



Glen Hills Primary School Job Evaluation Appeals Procedure

Introduction

This guide is designed to help employees and governors, head teachers and principals to understand the procedures for getting posts evaluated or re-evaluated. The guide and procedures it contains form part of the authority's Pay and Benefits Policy (Part 2 – 4d) and have been agreed with the recognised Trades Unions.

The guide should be read in conjunction with the Guide to the Hay Job Evaluation Scheme.

A detailed list of contents can be found on the next page.

If you have any queries with regard to the operation of the procedures outlined in this document then please approach your designated Human Resources Officer or Ivan Wass on 0116 3056523, email inwass@leics.gov.uk

Please note:

The evaluation procedures impact upon all employees employed under the conditions of service of the following bodies:

- a) National Joint Council for Local Government Services Employees
- b) Joint Negotiating Committee for Youth and Community Workers
- c) Soulbury Committee

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Purpose

1. This guide sets out the principles and procedures to enable employees and Head Teachers/Principals to seek an evaluation and the subsequent appeal mechanism. It also explains the implementation rules that apply when there is a change in grade.

Scope

2. The procedures apply to all permanent and temporary posts covered by the conditions of service of the following bodies:
 - (a) National Joint Council for Local Government Services Employees;
 - (b) Joint Negotiating Committee for Youth and Community Workers;
 - (c) Soulbury Committee
3. The Employee Procedure (pages 8 to 11) does not apply to casual employees.
4. The Management Procedure (pages 12 to 16) does not normally apply to casual employees as these usually cover substantive posts where there is already an evaluated grade. Where this is not the case, Head Teachers/Principals should consult the HR Team (Education) for advice on the most appropriate grade or rate of pay.
5. It is good practice for Head Teachers/Principals to ensure that reasonable adjustments are made to the operation of this procedure for disabled employees/managers
6. The Guide to the Hay Job Evaluation Scheme provides background to the scheme, the Hay Method and the Job Family Descriptions which managers may need to refer to in preparing documents for re-evaluation. Copies are available from HR Teams (Education), School/College or from EIS.

ROLE OF HR AND THE JE TEAM

7. The HR Team (Education) is available to give advice on the operation of this procedure, completion of paperwork and the implications for postholders particularly where the outcome is a downgrading.
8. The HR Team (Education) will be able to provide Job analysts to advise/assist with the completion of Job Description (JD) and Person Specification (PS) or Job Description Questionnaire (JDQ) when requested.
9. The HR Team (Education) facilitates evaluations and appeals and can provide information on the progress of individual cases.

Make up of Evaluation and Appeal Panels

10. *All evaluation panels will, wherever possible, comprise a senior officer, trade union officer and a Chair who are all trained evaluators – assisted by a technical adviser. None of the panel members will be from the Education HR Team. The composition of Appeal Panels will follow the same principles but **must** include a trade union representative.*

Review of Procedures

11. The operation of these procedures will be reviewed after 12 months.

Grounds for Evaluation

1. **New post**
2. **Substantial change** in duties and responsibilities of a post (both increase or decrease in duties) has been identified
3. A **SUBSTANTIAL CHANGE** IS CONCERNED MORE WITH THE DEGREE OF RESPONSIBILITY ATTACHED TO A JOB THAN THE QUANTITY OF WORK. FOR EXAMPLE,
 - a. IF A SUPERVISOR BECAME RESPONSIBLE FOR 1 OR 2 ADDITIONAL STAFF, IT WOULD ONLY BE REGARDED AS A POTENTIAL CASE FOR RE-EVALUATION OF THE SUPERVISOR'S JOB IF THESE STAFF BROUGHT A NEW FUNCTION WITH THEM. IF THEY WERE ONLY RECRUITED TO DEAL WITH AN INCREASED WORKLOAD, THIS WOULD BE NOT REGARDED AS A SUBSTANTIAL CHANGE.
 - b. A JOB WHICH HAS SOME ELEMENT OF FINANCIAL RESPONSIBILITY ADDED TO IT WHERE NONE PREVIOUSLY EXISTED COULD BE A CASE FOR RE-EVALUATION, E.G. A CLERICAL JOB UNDERTAKING RECEPTION, TELEPHONE AND TYPING DUTIES ASSUMING RESPONSIBILITY FOR AN IMPREST ACCOUNT. HOWEVER, A MANAGER'S BUDGET INCREASING BY A FEW THOUSAND POUNDS DUE TO INFLATION, INCREASED STAFFING COSTS ETC IS UNLIKELY TO AFFECT THE GRADE OF THEIR POST.
4. **NEED FOR GRADE REVIEW IDENTIFIED BY HEAD TEACHER/PRINCIPAL BECAUSE OF CONCERNS ABOUT THE CURRENT GRADE OF A POST.**
5. **Restructuring** of part or all of a team/group where new posts are being introduced and/or substantial changes apply to more than one post but redundancies/redeployments do not apply.
6. **The procedure now splits into 3 parts for ease of reference.**

EMPLOYEE/GROUP INITIATED APPEAL

- 1) The grounds for re-evaluation are as follows:
 - (a) **The employee/group believes there has been a substantial increase in the duties and responsibilities of my post**
 - (b) **The employee/group believes that a comparable job is more highly graded**
OR
Believes that the job is comparable to a higher level description in a corporate job family than the level on which it has been placed.
- 2) **A SUBSTANTIAL INCREASE IS CONCERNED MORE WITH THE DEGREE OF RESPONSIBILITY ATTACHED TO A JOB THAN THE QUANTITY OF WORK. FOR EXAMPLE, IF A SUPERVISOR BECAME RESPONSIBLE FOR 1 OR 2 ADDITIONAL STAFF, IT WOULD ONLY BE REGARDED AS A POTENTIAL CASE FOR RE-EVALUATION OF THE SUPERVISOR'S JOB IF THESE STAFF BROUGHT A NEW FUNCTION WITH THEM. IF THEY WERE ONLY RECRUITED TO DEAL WITH AN INCREASED WORKLOAD, THIS WOULD BE NOT REGARDED AS A SUBSTANTIAL CHANGE.**
- 3) **A JOB WHICH HAS SOME ELEMENT OF FINANCIAL RESPONSIBILITY ADDED TO IT WHERE NONE PREVIOUSLY EXISTED COULD BE A CASE FOR RE-EVALUATION, E.G. A CLERICAL JOB UNDERTAKING RECEPTION, TELEPHONE AND TYPING DUTIES ASSUMING RESPONSIBILITY FOR AN IMPREST ACCOUNT. HOWEVER, AN INCREASE IN A MANAGER'S BUDGET DUE TO INFLATION, INCREASED STAFFING COSTS ETC IS UNLIKELY TO AFFECT THE GRADE OF THEIR POST.**
- 4) **A comparable job** on a higher grade may be in the employee's own School/College, another School or College, or a department within the County Council. The employee will have to demonstrate their belief that their job is comparable in terms of the level of duties and responsibilities they carry out to those attached to the comparator job. With regards to jobs in corporate job families, the employee will need to demonstrate why they believe their job meets a higher level description than the one in which they have been placed.
- 5) It is recommended that if an employee/group has trade union representation that they are included in discussions re the pros and cons of submitting a Re-evaluation Request Registration Form.

6) Exclusions

- a) An employee or group cannot apply for re-evaluation
 - i) if their post has been evaluated or been to appeal in the previous 12 months, (appeals registered in 2003 are not included) or
 - ii) until 6 months after appointment to a post¹, or
 - iii) if on a casual contract
- 7) For the purpose of this procedure, if a re-evaluation or subsequent appeal results in a job being upgraded, the new salary will be paid with effect from the date of registration (i.e. the date the Registration Form shown at Appendix 1, page 19 is received by the Head Teacher/Principal.
- 8) Under this procedure posts can be upgraded, remain the same or be downgraded.

PROCEDURE

- 9) When the re-evaluation has been registered under paragraph 2 (substantial increase to duties/responsibilities) the first step is to seek agreement on a revised job description at School/College level with the Head Teacher/Principal.
 - (a) If there is difficulty with an agreement being reached a joint request (employee and Head Teacher/Principal or a request from either the employee or Head Teacher/Principal) can be made to the HR Team (Education) for a Job Analyst or HR Officer to assist in the process of reaching an agreement.
 - (b) If agreement is not reached about the job content the Governing Body will be the final arbitrators on the content of the job description.
 - (c) In order for the job description to be evaluated it must be submitted to the HR Team (Education) for submission to the Job Evaluation Panel for evaluation.
 - (d) Both the employee and the Head Teacher/Principal will be notified in writing of the outcome of the evaluation within 5 working days.
 - (e) If no appeal is registered by either side within 20 working days of the result of the outcome of the evaluation, the School/College will implement any changes to the employee(s) grade.

¹ If the appointment is to a post within a group undergoing re-evaluation, the outcome will apply to the new employee.

- 10) When the appeal/re-evaluation has been registered under paragraph 4 (a Comparable job) the first step is to seek agreement at School/College level with the Head teacher/Principal on a revised job description and for the Head Teacher/Principal to comment on the comparators to be used.
 - (a) If there is difficulty with an agreement being reached a joint request (employee and Head Teacher/Principal or a request from either the employee or Head Teacher/Principal) can be made to the HR Team (Education) for a Job Analyst or HR Officer to assist in the process of reaching an agreement.
 - (b) If agreement is not reached about the job content the Governing Body will be the final arbitrators on the content of the job description.
 - (c) All parties should make every effort to reach agreement within 6 months.
 - (d) If the comparators are identified from within the employee/groups School/College the Head Teacher/Principal will be asked to comment on their appropriateness or otherwise in writing.
 - (e) If the comparators are within another School/College of County Council department the Head Teacher/Principal should indicate that they cannot comment on the validity of the comparators.
 - (f) In order for the Job Evaluation Panel to reach a decision about the re-evaluation both the job description to be evaluated and the comparators must be submitted to the HR Team (Education) for submission to the Job Evaluation Panel.
 - (g) Both the employee and the Head Teacher/Principal will be notified in writing of the outcome of the evaluation within 5 working days.
 - (h) If no appeal is registered by either side within 20 working days of the result of the outcome of the evaluation, the School/College will implement any changes to the employee(s) grade.
- 11) Both the employee/group, their representatives (where applicable) and Head Teacher/Principal are able to attend the panel to explain the job in more detail and answer questions from the panel. In a group situation, no more than 2 postholders (plus TU representative, where applicable) can attend the evaluation.
- 12) At least 20 working days' notice will be given to the employee/group and Head Teacher/Principal of the arrangements for the panel and both parties provided with copies of all documentation submitted. Further information about how the session will be run is detailed at Appendix 5.
- 13) If an employee leaves the employment, of the School/College their request for re-evaluation may still be considered under this procedure

ASSOCIATED APPENDICES

APPENDIX 1 - RE-EVALUATION REQUEST REGISTRATION FORM - EMPLOYEE PROCEDURE

APPENDIX 2 - MODEL LETTER - RESPONSE TO EMPLOYEE REQUEST FOR RE-EVALUATION – EXCLUSION

APPENDIX 3 - MODEL LETTER – RESPONSE TO EMPLOYEE REQUEST FOR RE-EVALUATION – INCLUSION

APPENDIX 4 - COMPARATOR FORM – EMPLOYEE PROCEDURE

APPENDIX 5 – HOW THE APPEAL WILL RUN

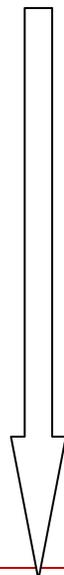
FLOW CHART

EMPLOYEE INITIATED REVIEW

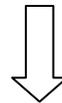
Reach agreement of job description

Agreement

Disagreement



Involvement of Job Analyst

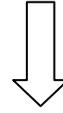


Agreement

Disagreement



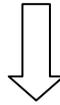
Governing Body to resolve issues



Job Evaluation Panel



Appeal
(Employee or Head Teacher/Principal)



Appeals Panel



Implementation of Grade
(No further right of appeal)

MANAGEMENT REVIEW

1. In the majority of cases where a Head Teacher/Principal identifies substantial changes there may be postholders in place. Head Teachers/Principals must, therefore, be mindful of the need to inform postholders about the procedure and the implications for those postholders, involving them, and their representatives (if appropriate) at all stages.

2. **Effective Dates**
 - a. If the job is **upgraded** and there is a postholder in post the new salary should be paid with effect from the date identified by Head Teacher/Principal when the substantial change occurred, i.e. the implementation date can be retrospective. Where the post is vacant, the new grade will apply from the date of appointment.

 - b. If the job is **downgraded**, and there is a postholder in post, implementation should be deferred until the employee/group has had an opportunity to submit an appeal and the Appeal Panel has reviewed the evaluation. If the outcome remains the same following appeal, the employee/group will be issued with the appropriate notice to terminate and re-engage (see Appendix 6, page 26) and protection will apply for a period of up to 3 years from the date from which the changed grade applies. Where the post is vacant, the new grade will apply from the date of appointment.

3. It is important that agreement is reached with the employee/group on the revised job description.
 - a. If there is difficulty with an agreement being reached a joint request (employee and Head Teacher/Principal or a request from either the employee or Head Teacher/Principal) can be made to the HR Team (Education) for a Job Analyst or HR Officer to assist in the process of reaching an agreement.

 - b. If agreement is not reached the Governing Body will be the final arbitrators of the content of the job description.

 - c. In order for the job description to be evaluated it must be submitted to the HR Team (Education) for submission to the Job Evaluation Panel for evaluation.

 - d. Both the employee and the Head Teacher/Principal will be notified in writing of the outcome of the evaluation.

 - e. If no appeal is registered by either side within 20 working days of the result of the outcome of the evaluation, the School/College will implement any changes to the employee(s) grade.

4. Both the employee/group, their representatives (where applicable) and Head Teacher/Principal are able to attend the panel to explain the job in more detail and answer questions from the panel. In a group situation, no more than 2 postholders (plus TU representative, where applicable) can attend the evaluation.

5. At least 20 working days' notice will be given to the employee/group and Head Teacher/Principal of the arrangements for the panel and both parties provided with copies of all documentation submitted. Further information about how the session will be run is detailed at Appendix 5.

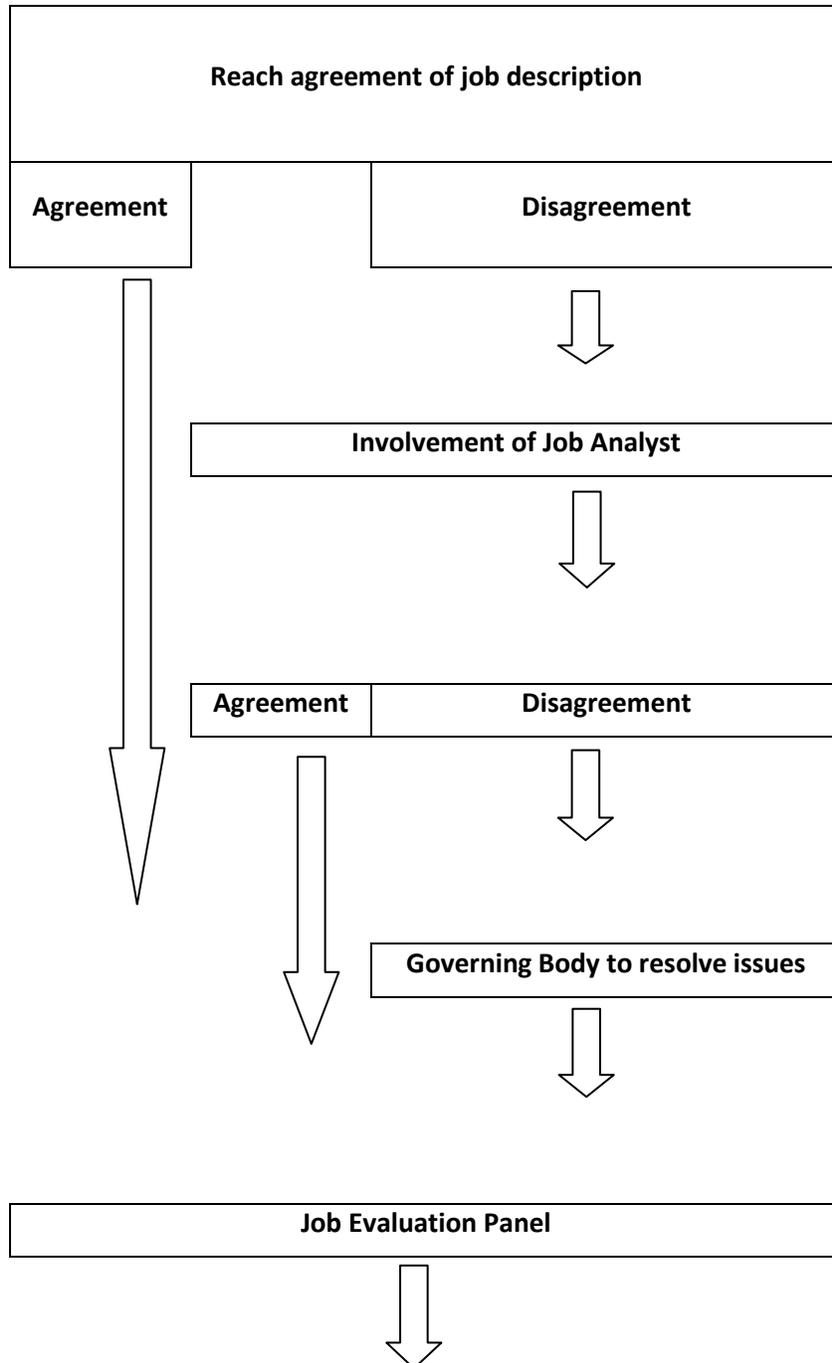
ASSOCIATED APPENDICIES

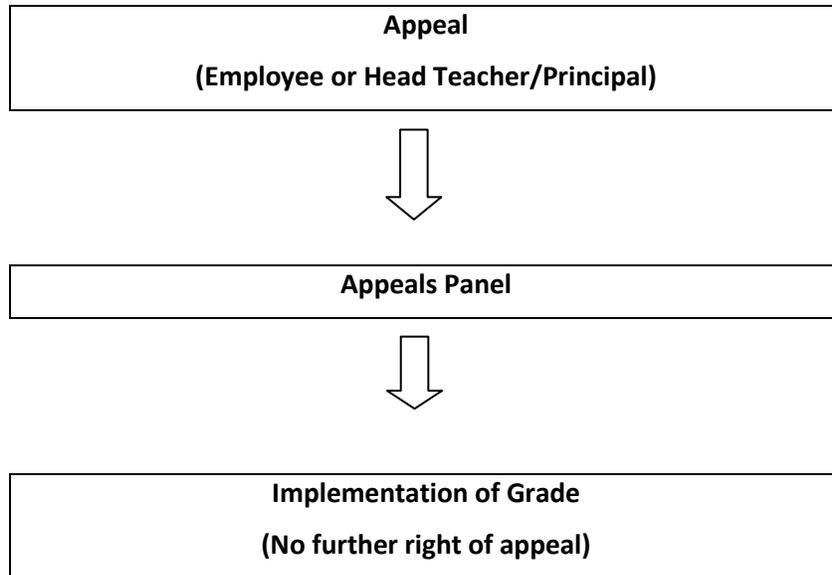
APPENDIX 5 – HOW THE APPEAL WILL RUN

APPENDIX 6 - DOWNGRADING

FLOW CHART

MANAGEMENT REVIEW AT SCHOOL/COLLEGE LEVEL (EMPLOYEE(S) IN POST)





NEW POST

1. This procedure does not apply where the new post is **identical** (both job description and person specification) to an existing job which has already been evaluated, e.g. LSA, Administrative Assistant. The departmental HR Team will be able to provide advice.
2. A new post should go through this process prior to it being advertised.
3. **Preparation for Evaluation**
 - a. In all cases a structure chart should be submitted with the other documentation required.
 - b. A new job description and person specification or a completed JDQ can be submitted to the HR Team (Education) for evaluation by the Job Evaluation Panel.
 - c. If there is a comparator post which is appropriate the Head Teacher/Principal can submit the JD and PS or JDQ. The Head Teacher/Principal should provide full details of the grounds for comparison and the comparator being used, either (i) job family description and/or (ii) specific post. See the Hay Guide for details.
 - d. In order for the job description to be evaluated it must be submitted to the HR Team (Education) for submission to the Job Evaluation Panel.

4. Evaluation Panel

- a. The Head Teacher/Principal may attend the evaluation panel to explain the job in more detail and answer questions from the panel.
- b. The Head Teacher/Principal will be notified in writing of the outcome – this will include reasons and an overall score. Notification will be done within 5 working days of the panel meeting.

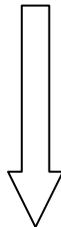
FLOW CHART

NEW POST

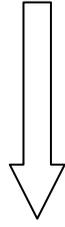
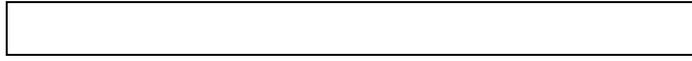
Submission of job description and person specification



Submit to HR Team (Education)



Job Evaluation Panel



Management request for reconsideration of outcome

DOWNGRADING

1. Under this procedure posts can be downgraded as well as remaining the same or being upgraded.
2. Head Teachers/Principals may be concerned about the impact on morale of potential downgrading, but this should not delay submitting the post(s) for re-evaluation. However, prior to submitting the post the Head Teachers/Principals should consider whether it may be possible to take positive action to enhance a job. This should not be at the expense of appropriate structures/duties. Suitable opportunities for enhancement could be due to:
 - A vacancy existing – presenting the opportunity for a redistribution of the duties of that post
 - A new set of duties/new type of work is available
 - Another post has excessive duties which could be redistributed without affecting the grade of that post
- 3 In considering whether it is possible to enhance a particular job, issues to take into account include:
 - Whether the employee is competent to undertake the duties concerned
 - Fairness – where there is more than one employee affected. It could not be considered where a post occupied by a group of employees is likely to be downgraded.
 - Where action to enhance would be to the detriment of other employees in the department
- 4 Once the options have been explored and implemented, where appropriate, the enhanced post should be submitted for re-evaluation.
- 5 Appendix 6 - explains the implications of downgrading for employees, the assistance Head Teachers/Principals should provide to enable employees who are downgraded to return to their former grade and the support that is available for employees.

ASSOCIATED APPENDICES

APPENDIX 6 - DOWNGRADING

APPEALS

1. If the employee/group or Head Teacher/Principal is not satisfied with the outcome, they have the right to ask for a review of the decision. The deadline for submitting an appeal is within 20 working days of receipt of the Notification of Outcome.
2. Both parties (where applicable) will be able to respond in writing within 20 working days of receipt to the other party's submission before the appeal is arranged.
3. The Appeal Panel will consider the employee/group's or Head Teachers/Principals written submission of evidence which supports their view that one or more of the factors detailed in the Notification of Outcome has not been fully taken into account.
4. Both the employee/group (except in the case of new posts) and their representatives (where applicable) and Head Teacher/Principal should attend the panel to explain why they believe that one or more of the factors has not been fully taken into account and to answer questions from the Appeal Panel. In a group situation, no more than 2 postholders (plus TU representative, where applicable) can attend the appeal. At least 20 working days' notice will be given to the employee/group and Head Teacher/Principal of the arrangements for the Appeal Panel and both parties provided with copies of all documentation submitted. Further information about how the hearing will be run is detailed at Appendix 5.
5. The appeal will be heard within 40 working days of receipt of the complete appeal submission. However, if the outcome of the re-evaluation is a down-grading then the appeal must be heard as a priority within that period. Implementation of protection will be postponed until the outcome of the appeal is known. Where the outcome remains the same, i.e. a down-grading, the employee/group will be issued with the appropriate notice to terminate and re-engage (see Appendix 6 and protection should apply for a period of up to 3 years from the date from which the changed grade applies.
6. The employee/group and Head Teacher will be notified in writing within 5 working days of the Appeal Panel's decision. Where the Appeal Panel decides to change the evaluation their amendments to the Notification of Outcome form will be highlighted.
7. The School/College will implement any changes to the employee(s) grade.
8. There will be no further right of appeal.

ASSOCIATED APENDICIES
APPENDIX 5 - HOW THE APPEALS PANEL WILL RUN
APPENDIX 6 - DOWNGRADING

RE-EVALUATION REQUEST REGISTRATION FORM - EMPLOYEE PROCEDURE

1. I wish to register a request for my job to be re-evaluated:
2. I am/am not registering as part of a group (For group appeals – each person must complete and sign a form)

(PLEASE COMPLETE IN BLOCK CAPITALS):

FULL NAME:	
HOME ADDRESS:	
PAYROLL REFERENCE NO:	
POST/JOB TITLE	
SCHOOL/COLLEGE	
CONTACT TELEPHONE NO	

Please give details of your grounds for requesting re-evaluation by ticking the one that applies:

I/we believe there has been a substantial increase in the duties and responsibilities of my post, or

I/we believe that a comparable job is more highly graded OR I/we believe that my/our job is comparable to a higher level description in a corporate job family than the level on which it has been placed.

: :

Signed	Date
--------	------

I understand that by signing this form I am accepting the fact that the Panel may decide that the grade for my job could be downgraded, remain the same, or be upgraded. I also understand that my salary and associated terms and conditions could change dependent on the outcome.

WHEN COMPLETED PLEASE RETURN TO THE HEAD TEACHER/PRINCIPAL

MODEL LETTER - RESPONSE TO EMPLOYEE REQUEST FOR RE-EVALUATION – EXCLUSION

Dear

RE-EVALUATION REQUEST

I acknowledge receipt of your re-evaluation request registration form.

Unfortunately I am not able to progress your request at present for the following reason:

Either

Your job has been evaluated within 12 months of the date of this request

Or

You have been in this job for less than 6 months of the date of this request and your job is not part of a group awaiting an outcome to a previously submitted request for re-evaluation.

You will be able to re-submit your request when these grounds for exclusion no longer apply.

Yours sincerely

Head Teacher/Principal

MODEL LETTER – RESPONSE TO EMPLOYEE REQUEST FOR RE-EVALUATION – INCLUSION

Dear

RE-EVALUATION REQUEST

I acknowledge receipt of your re-evaluation request form.

EITHER

You have indicated that you are requesting a re-evaluation on the grounds of substantial change in the duties and responsibilities of your post. You are now required to complete a new or revised Job Description Questionnaire (JDQ), detailing precisely what the changes are. This must be agreed and signed off by your line manager and counter-signed by me to confirm accuracy. If you are appealing as part of a group, please attach a list of the names of employees included in the group.

A blank JDQ and guidance notes on how to complete it are enclosed, together with a copy of A Guide to the Hay Job Evaluation Scheme. These documents are available from the School/College Office.

OR

You have indicated that you are requesting a re-evaluation on the grounds that you believe a comparable job is more highly graded. You are now required to complete a new or revised Job Description Questionnaire (JDQ), and a Comparator Form, providing details of the grounds for comparison and the comparator being used. The comparator may be either a job family description or a specific post. The JDQ must be agreed and signed off by your line manager and counter-signed by me to confirm accuracy. The Comparator Form must also be signed off by your line manager, who will be required to comment on any comparator posts you put forward within your own department.

A blank JDQ and guidance notes on its completion, and a Comparator Form are enclosed, together with a copy of A Guide to the Hay Job Evaluation Scheme. These documents are available from the School/College Office

Continued

Trained Job Analysts are available to offer guidance to employees and managers on the completion of the JDQ. If you require assistance please let me know and I will make arrangements with the Human Resources Team for a job Analyst to be put in touch with you.

If the content of the JDQ is unable to be agreed, then the Governing Body of the School/College will arbitrate as detailed under paragraph 9b of the new JE Appeals procedure.

The agreed JDQ and Comparator Form (where applicable) should be returned to me and I will forward it to the Human Resources Team who will contact you about arrangements for you to attend the job evaluation panel meeting where your job will be considered.

Yours sincerely,

Head Teacher/Principal

COMPARATOR FORM – EMPLOYEE PROCEDURE

Name	School
------	--------

Please provide details of the post(s) that are being used as comparators, e.g. Job Family Administrative Officer IV – Grade 6 or a specific post.

Please provide details of the grounds for comparison – (please use a continuation sheet if necessary)

Manager’s comments (please use a continuation sheet if necessary)

Name	
Post	Date

HOW THE APPEAL PANEL WILL BE RUN

- 1) The Head Teacher/Principal/School Representative and the employee/group (where applicable) will be invited to attend and may be accompanied by a trade union representative or work colleague.
- 2) It is important that where there is disagreement between both sides then they (plus their representatives, where applicable) should attend the appeal panel as there is no further right of appeal.
- 3) It is recognised that attendance at a formal meeting of any kind can cause an employee/group/school representative to feel anxious or unsure. The appeal panel will therefore be conducted as informally as possible (within the constraints of the procedure) to enable those present to feel comfortable and reassured. The Chair of the panel will give careful consideration to the layout of the room in which the panel is held and ensure that the tone of the proceedings is courteous and non-threatening.
- 4) At the beginning of the session, the Chair will introduce the panel members and outline the procedure to be followed. Either the employee/group (or their trade union representative/work colleague) or management's representative may ask the Chair for a brief adjournment at any time during the session e.g. to consider new or complex information or to restore composure.
- 5) If an employee/group has initiated the appeal they will go first and management will respond, if there is any disagreement. If management have initiated the appeal they will go first and the employee/group (where applicable) will respond, if there is any disagreement. If both parties are in agreement on the submission then step b can be omitted.

 - a. The Chair will invite the initiating party to expand on their written appeal submission. The Panel may ask questions for clarification.
 - b. The Chair will invite the responding party to expand on their written response to the appeal submission (if applicable). The Panel may ask questions for clarification.
 - c. The Chair will then ask if there is anything further either the employee/group or management wish to raise in case the Panel's questions have made them think of anything further.
 - d. The employee/group, trade union representative/work colleague, management's representative and Head Teacher/Principal/School Representative (if applicable) will all withdraw.

- e. The Appeal Panel will re-evaluate the job on the basis of the information provided and prepare reasons for their decision to be included in the Notification of Appeal Outcome.
- f. The outcome will be released within 5 working days unless, following the submissions, the Appeal Panel feel that there are areas which require additional clarification. If the Panel choose to adjourn and reconvene when the information is available, the employee/group and management will be notified that a decision has been deferred and the timescale within which it will be reviewed.



DOWNGRADING

1 What it means

- 1.1 Your post is downgraded if the maximum salary point of your new grade is below your current salary point.

2 Red-circling explained

- 2.1 Red-circling means that your salary level, and associated terms and conditions, are 'frozen' for a three year period from the date of implementation until the substantive salary overtakes the 'frozen' salary or the end of the three year period, whichever is the soon. At that point the substantive salary and associated terms and conditions will apply.

2.2 The figures used below are for example purposes only as pay awards have not been agreed beyond 1st April 2006

2.3 Substantive salary overtakes 'frozen' salary

- 2.4 If you are downgraded from 01.10.06 (3 year protection runs to 30.09.09 unless substantive salary overtakes it before then)

Current Grade 8 – pay point 21 - **£19,050 p.a.**

New Grade 7 – pay point 19 (max) - £17,985 p.a.

You remain on £19.050 p.a. for a three year period from the date of implementation until the substantive salary (pay point 19) overtakes through pay awards the 'frozen' salary (pay point 21) or the end of the three year period, whichever is the soon

- 2.7 If there is a two grade drop, then red-circling will be at the level of one grade above the grade of the new post.

3 Termination and Re-Engagement

- 3.1 It is necessary to terminate the existing Contract of Employment in these circumstances, and offer re-engagement on a new contract which includes the revised substantive grade of the post and protection arrangements. This is because to change the existing contract without agreement would be likely to be regarded by the courts as a breach of contract.

- 3.2 The authority recognises that termination and re-engagement can be distressing for employees but has to comply with the law and will ensure full support/communication is provided whilst going through the process.

4 Pensions Implications

- 4.1 If you are a member of the Local Government Pension Scheme you should seek advice as to how the reduction in salary will affect your entitlements and the options that are available to you

If you do want to discuss your options then contact the Pensions Section on:

0116 305 7840

5 Sources of Advice and Assistance

- 5.1 Advice, assistance and support in dealing with being downgraded is available from a number of sources:

- Your Head Teacher/Principal/Line Manager
- Employee Welfare Service
- Trade Union
- Pensions Section (as detailed above)

- 5.2 In particular, your immediate **Head Teacher/Principal/Line Manager** will know most about your circumstances and be able to provide support in coming to terms with the situation and taking action to address it (see paragraphs 6 and 7 below).

- 5.3 Alternatively, the Welfare Officer for the Children & Young People's Service is Alison Evans who can be contacted on 0116 305 6178 whom you can talk to in strictest confidence, outside of the immediate situation and offers an opportunity for one to one counseling, information and advice. Alison can also put you in contact with a range of other specialist agencies such as money advice, health and welfare advisory services.

- 5.4 *Your Trade Union is a further source of advice and assistance.*

6 Assistance to Enable Employees whose Posts are Downgraded to Return to their Former Grade

6.1 Meetings to Discuss Support

- 6.1.1 Each employee whose post has been downgraded should be offered the opportunity to discuss the support measures outlined below with his/her Head

Teacher/Principal/Line Manager. This discussion may take place during routine one-to-one meetings e.g. appraisal, performance development review, supervision, or by a meeting specifically for this purpose.

- 6.1.2 It is not considered appropriate that union representatives should be present at the meetings referred to above, as these are confidential one-to-one sessions. However, if there are still unresolved issues arising out of these meetings, an employee may request a special meeting with their manager and may ask for their trade union representative to attend this.

6.2 Review of Current Job

- 6.2.1 Jobs do change and develop in the normal course of events. Where there has been a significant change in the requirements of a job since it was evaluated, it will be referred for re-evaluation.

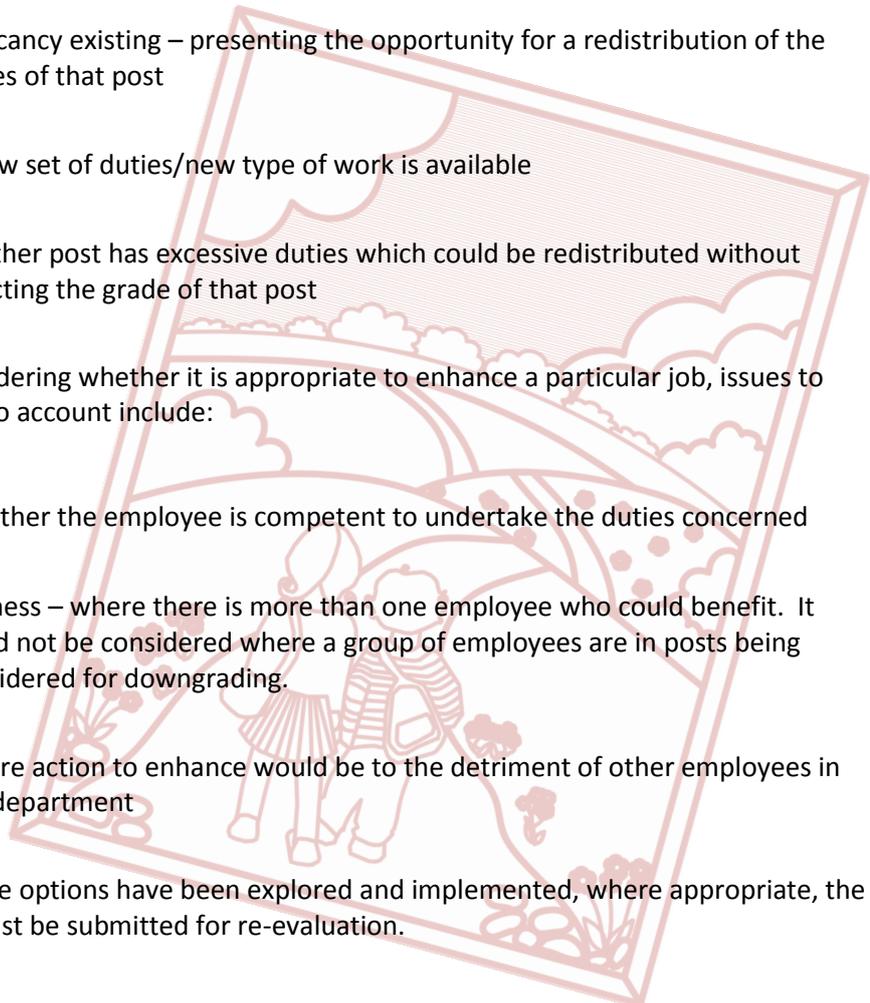
- 6.2.2 It may be possible, in a very few cases, to take positive action to enhance a job (permanently or temporarily). This should not be at the expense of appropriate structures/duties. Suitable opportunities for enhancement could be due to:

- A vacancy existing – presenting the opportunity for a redistribution of the duties of that post
- A new set of duties/new type of work is available
- Another post has excessive duties which could be redistributed without affecting the grade of that post

- 6.2.3 In considering whether it is appropriate to enhance a particular job, issues to take into account include:

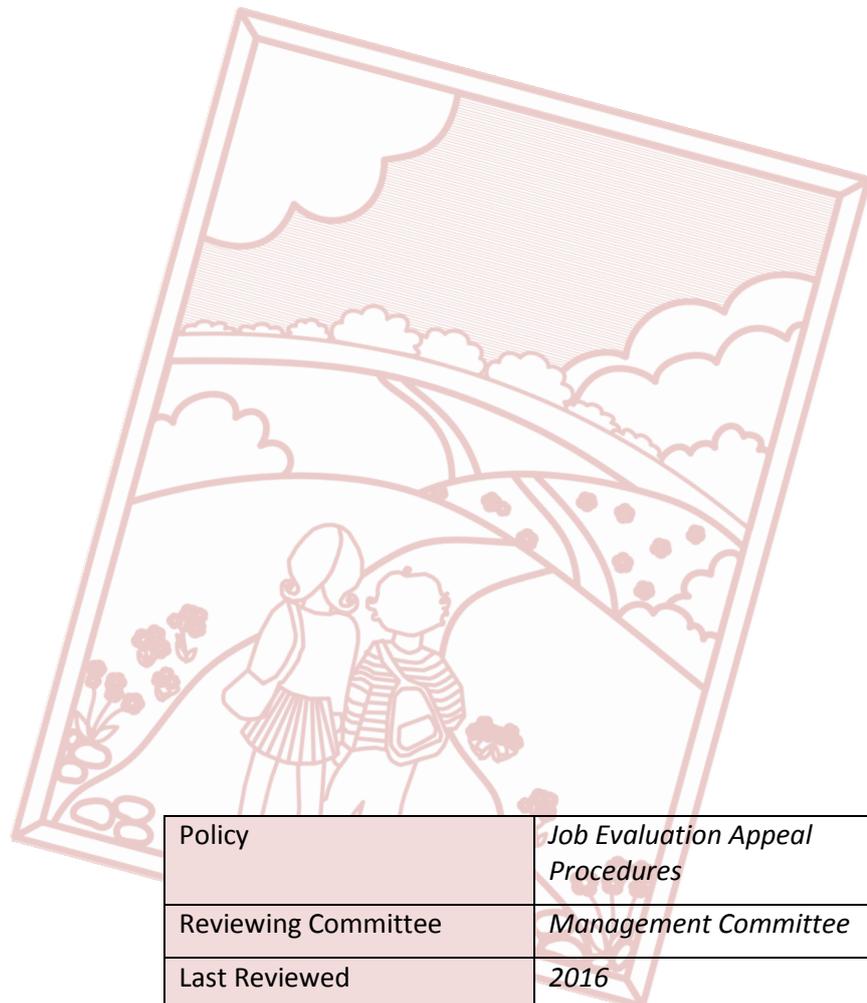
- Whether the employee is competent to undertake the duties concerned
- Fairness – where there is more than one employee who could benefit. It could not be considered where a group of employees are in posts being considered for downgrading.
- Where action to enhance would be to the detriment of other employees in the department

- 6.2.4 Once the options have been explored and implemented, where appropriate, the post must be submitted for re-evaluation.



7 Training and Development

- 7.1 It is recognised that an employee's prospects of being in a position to take on increased responsibility in his/her current post, or of achieving redeployment, are likely to be improved by training and development. However, this cannot be at the expense of other employees or of training necessary to improve service delivery.
- 7.2 The needs of employees whose posts have been downgraded can be identified as part of existing arrangements for identifying training and development issues (e.g. appraisal, performance development review, supervision etc.). Although the priority will continue to be meeting the requirements of the current job, consideration can be given to meeting any training/development needs in respect of the employee's ability to take on increased responsibility in his/her current post or to apply for a new post.



Policy	<i>Job Evaluation Appeal Procedures</i>
Reviewing Committee	<i>Management Committee</i>
Last Reviewed	<i>2016</i>