

# HIGHLAND COUNCIL

## Job Evaluation

### Appeals Procedure for the Initial Evaluation of Jobs

#### 1. Introduction

This document sets out the procedure for employees appealing against the outcome of the initial evaluation of jobs under the Job Evaluation process. It applies to those employees covered by the Scottish Joint Councils' Single Status agreement.

The outcome of the appeal process is final. There is no recourse to any other Council procedure such as the grievance procedure.

The recognised trade unions (Unison, GMB and UNITE) have been consulted.

#### 2. Grounds of Appeal

(i) **Admissible** grounds of appeal are where the employee considers that her/his job has been:

- Matched to the wrong service group

and/or

- Matched to the wrong level within a service group.

and/or

- Allocated the wrong factor levels

(ii) **Inadmissible** grounds for appeal include

- comparability with other jobs (either within the Council or outwith the Council),

and/or

- seeking to restore previous differentials

and/or

- dissatisfaction with the pay level as a result of job evaluation.
- Any grounds not related to the job, for example personal performance.

### **3. Making an Appeal**

Appeals will only be considered if submitted on the appeals form. The completed form must be lodged with the appellant's Service Director in HQ, Glenurquhart Road, Inverness, **by 10 April 2009**. Late appeals will not be accepted unless it has been demonstrated to the Assistant Chief Executive in advance of the deadline date, that the appeal could not have been made on time.

The form must contain the views of the line manager on the factual content of the appeal and the accuracy of the appellant's case. The appellant can be assisted in the preparation and presentation of the appeals form, but not by any member of the Job Evaluation Project team, which includes current or former job analysts.

The appeals form contains provision for a jobholder of a generic job type to state if the appeal is for his/her job only, or for other employees covered by the generic job type, for example, employees with the same job in the same unit.

In all cases the appeal must be accompanied by evidence to support the appeal.

### **4. Stage 1**

At Stage 1, all appeals will firstly be examined by the Head of Personnel (or nominated officer). This may lead to a Job Analyst meeting with the jobholder, his/her TU representative if requested by the jobholder, and the jobholder's manager, to clarify the reasons for the appeal and to discuss the basis for the notified matching or evaluation. It could also involve direct contact with the jobholder, his trade union representative if requested by the jobholder, and the line manager. This stage will clarify whether the appeal covers the appellant only or a group of jobholders.

If the appeal is resolved at Stage 1, this will be noted on the appeals form by the Head of Personnel and the appeal will end at that stage. The decision will be confirmed in writing to the employee.

### **5. Stage 2**

Appeals at Stage 2 will be heard by a Council panel comprising three members: - an independent chair, a management representative and a trade union representative.

The panel will be drawn from a pool of panel members who have been trained in the application of the scheme. The pool will include independent chairpersons.

An appellant can elect to have the appeal determined by the panel solely on the form submitted. Alternatively, the appellant can make a personal appearance before the panel to present the appeal, or have the case presented on his/her behalf either by his/her representative. The representative must be a trade union representative or a work colleague of the appellant's choice.

## **6. Appeal Meeting Procedure**

The independent chair will make the appropriate introductions and inform the appellant of the procedure to be followed.

The appellant or his/her representative will have 10 minutes to present the case, after which the panel may ask questions for no more than a further 10 minutes.

Appellants will confine themselves to facts related to the job. Personal qualities, (such as good time keeping, long service, good health record, good attendance record, competency, efficiency) and performance/capability issues are not examined under the job evaluation scheme, and therefore will not be considered by the appeals panel.

A member of the job evaluation project team will be in attendance as an adviser to the panel and to provide guidance as to the application of the scheme. The manager who has signed the appeal form will also be in attendance and may be asked questions by the panel.

Presentation time should be used by the appellant to emphasise key points in the case, the panel having already had the application form and having access to supporting information for example the original job evaluation questionnaire and job overview.

After any questions put by the appeals panel to the jobholder or their representative, the jobholder or their representative will have the opportunity to make brief summary key points, introducing no new evidence.

## **7. Decision and Notification**

The decision of the appeals panel will be reached by consensus. If panel members fail to agree then the initial assessment of the job will stand.

The panel will decide at that stage if the appellant's appeal was either:

- Upheld,
- Not upheld, or
- Set aside pending further investigation

If the panel decides that the appeal is upheld then the job will be re-scored based on the instruction from the Panel.

If the appeal is set aside pending further investigation the Panel will instruct the Head of Personnel to oversee the further assessment of the job through the job evaluation process, which could involve re-interview by a job analyst or referral to the project team for the complete re-evaluation of the job facts and the use of the job evaluation software.

The appeals panel will reconvene on those cases where further assessment has been sought and provided by the project team at the request of the panel. When reconvening, it will be without further attendance of the jobholder and/or his/her representative.

The decision of the panel will be final.

The appellant will be notified of the results by letter including details of any revisions to factor levels, job overview, and where appropriate, resulting change in pay. Any change determined by the appeals panel will apply from the date of implementation of the job evaluation scheme results.

