

JOB EVALUATION SCHOOLS APPEALS PROCEDURE (GLPC)

APPEALS PROCEDURE

Devon County Council has taken considerable care to ensure that the process used to evaluate jobs under the Greater London Provincial Council (GLPC) Job Evaluation (JE) Scheme is objective and fair. However, the importance of having an appeals procedure is recognised by both DCC and the Trade Unions.

Under this procedure, appeals will be considered in two stages:

- ◆ Firstly, through an informal process
- ◆ Secondly, at a formal appeal held by a formal appeals panel. A formal appeals panel will not consider appeals unless the appeal is unable to be resolved through the informal process.

Grounds of Appeal

The Appellant believes:

1. That the job profile assigned does not reflect the responsibilities and duties of the employee's job.
2. That the evaluation outcome for their job is wrong, that is the factor levels awarded to their job are incorrect.

Informal appeals relate to the evidence that has been used to evaluate a job.

Formal appeals relate to the evaluation of a job.

How to Register an Appeal

All Appeal Letters or E-mails must be sent to the Job Evaluation Appeals Team in the first instance and copied to the headteacher.

The postal address is: Job Evaluation Appeals Team,
 Arlington House,
 Park Five,
 Harrier Way,
 Sowton Industrial Estate,
 EXETER,
 EX2 7HU.

The E-mail address is: Jobeval@devon.gov.uk

The deadline for registering an informal appeal is 19 March 2007. Any appeal received after this date will be referred to the JE Maintenance Team to establish whether or not, in consultation with the employee or trade union, that there are grounds to allow the appeal.

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Informal Appeals

Informal appeals are restricted to the consideration of an employee's job description, person specification and job evaluation questionnaire.

An employee must register his/her informal appeal in writing by 19 March 2007 (within 6 weeks of being individually notified of the outcome of the Pay & Grading Review), explaining why they wish to appeal against the evaluation of their job. Copies of all relevant documentation for an employee's job will be supplied on request – if not already provided at notification.

Informal appeals will normally involve a discussion between: the employee concerned; a trade union representative or a work colleague who may represent the employee, if requested; the headteacher or designated representative; a job evaluation adviser; a personnel officer, if requested by the headteacher or designated representative.

An informal appeal provides an opportunity to discuss the accuracy of a job evaluation questionnaire. An employee may be represented by a trade union representative or a work colleague. The outcome of an informal appeal shall be confirmed in writing within 10 working days.

A job shall be re-evaluated, as an agreed outcome of an informal appeal, if a material change is made to a job evaluation questionnaire or if further information relevant to the evaluation of a job is identified.

A written record of the informal appeals meeting will be kept and this will be made available to the employee concerned.

If an appeal is unable to be resolved through the informal process, employees can have their concerns considered by a formal appeals panel.

Employees shall have 20 working days from receiving written notification of the outcome of an informal appeal to register a formal appeal. Unless there are exceptional circumstances, failure to register an appeal within 20 working days will mean that the employee has no further right to appeal against the outcome of the Pay & Grading Review.

Purpose of informal appeals

The purpose of an informal appeal is to:

- Discuss an appellant's comments relating to the documents which describe his/her job, i.e. job description, person specification, and job evaluation questionnaire and school support staffing structure for reference, and;
- Discuss the process relating to the collection and evaluation of information about a job and listen to any comments.

The aim is to resolve the appellant's comments/concerns and to avoid a formal appeal, if possible.

An informal appeal meeting will relate to a job, not to a job holder.

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Joint Informal Appeals

In the event of joint appeals (two or more appellants for a job), the number of appellants to be invited to attend the informal appeal meeting is shown below.

Total No. of Appellants	No. of Appellants invited to attend
1	1
2 – 10	2
11 or more	3

It would be undesirable for management to be involved in the selection of which appellants attend joint informal appeal meetings. In accordance with the Appeals Procedure, it is proposed that the Trade Unions agree a facilitation process to co-ordinate the selection of appellants to attend the informal appeal meeting (including appellants who are not Trade Union members). However, this will not remove an individual's right of appeal.

Selection will be based on the following principles:

- Proportional representation at the meeting of Trade Union member appellants and non Trade Union appellants and of female/male appellants where possible.
- A fair means of selection based on e.g. an appellant's wish to attend, geographical representation, appellant nominations

Trade Union reps will be able to attend the informal appeal meeting at the request of their appellant member(s). The Trade Union reps and appellants attending the informal appeal meeting will be provided with copies of the appeals papers supplied by all the appellants, unless an appellant has requested that his/her comments are not shared with co-appellants and/or Trade Union reps.

The nature of joint appeals may negate the need for work colleagues to attend. However, if the request for a colleague to attend is made, the agreement of other appellants would be required.

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FORMAL APPEALS

The following provides the only right of appeal for DCC employees who wish to appeal against the result of the Pay & Grading Review on the grounds that their job has been incorrectly evaluated.

Before an employee is able to register a formal appeal, he/she must first have gone through the informal appeal process. He/she will have received a copy of the job evaluation questionnaire for his/her job, but must request a job evaluation formal appeals form.

The JE Appeals Team will have provided a written response to an employee's informal appeal and will have requested the employee to confirm, in writing (within 20 working days), whether or not he/she wishes to pursue his/her formal appeal.

To register a formal appeal, an employee must complete a job evaluation formal appeals form, clearly setting out the reasons why he/she believes that his/her job has been incorrectly evaluated. An employee will have to identify the aspects of the job evaluation questionnaire he/she believes have been incorrectly evaluated and provide evidence to support his/her case. A formal appeals panel shall use all the information available to consider those aspects of the job evaluation questionnaire which an employee believes have been incorrectly evaluated.

Formal appeal panels shall be provided with the following information, in writing, about each appeal:

- ✓ Job evaluation questionnaire
- ✓ Record of the informal appeal meeting
- ✓ Any other documents arising out of the informal process
- ✓ Official outcome of informal appeal meeting
- ✓ Job evaluation formal appeals form

The formal appeal panel shall consider appeals on the basis of the written information identified above. In exceptional cases, a formal appeal panel may request a jobholder and management to attend the appeal to clarify particular issues. In these circumstances, employees shall have the right to be accompanied by a trade union representative or work colleague. All parties will be present during any questioning by the panel.

The formal appeals panel may determine:

- That a job has been correctly evaluated
- That the factor level(s)/overall score is amended. This may or may not result in a change to the grade of the job.

If the grade of a job is increased as an outcome of a formal appeal, the employee will be re-graded to the higher grade and to the salary point at which he/she would have been assimilated on 1st April 2007, with effect from 1st April 2006 (back-dated). In the case of successful applicants who were pay-protected, their pay protection will diminish or cease accordingly.

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If the grade of a job is decreased as an outcome of a formal appeal, the pay of jobholders will be affected as follows:

- Jobholders in post at the date of notification will be protected at their current salary, on the old/existing pay and grading structure, until the end of the three year pay protection period in April 2010. Their entitlement to pay protection shall not be reduced as a consequence of an appeal
- Jobholders appointed to the job after the date of notification, on a salary under the old/existing pay and grading structure, will be protected at this salary until the end of the three year pay protection period in April 2010. Their entitlement to pay protection shall not be reduced as a consequence of an appeal
- Jobholders appointed to the job after the date of notification, on a salary under the new pay and grading structure, will be affected immediately the outcome of appeals is implemented and their pay will not be subject to pay protection.

Employees will have no further right of appeal beyond a formal appeal within the Job Evaluation process.

Joint Formal Appeals

Where two or more employees occupy the same job and appeal against the outcome of the Pay & Grading Review, their appeals will, in the first instance, be considered through the informal appeals process.

DCC and Trade Union representatives will make every effort to facilitate informal appeals in circumstances where two or more employees occupy the same job. For practical reasons, this may involve the selection of a sample of jobholders to represent all appellants, based on criteria to be agreed with trade unions. However, the selection of sample jobholders is not the responsibility of trade union representatives. Selection will be carried out by all appellants, whether trade union members or non members. Where an informal appeal has been held, the procedure for registering informal appeals shall be the same as that described in the earlier part of this document.

In exceptional circumstances, however, it may not be practicable to conduct an informal appeal where two or more employees occupy the same job. In these situations, employees shall be provided with a copy of the relevant job evaluation questionnaire and asked to complete a Job Evaluation Appeals Form, setting out the reasons for and providing evidence for their appeal.

On receipt of the Job Evaluation Appeals Form and supporting evidence, management will provide a statement of response to the appeal application. Employees will be provided with a copy of this statement and asked to confirm in writing, within 20 working days, whether or not they wish to pursue their Formal Appeal.

A formal appeal panel shall be provided with the following information:

- ✓ Job evaluation questionnaire(s)
- ✓ Record of the informal appeal meeting
- ✓ Any other documents arising out of the informal process
- ✓ Official outcome of informal appeal meeting
- ✓ Job evaluation formal appeals form

In the absence of any special circumstances, the outcome of a joint appeal shall apply to all relevant jobholders.

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Membership and Decisions of Formal Appeal Panels

All appeal panellists, shall be trained in the GLPC Job Evaluation Scheme and will not have been previously involved in the evaluation of the jobs they consider at appeal. Appeal panellists will not consider posts from their own Learning Community. Appeal panellists, other than governors, will not consider jobs from the Directorates in which they work.

The majority of formal appeals are likely to involve posts from more than one school.

It is intended to train a group of governors in the GLPC scheme to try to ensure that a governor sits on each formal appeal. Chairs of Governors will be contacted separately about this training.

There will be four appeal panellists:

- A Job Evaluation Adviser
- A governor (not from within the individuals' Learning Communities(or JE champion if a governor is not available)
- Two trade union representatives

The panel will be supported by a Job Evaluation Appeals Team member who will not be a member of the panel for decision-making purposes.

The job evaluation result under consideration at an appeal may only be changed by a majority decision of a formal appeal panel.

Time Limits

The time limits for registering and confirming appeals shall be extended by agreement between DCC and an employee and/or his/her trade union representative, where employees are absent from work (e.g. due to ill-health or maternity leave), at the time they are informed of the outcome of the Pay & Grading Review or informed of the outcome of informal appeals. If an extension is required to ensure that the correct mix of panel members is convened, then such agreement will also apply in those circumstances.