

The Single Status Appeals Process outlines the grounds for appeal and process for appeal should an employee, or group of employees, wish to challenge the outcome of the job evaluation exercise for their job(s).

This document outlines the Manager's role in the Appeals Process.

Information regarding appeals

You will need to become familiar with, and refer to, the documents below to be able to confidently discuss the issues around appeals and the job evaluation process. These are available on request from the Shared Service Centre (SSC) or from the website.

- Appeals Process and appendices
 - Hay JE explained
 - Flowchart
 - Appeal Form
- Guidance for employees on appeal
- Job Evaluation Process

Employees have been advised in their variation to contract letter, of the total job evaluation score for their job. This may have been evaluated, slotted or matched. All employees will be able to access on request, the job documentation used to evaluate or assess their job, this could be a Job Description Questionnaire, a Job Description and Person Specification, an Administration/Secretarial template or a Job Family role profile. The job scores and rank order - "Relativities Schedule" - can be found on the website or can be obtained in hard copy through the SSC.

Line Manager role

Employees may want to discuss with their line manager any queries they have about their new grade or the new pay structure. This may help resolve some concerns and issues informally, early and quickly.

Your role is very important in the Appeals Process:

- The employee may not understand their letter or why their job has been evaluated

at a particular grade. They may have concerns they want to discuss or may simply want to vent their frustration about the changes.

- Answer individual questions – if you don't know the answer, please don't guess, find out by asking either your own manager or departmental HR. Correct any factual errors by contacting the SSC Helpline, and respond to any misunderstandings about the process.
- Clarify if there is an issue, and what it is. This may involve discussing if the job has significantly changed since it was assessed or may be about it being slotted to the wrong benchmark job. See the "Points to bear in mind" section, below.
- Help the employee understand if they have grounds for appeal – they must appeal under one or more of the categories below and must be able to provide evidence. Simply disagreeing with the outcome will not be a valid ground for appeal. It is the employee's responsibility to collect work based evidence to support the grounds of their appeal. See the "evidence" section, below.
- Advise the employee if they decide to appeal, on the appeal process and what needs to be done. It is their responsibility to decide to pursue their appeal and to lodge the Appeal Form with the Director of HR.
- If appropriate – depending on the individual's circumstances - contact anyone on long term sick or maternity leave to discuss their variation to contract and new grade and whether they wish to consider an appeal. In exceptional circumstances the 31/12/09 deadline can be extended with the agreement of the Chief Officer. Please discuss with your departmental HR Officer any request for an extension or if you are unsure about contacting a team member absent from work.

As a reminder the grounds of appeal are :

- Your job is significantly different to the benchmark job/template it has been slotted or matched to
- The evaluation undertaken does not fully or appropriately reflect the requirements of the job. Note that this may include:
 - My job has significantly changed since it was evaluated
 - The evaluation scheme was incorrectly applied

In discussing any issues with employees remember that job evaluation is not concerned with:

- Difficulties in recruitment and what other employers pay
- The rate of pay relating to the new pay and grade structure
- Market supplements
- Changes to terms and conditions of employment

These factors should not be part of any appeal and will not be taken into account.

Points to bear in mind

The evaluation undertaken does not fully or appropriately reflect the requirements of the job

Job content will not always remain static and may change without significantly altering the nature of the job, and without changing the score of the job. Unless the job responsibilities have substantially changed enough to warrant a review of the score,

the Panel will reject any appeal.

As the manager you may be asked by the employee whether you believe the job has changed significantly since it was assessed. You should consider if the job responsibilities or the knowledge, skills and experience required for the job have increased. Additional, “more of the same” tasks, without increased responsibility, will not lead to a change of score. You could look at the Relativities Schedule with the employee, which shows where the benchmark job has been graded and then consider the jobs in the next higher band. Consider also where the job fits in relation to others in the same function or department.

If the employee believes the evaluation has been incorrectly applied they will need to consider carefully the evidence to demonstrate why this is the case.

Job is significantly different to the benchmark job/template it has been slotted or matched to

If the employee is in a multi occupancy job and believes the job is different to the benchmark job it has been slotted to, please remember there will inevitably be some variation in the way that generic jobs are done at any one time. Therefore if on the basis of the appeal, the Panel believes the work falls within the boundaries of the benchmark job to which the job has been slotted, no change will be made as the job is deemed essentially the same.

As the manager, you may need to consider whether this is the case in discussions with the employee. Employees may believe they are slotted to the wrong benchmark job because the benchmark job information does not seem to describe everything they do or capture the dimensions of their role e.g. how frequently they do something, volume of a task; and that if these were taken into account the slotting or the evaluation would change. It is important that the employee understands that the level of accountability of their work determines the evaluation, or the slot to a benchmark, not the detail of the tasks.

An appeal will only be considered if there are distinctly different or additional accountabilities or dimensions - not tasks - that are specific to the individual's job, and the differences represent a significant part of their role.

In the case of matches to a benchmark or the Administration/secretarial template, the Job Description/Person Specification will have been desktop evaluated, that is, reviewed and scored to assess the correct match.

Evidence

The employee should only include information on the Appeals Form that reflects the standard level of performance required within the job, not his/her own skills/qualifications. It is about the job, not the person.

The Stage 1 Panel and Appeal Panel will rely on the information provided by the employee and the designated manager's comments when considering the appeal. It will be a paper based process ie there will be no Appeal Hearing, so it is important that all

the evidence is on the Appeal Form.

Please note that you or the employee may be asked to provide clarification by the JE team or by the Stage 1 Panel or Appeal Panel.

Summary

What you should do:

- Advise on the appeal procedure and where to go for further advice
- Allow reasonable time during working hours for employees to prepare any supporting evidence and meet with trade union representatives
- Discuss the appeal grounds with the employee if they wish
- Provide information as requested by the designated manager who will provide comments on the employee's appeal.
- Provide further clarification as required by the JE team or the Panels.

What you should not do:

- Advise employees whether to appeal or not
- Provide your own comments on the Appeal Form
- Raise an appeal on the employee's behalf
- Gather the evidence for the employee
- Try to resolve the appeal yourself
- Answer questions you are not sure of – find out from your HR Officer, senior manager or Job Family Lead.

Collective Appeals

Employees occupying the same job and who have the same grounds for appeal may submit a collective appeal. Individual appeals raised by employees in the same job as others (who may be affected by the appeals) will also be dealt with as collective appeals.

The departmental designated managers of the employees within the collective appeal will 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.

Stage 1 Panel

Stage 1 appeals will be dealt with from January 2010. This is a paper based process and will decide whether there are possible grounds for appeal or not. It will also have authority to re-slot jobs to a different benchmark. The decision of the Stage 1 Panel is final.

Our aim – depending upon the number of appeals – is to have considered Stage 1 appeals by April 2010. Employees will be advised of the outcome of Stage 1 in writing.

Stage 2 Appeal Panel

Stage 2 appeals will be considered from April 2010 or as soon as Stage 1 is completed. This will be a paper based process, although the Panel may request additional information or attendance as required.

The appeal outcome will be determined by the Appeals Panel and may result in the grade going up, staying the same, or going down. If the job is downgraded, and the revised grade falls below that which applied immediately prior to single status implementation, this will take effect from the date of appeal notification and the Council's Single Status pay protection scheme will apply where appropriate. If the grading goes up it will be backdated to implementation of Single Status. Employees will be advised in writing of the outcome of their appeal. The decision of the Appeals Panel is final.