

WEST LOTHIAN COUNCIL

JOB EVALUATION APPEAL PROCEDURE

1. OVERVIEW

- 1.1 The council evaluates the value of jobs covered by the National Agreement on Pay and Conditions for Local Government Employees using the Scottish Joint Council's (SJC) Job Evaluation Scheme.
- 1.2 This procedure sets out the process to be followed where an individual wishes to appeal against a decision of the council's Job Evaluation Panel in regard to the evaluation of their post.

2. PURPOSE

- 2.1 The purpose of the Job Evaluation appeal process is to:
 - ensure the proper application of the factors of the scheme to individual jobs; and
 - maintain the integrity of the Scheme, and its application, as a whole.
- 2.1 The JE Appeals Procedure is a stand-alone procedure that is separate from all other grievance or appeal processes in the council.

3. GROUNDS OF APPEAL

- 3.1 Appeals will be admissible where they are based on the following grounds:
 - Factual inaccuracy in either the inputs or the outputs of the evaluation process
 - Failure to apply the agreed job evaluation procedure
 - Misapplication of the factor definitions, levels and guidance of the SJC's Job Evaluation Scheme (3rd Edition)
- 3.2 Appeals submitted on the grounds set out above, will be considered by the council's JE Appeals Panel. There is no further right of appeal either within the council or to the Scottish Joint Council.
- 3.3 Appeals submitted on the grounds of comparability with other jobs (either within the council, other authorities or nationally), or appeals seeking to restore previous grading or pay differentials will be inadmissible.

4. APPEAL PANEL MEMBERSHIP

- 4.1 The JE Appeal Panel will comprise three members:
 - Head of Corporate Services (Chair)
 - A Service Manager
 - TU Representative
- 4.2 All appeal panel members will be trained on the application of the SJC Job Evaluation Scheme (3rd Edition) before considering any cases.

4.3 The Appeals Panel will be supported by a Technical Adviser.

5. APPEAL SUBMISSION

5.1 Appeals must be submitted to the HR Services Manager using the Job Evaluation Appeal Submission Form (as set out at Appendix 1) and should contain the following key elements:

- The grounds of appeal
- The factor level assessments being appealed
- The appellant's case under each of the relevant factor headings
- The views of the relevant line manager, and/or the next line of management as appropriate, in relation to the factual content of the job and the accuracy of the appellant's case.

5.2 Appellants may provide additional supporting documentation in respect of their case.

5.3 On request, appellants will be provided with the following to assist in preparing their submission:

- a copy of this procedure
- a copy of their completed JE Questionnaire or other documentation that was used in the evaluation process
- the factor levels assessed for their job under each of the factor headings

5.4 The Appeals Panel will be provided with any relevant background documents by the Job Evaluation Team.

6. PROCEDURAL TIMESCALES

6.1 Job evaluation appeals must be lodged within one calendar month of the date of written notification to the individual of the outcome of the evaluation of their job. Appeal submissions should be acknowledged in writing within 10 working days of receipt.

6.2 Appeal Panels will be scheduled twice per year

7. INITIAL CONSIDERATION OF APPEAL

7.1 All appeal submissions will be given initial consideration by the Appeal Panel, without the presence of the appellant or their line manager with a view to:

- determining whether the grounds for the appeal are admissible under the procedure
- identifying any matters requiring investigation or disclosure of further information
- identifying any non-job evaluation issues out with the remit of the Panel, that should be referred to Human Resources.

7.2 The possible outcomes of the initial consideration are that the JE Appeal Panel may;

- Reject the appellant's case
- Admit the case in full or in part for further deliberation at an Appeals Panel Hearing

7.3 Appellants will be informed of the outcome of the initial consideration and notified of the date set for the hearing of their case, if appropriate.

7.4 Where the JE Appeals Panel consider there to be no admissible grounds for the appeal, the appeal will be rejected and the appellant will have no further opportunity to make representations to the Panel.

8. APPEAL HEARING

Attendance at Appeal Hearings

8.1 Employees are encouraged to attend the appeal hearing in support of their written submission. However, 'written only' submissions will be considered where sufficient information has been provided by both the appellant and the relevant line manager.

8.2 The appellant's line manager, or appropriate substitute manager, will be required to attend the hearing.

Right to be Accompanied

8.1 Appellants may be accompanied at the appeal hearing by a colleague or Trade Union representative.

Presentation of Appeal

8.2 The appellant, or their Trade Union representative, will have the opportunity to present the case, after which they may be questioned by members of the Panel.

8.3 The line manager may also be questioned by members of the Panel and asked to verify the accuracy of information provided by the appellant.

8.4 The appellant, or their representative will then be provided with an opportunity to briefly summarise the key points of their case, no new evidence should be brought forward at this time.

Panel Deliberation

8.5 The parties will be asked to withdraw to allow the Panel to deliberate in private.

8.6 Where clarification is required before a final determination can be made, the Technical Adviser will verify the facts with the next line of management or Head of Service as appropriate.

8.6 The Panel will operate on the basis of discussion and consensus agreement. There will be no voting and the Chairperson cannot overrule the views of other panel members. If the Panel are unable to agree, they should identify any additional information required to assist them in reaching a decision. If necessary, the Panel will reconvene (without the attendance of the appellant, their representative or line manager) to deliberate on cases once clarifying information has been provided through the Technical Adviser. In the event that the Panel fail to reach agreement, the initial assessment of the job stands.

Outcome of Hearing

- 8.6 The Panel are required to determine whether the appellant's case is:
- well founded in fact and supported by agreed evidence (in which case the appeal may be upheld in full or in part); or
 - not well founded (in which case the appeal will not be upheld)
- 8.7 Where the Panel consider the case to be well founded in fact, the agreed supporting evidence will be referred to the Job Analyst team for review in the context of the whole evaluation of the full job facts. The review will be conducted by analysts that were not involved in the initial assessment.
- 8.8 Prior to sign off by the council's HR Services Manager, the results of the appeal and subsequent review will be reviewed for consistency. Inconsistent or anomalous results should be referred back to the Job Analyst team for reconsideration before results are notified to individual job holders.

9. NOTIFICATION OF RESULTS

- 9.1 Notification of the outcome of a JE Appeal Hearing will only be issued to appellants following:
- clarification and verification of evidence
 - panel deliberation and agreement
 - further review by the Job Analyst team (as appropriate)
 - consistency checking
 - sign off
- 9.2 Appellants will be notified in writing of the appeal outcome within 1 month of the hearing and will include details of any revisions to the factor level assessments, Job Overview Document (JOD), and where appropriate any resultant change in grading and associated pay.

10. IMPLEMENTATION OF APPEAL OUTCOME

- 10.1 If the outcome of the job grading review process results in an increase or decrease in grade, the change will be effective from the date of sign off of the original job evaluation process to which the appeal relates.

**JOB EVALUATION
APPEAL SUBMISSION**

Individuals wishing to appeal against the evaluation of their job must use this form to make their written submission. This form should be completed by both the appellant and their line manager, and returned to the HR Services Manager within 1 month of the date of receiving written notification of the job evaluation outcome.

Before completing this form, Appellants are advised to read the council's Job Evaluation Appeals Procedure and familiarise themselves with the factor definitions and guidance of the SJC's Job Evaluation Scheme (available on Mytoolkit). Copies of relevant documentation used in the evaluation of your job can be requested by emailing Human Resources on hrrsupport@westlothian.gov.uk

PART 1 - APPELLANT DETAILS

Name:	
Job Title:	
Work Location:	
Contact Number:	
Line Manager:	
Please confirm the date on which you received written notification of the outcome of your job evaluation:	
Please state the date on which you are submitting this appeal form:	

PART 2 – APPEAL GROUNDS

Please indicate on which of the following grounds you are basing your appeal (no other grounds are admissible):

		Please tick
1.	Factual inaccuracy in the evaluation process (Continue to Part 3)	
2.	Failure to properly apply the Job Evaluation Procedure (Continue to Part 4)	
3.	Misapplication of the Job Evaluation Scheme (Continue to Part 5)	

PART 3 - FACTUAL INACCURACY

Please use this page to set out the details of your appeal, if you are appealing on the grounds of Failure to Properly Apply the council's Job Evaluation Procedure.

Details of alleged Failure to Properly Apply the council's Job Evaluation Procedure
Supporting Evidence
Line Manger Comments

Please copy this page if you need more space.

PART 5 - MISAPPLICATION OF THE FACTOR DEFINITIONS, LEVELS AND GUIDANCE OF THE SCHEME

Please use this table to indicate under which factor heading(s) you are making your appeal, and use the boxes below to set out the details of your appeal under each factor heading.

Factor Heading		Level Assessed	Level Sought
1.	Working Environment		
2.	Physical Co-ordination		
3.	Physical Effort		
4.	Mental Skills		
5.	Concentration		
6.	Communication Skills		
7.	Dealing with Relationships		
8.	Responsibility for Employees		
9.	Responsibility for Services to Others		
10.	Responsibility for Financial Resources		
11.	Responsibility for Physical & Info Resources		
12.	Initiative and Independence		
13.	Knowledge		

Factor Heading:	
Details of alleged Misapplication of Factor	
Supporting Evidence	
Line Manager Comments	

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Supporting Evidence	
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