representative will be asked to submit their comments on the content of the appeal.

These comments will be provided to the employee who will be required to provide their final submission.

The Stage 2 Panel will assess the Appeal.

The appeal will be considered on the basis of written submissions, but the panel will have discretion to call the employee and designated manager(s) for points of clarification or in special circumstances where collective or lead jobs are under consideration. The Panel can call upon legal and job family leads for other advice and clarification as required.

The timing of the issuing of decisions will be at the discretion of the Director of HR, in consultation with the trade unions.

The decision of the Panel will be final.

Composition

The Appeal Panel will comprise two authority representatives and two trade union representatives. All Panel Members will have received appropriate training in the HAY Scheme. At least three of the four panel members will not have any previous input into the evaluation of the job. The Panels will be served by a Secretary who will record decisions with reasons.

Collective Appeals

Employees occupying the same job and who have the same grounds for appeal may submit a collective appeal.

The Director of HR, in consultation with the trade unions, may determine that individual appeals may be considered as collective appeals or considered by way of lead cases, as appropriate.

The designated managers of the employees within the collective appeal will only have to submit one set of comments on the Appeal Form – ensuring that they have commented on all grounds claimed.

Individuals will have no right of appeal if they have previously been involved in or are affected by a collective appeal where they consider the outcome unsatisfactory.

Withdrawal of Appeal

The employee will have the right to withdraw their appeal under Stage 1 prior to a decision being made. The appeal will stand once a decision has been made or it progresses to Stage 2.

Implementation of Appeal outcome

If the Appeal Panel changes the grade of the employee's job, the new pay rate will apply from the date of Single Status implementation. If the job is downgraded as a result of an appeal and the resulting salary is lower than the salary which applied prior to Job Evaluation, protection will apply to the original salary and not that offered under the initial evaluation. In the event of a post being downgraded, the new grade and pay will apply from the date of the appeal notification.