

Job Evaluation Appeal Policy and Procedure

1. Introduction

- 1.1. This document sets out the council's job evaluation appeal procedure in relation to the implementation of the new pay and grading structure known as Unified Reward. Appeals can only be heard regarding the evaluated score and grade of the job. There is no right of appeal against other changes to pay under Unified Reward (for example overtime rates, retainer pay, quality pay, annual leave etc...)
- 1.2. The council has evaluated around 800 jobs in scope of the review using the Hay job evaluation scheme. Job evaluation has been a joint process with trade union evaluators who have been trained in the Hay job evaluation scheme. The council also conducted a process of moderation (checking) the job evaluation scores to make sure they are consistent across the organisation from one service to another and vertically within service areas. The council has used standard templates and supplementary information forms to ensure information about jobs has been collected in a uniform and consistent manner. Line managers have provided contextual and factual information to the evaluators at the job evaluation panels. Overall, the council has adopted a fair, consistent and robust method to determine the relative worth of jobs within the organisation.
- 1.3. In order to ensure consistency and robustness appeals against grading will be carried out jointly with the trade unions based on evidence and where appropriate a re-evaluation of the role using a job evaluation appeal panel.
- 1.4. This procedure sets out a 2-stage process that provides a consistent, transparent and objective mechanism for employees to appeal against the grade of their job.
- 1.5. It should be noted that the outcome of an appeal process may result in the grade of the job going down, staying the same or going up.

2. General Principles

- 2.1. Employees have a right of appeal against their grading outcome under the council's new pay and grading structure. Appeals must be registered, using the Job Evaluation Appeal form, by the deadline shown on the letter advising employees' of their new grade. The deadline will be 10 working days from the date of the grading outcome letter was received (this is deemed to be 2 working days from the date of the letter). As part of the process your manager has provided an up-to-date Role Profile, Person Specification and Supplementary Information Form (SIF) for your position. These documents are located on the Unified Reward shared drive (a link can be found here <\\lbarnet.local\SharedAreas\UnifiedReward>) and are filed under your job evaluation reference number. You can also request a copy of these documents from the Unified Reward HelpLine on T: 0330 606 4444 (option 1) or email barnethrpayroll@capita-services.co.uk.
- 2.2. Employees on maternity leave, adoption leave, paternity leave or those employees on long term sick absence will be able to participate in the appeal process and should submit their appeal in line with this procedure.
- 2.3. For the majority of cases, 10 working days should provide adequate time to allow employees to gather information and consider their grounds of appeal. Where significant difficulties are experienced in meeting this timeframe an extension of not more than an additional 10 working days may be granted upon agreement with the HR Director. Employees seeking a time extension must

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contact the Unified Reward implementation team who will consider the request for an extension. The employee will be informed in writing of the decision to extend or otherwise. Where supporting evidence or detailed explanation is not provided the appeal documentation will be returned to the appellant(s) with an explanation as to why the appeal has been rejected within 10 days of the appeal.

- 2.4. Appellants are entitled to be accompanied by a trade union representative or work colleague at all Stages of the appeal process. Appellants will usually represent themselves (or others in the case of Group Appeals) but may nominate a work colleague or trade union representative to represent them if they wish to do so.
- 2.5. This job evaluation appeal procedure is not to be confused with the council's re-grading application procedure, which is a separate procedure. However an employee(s) may not submit a re-grading application for 12 months from implementation of the council's new pay and grading structure. To ensure that support staff are remunerated at the appropriate teaching assistant level for the role and responsibilities they carry out, the council have agreed to undertake a joint review of gradings for support staff with the relevant head teacher in each Community school which will be outside the Job Evaluation Appeal process.

3. Scope

- 3.1. This procedure applies to all Local Government Services (LGS) employees and senior managers, including non-teaching staff in Community Schools.
- 3.2. The procedure does not apply to teachers, employees on Soulbury terms and conditions and non-teaching staff in non-community schools.
- 3.3. Individuals working under casual arrangements, where no mutuality of obligation exists (this means the council does not have to offer work and the individual does not have to accept work offered) do not have a right of appeal. No right of appeal exists for agency workers, contractors or any other persons not employed by the London Borough of Barnet.

4. Grounds for Appeal

- 4.1. There are three grounds of appeal:

Ground 1	Assimilation error – this is where an employee believes they have been assimilated to the wrong job by their line manager/head teacher.
Ground 2	Substantial change in the job - this is where an employee believes there has been a substantial change in the level of accountabilities/responsibilities and may require a higher level of knowledge, skills and experience than was evaluated under Unified Reward.
Ground 3	Incorrect evaluation – this is where an employee believes that their job has not been scored correctly using the job evaluation scheme. An example might be that they believe insufficient weight has been assessed against one of the job evaluation factors.

- 4.2. An appeal must be made on one of the above grounds. An appeal cannot be made solely on the basis that the employee disagrees with the grade or pay level resulting from the job evaluation outcome.

5. Individual Appeals

- 5.1. Jobs that are occupied by one employee will be treated as an individual appeal and will follow the Stage 1 and Stage 2 process detailed below. Individual appeals can be made on any of the 3 grounds specified above.

6. Group Appeals

- 6.1. Where there are two or more people employed in a role the appeal will be treated as a 'Group Appeal'. Group appeals can only proceed on grounds 2 or 3
- 6.2. Individual employees within the group in the same workplace can submit individual appeals under Appeal Ground 1 only (i.e. they believe they have been assimilated to the wrong job) and will then be treated as an individual appeal
- 6.3. Where there are large numbers of staff appealing within the same Job role across a number of workplaces, discussion will take place between management and the trade union regarding combining these to be covered as a single appeal
- 6.4. Employees occupying the same job and who have the same grounds for appeal (Ground 2 or Ground 3) may submit a group appeal. The council will notify all other jobholders in the same job about the appeal and the grounds upon which it has been made. The other jobholders will be asked if they also wish to appeal as the grade of the job could go down, remain the same, or go up as a result of the appeal
- 6.5. There must be a majority of employees in favour of appeal for the appeal to proceed as a group appeal. If less than a majority of the jobholders agree to the appeal, the appeal cannot proceed. In these circumstances there is no further right of appeal
- 6.6. If a majority of jobholders are in favour of a group appeal then members of that group will need to nominate representatives (normally up to 4) to continue with the appeal and complete the appeal documentation on their behalf. The representatives will need to ensure that all members of the group are given the opportunity to comment on the appeal documentation
- 6.7. In submitting a group appeal the individual employees in that group are waiving their individual right of appeal and will be informed of this.

7. Stage 1 – Appeal Meeting

- 7.1. An informal appeal Stage prior to an appeal panel can resolve many of the appeal requests without the need for a formal panel to be convened thus speeding up the resolution process.
- 7.2. The aim of Stage 1 is to exchange information in an informal manner to help clarify the issues and provide an opportunity for discussion and resolution. The appellant will meet with a management representative (trained and experienced in Hay evaluation) and their line manager. The appellant may be accompanied at all Stages by a trade union representative or a work colleague if they wish - it is the appellant's responsibility to arrange this.
- 7.3. **Ground 1 Appeal** - This will involve a discussion between the appellant and their line manager/head teacher along with a management representative. Appellants must provide a completed appeal form that clearly sets out how they consider they have been assimilated to the wrong job. Ground 1

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appeals can only be heard on an individual basis (i.e. no group appeals are allowed under Ground 1). There are two potential outcomes:

- the appellant has been correctly assimilated and the appeal rejected.
- the appellant has been incorrectly assimilated and the appeal upheld. In this situation the manager/head teacher will assimilate the appellant into the correct role and amend records as necessary. If there is no existing job role profile for the appellant to be matched to then a new job evaluation process will be undertaken.

7.4. **Ground 2 Appeal** - This will involve a discussion between the appellant and their line manager/head teacher along with a management representative. Appellants must provide a completed appeal form that clearly sets out how they consider their job has changed since it was evaluated. There are two potential outcomes:

- where the appellant has provided sufficient additional information (verified by the manager / head teacher) the job will be re-evaluated by a job evaluation panel (Stage 2 appeal).
- where the appellant has provided insufficient additional information then the appeal will be rejected.

7.5. **Ground 3 Appeals** - This will involve a discussion between the appellant and their line manager/head teacher along with a management representative. Appellants will need to provide a completed appeal form that clearly sets out how they consider their job has been scored incorrectly. There are two potential outcomes:

- where the appellant has provided sufficient additional information (verified by the manager / head teacher) the job will be re-evaluated by a job evaluation panel (Stage 2 appeal).
- where the appellant has provided insufficient additional information then the appeal will be rejected.

7.6. If the appeal is rejected at Stage one there is no further right of appeal.

8. Stage 2 – Appeal Panel

8.1. The purpose of the Stage 2 appeal is to consider the outcome of the Stage 1 meeting where there is a need for the job to be re-evaluated by a job evaluation appeal panel.

8.2. The job evaluation appeal panel will consist of:

- A trained and experienced management evaluator
- A trained and experienced trade union evaluator

8.3. Appeal panel evaluators should not have been part of the original evaluation of the role. Where this makes holding an appeal panel impractical it is intended that at least one of the panel will have had no part in the original evaluation.

8.4. Additionally, appeal panels will not include an evaluator who is directly associated with the service of the job under consideration.

8.5. The appellant or their nominated representative may be accompanied at the appeal by a trade union representative or a work colleague. It is the individual's responsibility to arrange this.

8.6. The appellant(s) manager/head teacher or their nominated representative will be required to attend the appeal to substantiate, clarify and validate information presented as a basis for the appeal.

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- 8.7. During the appeal panel the appellant will explain their reasons for the appeal, the evaluators will ask questions of the appellant and their manager/head teacher as part of the job evaluation process. The appellant(s), their manager and trade union representative will then leave the appeal panel and the evaluators will discuss the appeal. The evaluators will aim to reach a consensus on the outcome of the appeal. In the unlikely outcome that consensus cannot be reached then the matter will be referred to the HR Director. The HR Director & appropriate trade union representative will meet to consider if a consensus can be agreed. In the unlikely event that this cannot be achieved the HR Director will decide the outcome.
- 8.8. There are three possible outcomes from the Stage 2 appeal:-
- The original job evaluation and grade outcome is correct and the grade and pay is confirmed
 - The job is re-evaluated at a higher pay grade
 - The job is re-evaluated at a lower pay grade
- 8.9. The appellant will be informed in writing of the outcome to their Stage 2 appeal within 10 working days of the appeal panel.
- 8.10. There is no further right of appeal following Stage 2
- 8.11. The attached appendix sets out additional notes on the Unified Reward Job Evaluation Appeal Panel process.

1. Unified Reward Appeal Process

- 1.1. Within this procedure, arrangements for hearing group appeals may need to be flexible to meet different circumstances, for example where there is an appeal that affects a large number of employees timescales may need to be adjusted. If group appeals involve many managers such as head teachers for example, then one or a small group will perform the nominated manager / head teacher role. The trade unions will be consulted on any special arrangements for hearing group appeals by management.
- 1.2. The Job Evaluation Appeal form must be fully completed and clearly state and provide additional information / evidence to support the grounds for appeal. The Unified Reward implementation team will record all appeals and send an acknowledgement to the appellant(s).

2. Stage 1 – Appeal Meeting

- 2.1. The Unified Reward implementation team will contact the appellant(s) and their line manager / head teacher to arrange a Stage 1 appeal meeting. The appellant (s) will receive a minimum of 5 working days' notice of the meeting.
- 2.2. Appellants on maternity leave, adoption leave, paternity leave or those appellants on long term sick absence are encouraged to attend the meeting if possible. Where this is not practical, appellants may provide an extended written statement, request that their trade union representative or work colleague acts on their behalf.
- 2.3. The purpose of the appeal meeting at Stage 1 is to:-
 - Fully understand the grounds of appeal
 - Confirm facts
 - Review the role profile and SIF submitted to confirm that the appellant has been assimilated to the correct job role
- 2.4. During this meeting:
 - The appellant(s) will explain their reasons for appeal as detailed in their Job Evaluation Appeal form
 - The line manager/head teacher and management representative will seek clarification on the points raised by the appellant(s)
 - The line manager/head teacher will provide factual and contextual information to validate the grounds for the appeal
 - The appellant(s), their manager and trade union representative will then leave the appeal panel and the evaluators will discuss the appeal.
- 2.5. The outcome of the Stage 1 appeal meeting will be advised to the appellant (s) at the end of the process and will be one of the following:
 - The appellant has been correctly assimilated and the appeal rejected
 - The appellant has been incorrectly assimilated and the appeal upheld. In this situation the manager / head teacher will assimilate the appellant to the correct role and amend records as necessary. If there is no existing role profile for the appellant to be assimilated to then a new job evaluation process will be undertaken
 - Where the appellant has provided sufficient additional information (verified by the manager/head teacher) the job will be re-evaluated at a job evaluation panel (Stage 2 appeal)

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- Where the appellant has not provided sufficient additional information then the appeal will be rejected

2.6. If the appeal is rejected at Stage one there is no further right of appeal.

3. Stage 2 – Appeal Panel

- 3.1. If confirmed by the Stage 1 appeal meeting, the Unified Reward implementation team will usually contact the appellant (s) within 10 working days from the date of the meeting to arrange a Stage 2 appeal. The appellant (s) will receive a minimum of 10 working days' notice of the appeal date.
- 3.2. Appellants on maternity leave, adoption leave, paternity leave or those appellants on long term sick absence are encouraged to attend the meeting if possible. Where this is not practical, appellants may provide a written statement, request that their trade union representative or work colleague acts on their behalf.
- 3.3. The purpose of the appeal at Stage 2 is to review the job evaluation score for the role, including comparison to other appropriate posts as required.
- 3.4. During the appeal panel the appellant will explain their reason(s) for the appeal, the evaluators will ask questions of the appellant and their manager/head teacher as part of the job evaluation process.
- 3.5. The appellant(s), their manager and trade union representative will then leave the appeal panel and the evaluators will discuss the appeal.
- 3.6. The outcome of the Stage 2 appeal will usually be advised to the appellant(s) in writing within 10 working days of the appeal date and will be one of the following:
 - The grade and pay for the job is correct and the appeal rejected
 - The grade and pay for the job has been evaluated at a higher level
 - The grade and pay for the job has been evaluated at a lower level
- 3.7. This means that the grade and salary of the job may stay the same, go down or go up.
- 3.8. The appeal panel's decision is final with no further right of appeal.

4. Outcome of the Appeal Panel

- 4.1. Outcomes will be effective from the agreed implementation date of the council's new pay and grading structure.
- 4.2. Grade Confirmed – if the grade and rate of pay is confirmed through the appeal panel process then the grade and rate of pay will remain as originally notified.
- 4.3. Higher Grade – if the grade and rate of pay increases through the appeal panel process then the higher grade will apply from the agreed implementation date effective for the post. Where the appeal has been submitted by a group of employees then the increase will apply to all employees in the group.
- 4.4. Lower Grade – if the grade and rate of pay decreases through the appeal panel process then the lower grade will apply from the agreed implementation date effective for the post. Where the appeal has been submitted by a group of employees then the decrease will apply to all employees in the group. If this reduces pay compared to the pre-Unified Reward position then there will be a period of 12 month's pay protection from the effective implementation date.