



# Epping Forest District Council

## **STAFF APPEALS PANEL**

**Tuesday, 26th June, 2012**

<b>Place:</b>	Civic Offices, High Street, Epping
<b>Room:</b>	Council Chamber
<b>Time:</b>	10.00 am
<b>Democratic Services Officer</b>	G Lunnun (Office of the Chief Executive) democraticservices@eppingforestdc.gov.uk

### **Members:**

Councillors J M Whitehouse (Chairman), B Sandler (Vice-Chairman), Mrs T Cochrane, Mrs R Gadsby and B Rolfe

**THERE WILL BE A BRIEFING FOR MEMBERS OF THE PANEL AT 9.30 am IN THE ACTING CHIEF EXECUTIVE'S OFFICE**

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**1. APOLOGIES FOR ABSENCE**

**2. SUBSTITUTE MEMBERS**

(Assistant to the Chief Executive) To report the attendance of any substitute members for the meeting.

**3. DECLARATIONS OF INTEREST**

To declare interests on any item on the agenda.

**4. MINUTES (Pages 5 - 12)**

To confirm the minutes of the last meeting of the Panel held on 7 August 2009 (attached).

**5. STAFF APPEALS PANEL PROCEDURES - JOB EVALUATION APPEALS (Pages 13 - 100)**

(Assistant Director (Human Resources)) To note the attached introductory statement, policies and procedures which need to be taken into account in relation to the appeals to be considered at this meeting.

## 6. EXCLUSION OF PUBLIC AND PRESS

**Exclusion:** To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
7	Staff Appeal No.1 – 2012/13	1
8	Staff Appeal No.2 – 2012/13	1
9	Staff Appeal No.3 – 2012/13	1
10	Staff Appeal No.4 – 2012/13	1

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**Confidential Items Commencement:** Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

**Background Papers:** Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

**7. STAFF APPEAL NO.1 -2012/13 - LICENSING COMPLIANCE OFFICERS**

To consider statements and background documents (circulated separately).

**8. STAFF APPEAL NO. 2 - 2012/13 - ESTATES MANAGEMENT ADMINISTRATOR**

To consider statements and background documents (circulated separately).

**9. STAFF APPEAL NO. 3 - 2012/13 - SENIOR CONTRACTS LAWYER**

To consider statements and background documents (circulated separately).

**10. STAFF APPEAL NO. 4 - 2012/13 - SENIOR FINANCE OFFICER (PROCUREMENT AND ADMINISTRATION)**

To consider statements and background documents (circulated separately).

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Staff Appeals Panel **Date:** Friday, 7 August 2009

**Place:** Committee Room 1, Civic Offices, High Street, Epping **Time:** 1.00 - 4.00 pm

**Members Present:** J M Whitehouse (Chairman), K Chana (Vice-Chairman), P Gode, B Sandler and J Wyatt

**Other Councillors:**

**Apologies:**

**Officers Present:** P Maginnis (Assistant Director (Human Resources)) and G Lunnun (Assistant Director (Democratic Services))

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### 1. SUBSTITUTE MEMBERS

There were no substitute members present at the meeting.

It was reported that since the agenda for this meeting had been prepared the Council had appointed Councillor K Chana as a member of this Panel in place of Councillor B Rolfe.

### 2. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Council's Code of Member Conduct.

### 3. MINUTES

#### RESOLVED:

That the minutes of the meeting of the Panel held on 2 November 2007 be taken as read and signed by the Chairman as a correct record.

### 4. STAFF APPEALS PANEL PROCEDURE

The Panel noted the agreed procedure for its conduct in determination of Staff Appeals.

**5. EXCLUSION OF PUBLIC AND PRESS****RESOLVED:**

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraph of Part 1 of Schedule 12A of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
7	Staff Appeal No 1-2009/10	1

**6. STAFF APPEAL NUMBER 1 - 2009/10**

The Panel considered an appeal by an employee of the Housing Directorate against a decision to dismiss her made by the Director of Finance and ICT acting under delegated authority.

The appellant was in attendance accompanied by her husband. The appellant's husband advised that he would be presenting his wife's case. Ms C O'Boyle, Director of Corporate Support Services and Solicitor to the Council, attended the meeting to present the Council's case. Ms P Maginnis, Assistant Director – Corporate Support Services (HR), attended the meeting to advise the Panel as required on details of employment law and policies relevant to the appeal. Mr G Lunnun, Assistant Director Democratic Services, attended the meeting as secretary to the Panel.

The Chairman welcomed the appellant and her husband to the meeting and introduced the Panel and officers present.

The appellant's husband requested confirmation in writing that Ms P Maginnis had no input whatsoever in referring this case to the Panel. The Chairman pointed out that at this stage of the meeting he was simply outlining the procedure to be adopted and that there would be an opportunity for the appellant and her husband to ask questions at a later stage. However, he allowed Ms Maginnis to answer the question. Ms Maginnis advised that her only previous involvement in this case had been to advise the Director of Finance and ICT in relation to the Sickness Absence Hearing held on 2 July 2009. She added that she had not been involved in compiling the Council's case for this meeting.

The Chairman advised that it was not clear from the appellant's written statement the extent to which she contested or accepted the findings of the Sickness Absence Hearing. It had been assumed, therefore, that she wished to challenge the findings and as a result this meeting would take the form of a complete rehearing of the evidence heard at the Sickness Absence Hearing together with some additional evidence arising from the earlier Hearing. The Chairman sought clarification from the appellant that she was seeking reinstatement to her former position with the Council. The appellant's husband confirmed that this was the appellant's wish.

The Chairman sought confirmation from the appellant that she had received the agenda and the file of documents for this meeting comprising the written statement of

the Council's case, 23 appendices to that statement and the appellant's letter of appeal to the Panel. The appellant's husband confirmed that he was in receipt of all of the papers. The Chairman advised that Ms O'Boyle had given notice that she intended to call two witnesses, Mrs S Lindsay, Housing Resources Manager, and Mr R Palmer, Director of Finance and ICT. He asked the appellant to confirm that she did not wish to call any witnesses. The appellant's husband confirmed that no witnesses were to be called in support of the appellant's case.

Ms C O'Boyle advised that since the papers for this meeting had been dispatched a further letter had been received from the Council's Occupational Health provider dated 6 August 2009. She stated that the letter was relevant to ground of appeal (1) and sought approval for the letter to be admitted to the meeting. She pointed out that as the letter had only been received on 6 August 2009 it had not been available to the Director of Finance and ICT at the Sickness Absence Hearing. The Chairman agreed to the admission of the letter and copies were handed to the appellant and members of the Panel. The Chairman allowed the appellant an opportunity to read the letter before continuing with the proceedings.

The appellant's husband stated that he had expected Ms L Austin, H R Operations Manager to be present at this meeting. The Chairman pointed out that neither the Council nor the appellant had requested the presence of Ms Austin as a witness. The appellant's husband stated that he had expected Ms Austin to be present so that he could question her on the minutes of the Sickness Absence Hearing. The Chairman advised that the Panel had not seen the minutes of that Hearing and would not be taking them into account. He reiterated that this meeting would comprise a complete re-hearing of the evidence heard at the Sickness Absence Hearing together with some additional evidence arising from the earlier Hearing.

The Chairman invited the appellant to present her case.

The appellant's husband stated that he was not challenging the legality of the Council's actions but was questioning its moral justification for the steps taken. He submitted that Council officers had shown his wife no compassion or support during the period of her sickness absence. As an example he cited the failure to commence the Sickness Absence Hearing on time for which no apology had been made. He also referred to references in the Council's papers to a Disciplinary Hearing instead of a Sickness Absence Hearing.

The appellant's husband advised that whilst his wife was still not fit for work her health was much improved since the Sickness Absence Hearing and that she would be attending hospital as a day patient on 21 August 2009 for an injection following which he hoped that she would be able to return to work shortly thereafter.

He stated that the Council had referred to the strain on other officers covering the work in his wife's absence but submitted this should not be an issue because he had been told there was a freeze on employing staff and as a result those officers would have to continue to cover the duties. He submitted that if his wife's post was not filled she should be entitled to a redundancy payment. He suggested that in view of his wife's age she would find it very difficult to obtain other employment.

The appellant's husband claimed that his wife's condition had been made worse by the medical treatment she had received and he claimed that the Council had to accept some responsibility for his wife's length of absence from work.

In answer to questions from Ms O'Boyle, the appellant's husband confirmed that he was not medically qualified and that he was not in a position to present evidence of

the forthcoming hospital appointment or from a qualified medical practitioner about the likely effects of the injection. He stated that his comments regarding a freeze on employment was based on what had been said at the Sickness Absence Hearing. He replied that his submissions about his wife's medical treatment were based on discussions with numerous doctors who had spoken to him informally but were not prepared to submit formal evidence. The appellant's husband confirmed that his wife would not be giving evidence herself. The appellant confirmed that she endorsed all of the evidence being given on her behalf.

The appellant's husband answered questions of members of the Panel. He stated that the improvement in his wife's health since the Sickness Absence Hearing could be seen from the way she walked and the way she stood. In support of his claim that Management had shown no compassion or support for his wife he referred to several comments made in the submitted papers. He stated that his wife was now able to drive an automatic vehicle again and that he thought his wife might be able to return to work whether or not the injection on 21 August was successful

Ms C O'Boyle presented the Council's case. She stated that she did not intend to read the submitted written statement in full but would draw out some of the main considerations. She apologised for the references in some of the papers to a Disciplinary Hearing which had been an error. She gave an assurance that the Council was not implying in any way that the appellant had done anything wrong and that despite the references to a Disciplinary Hearing the matter had been dealt with as a Sickness Absence issue throughout and this was supported by the submitted evidence. She stated that the chief difference between this Appeal Hearing and the Sickness Absence Hearing was that the burden was with the appellant to persuade the Panel that the original decision was unreasonable or incorrect. She advised that the Panel must have regard to the earlier Hearing but they were entitled to come to a different decision.

Ms O'Boyle submitted that there was not an enormous dispute about the facts of this case but it was mainly a question of how those facts were interpreted. She pointed out that the Panel had to come to its decision on the balance of probabilities.

Ms O'Boyle stated that the Council's case was that the appellant had been absent on sick leave for 37 weeks when the Sickness Absence Hearing had taken place and that at that time there had been no realistic prospect of a return to work. She submitted that no evidence from a medically qualified practitioner had yet been presented to this Panel which suggested a realistic prospect of a return to work.

Ms O'Boyle set out the background to the Appeal. She advised that she would call Mrs S Lindsay, Housing Resources Manager, to give evidence about the nature of the work carried out by the appellant and the team within which the appellant had been employed. Mrs Lindsay would also give evidence about how the Council's Managing Absence Policy had been applied including a detailed account of doctors' certificates, referrals to the Council's Occupational Health provider and their advice, and home visits.

Ms O'Boyle advised that she would ask Mrs Lindsay who had been present at the Sickness Absence Hearing to comment on the demeanour of the appellant at that time and now. She would also ask Mrs Lindsay to give evidence about the filling of the appellant's post and why that post had not yet been advertised.

Ms O'Boyle stated that she would also call Mr R Palmer, Director of Finance and ICT and Chairman of the Sickness Absence Hearing. She advised that Mr Palmer would give evidence about the evidence he had received at that Hearing.



Ms O'Boyle submitted that the appellant's third ground of appeal that the Council had contributed to the appellant's length of absence due to treatment she had received from the Council's Occupational Health providers was not a valid ground of appeal. She stated that the Panel was not a forum for taking decisions on medical competency.

Mrs Lindsay attended the meeting, read her statement and enlarged on some aspects at the request of Ms O'Boyle. Mrs Lindsay stated that the pressure on other staff in the team in which the appellant had worked had become greater since the Sickness Absence Hearing as the Council had changed a gas supplier and as a result 500 invoices needed to be processed each month whereas previously 500 invoices had needed to be processed quarterly. Mrs Lindsay stated that she had followed the Council's Managing Absence Policy and had visited the appellant at home in order to keep in touch with the appellant as she had been concerned about the appellant's wellbeing. She stated that she had not intended any of her letters or notes to imply the appellant's condition was not as bad as it appeared.

Mrs Lindsay was shown the Council's Occupational Health provider's letter dated 6 August 2009 and asked if she would have followed any different procedures had she been in possession of that letter earlier. Mrs Lindsay stated she would have followed the same procedures.

Mrs Lindsay agreed that the appellant looked better than she had at the Sickness Absence Hearing when she had appeared to be in a great deal of pain.

Mrs Lindsay answered questions from the appellant's husband. She said she could not comment on whether the appellant was popular with other staff. She stated that she considered all of the comments included within her documents were relevant to the consideration of the appellant's sickness absence. She denied that her attitude towards the appellant had changed when it had become apparent that the appellant required an operation. Mrs Lindsay stated that she did not manage the contract with the Council's Occupational Health provider. Mrs Lindsay described the Council's current process for filling vacant positions and stated that it would have prejudiced the outcome of this meeting if the position had already been advertised and someone else employed. She stated that the employment of additional staff to cope with an increase in workload was not acceptable in the current financial climate and that other work would have to be streamlined to ensure that the additional invoices were processed in time.

Mrs Lindsay answered questions from members of the Panel. She stated that regular workplace assessments were undertaken. She advised that there were six members of staff in the team in which the appellant had worked but that not all of those undertook the same duties as the appellant. Invoices had been dealt with by one full-time member of staff, one other part-time member of staff and the appellant. Ms Lindsay confirmed that she had decided to seek dismissal of the appellant when she had received advice from the Council's Occupational Health provider that the appellant remained totally unfit for work after having been absent for over 30 weeks.

Mrs Lindsay left the meeting. Ms O'Boyle called Mr R Palmer to the meeting.

Mr Palmer confirmed that his letter dated 6 July 2009 had been his decision letter in relation to the Sickness Absence Hearing and that the three issues specified in that letter had been the matters on which he had heard evidence. His attention was drawn to the reference in his letter that the appellant's recovery was expected to take a further 12 to 18 months and asked to compare that with the appellant's first ground

of appeal suggesting that period related to a full recovery and that a return to work could be achieved much sooner. Mr Palmer drew attention to the Council's Occupational Health provider's letter dated 1 July 2009. Mr Palmer was shown a copy of the Council's Occupational Health provider's letter dated 6 August 2009 and asked if he would have come to a different decision had he been in receipt of that letter at the Sickness Absence Hearing. Mr Palmer stated that he would have made the same decision.

Mr Palmer, as a Service Director, explained the Council's current procedures for filling vacant posts and the reason why no steps had been taken to fill the appellant's post in advance of this meeting.

Mr Palmer confirmed that during the Sickness Absence Hearing the appellant had been unable to sit or to stand still and had appeared to be in great pain. He confirmed that at no time had he considered the appellant to have been the subject of disciplinary action. The Hearing he had chaired had been solely concerned with sickness absence.

Mr Palmer answered questions of the appellant's husband. Asked whether his decision would have been different if he had considered the appellant would have returned to work within six weeks rather than 12-18 months, he stated that he would needed compelling evidence of a return to work within that timescale and such evidence had not been submitted. He acknowledged the Sickness Hearing had started a little late as he had been discussing procedural matters and said that he had apologised at the time. He explained the role of Ms Maginnis at the Sickness Absence Hearing had been to advise him but as Chairman of the Hearing the decision had been his alone. Mr Palmer stated that the reference to a further 12 to 18 months absence had been made by the appellant herself. He confirmed that the appellant appeared to be in better health now than she had been at the Sickness Absence Hearing.

Mr Palmer answered questions of the Panel. He stated that the letter dated 6 August 2009 from the Council's Occupational Health provider was broadly in line with the advice he had received at the Sickness Absence Hearing. He confirmed there was no specific period of absence in the Council's Policy which automatically triggered dismissal but felt that a period of some 37 weeks absence with no realistic return date justified the action he had taken.

R Palmer left the meeting.

The Chairman asked the parties to sum up their cases and advised that no new evidence could be presented at this time.

Ms O'Boyle reminded the Panel of the three issues as set out in Mr Palmer's letter dated 6 July 2009.

She submitted that in relation to the first issue the evidence submitted at the Sickness Absence Hearing and at this meeting including the tabled letter from the Council's Occupational Health provider proved that the appellant had taken a high level of sickness absence since 15 October 2008 and there was no clear indication of a return date.

In relation to the second issue she submitted it was not sufficient for the appellant to simply return to work but there was a need for sustained regular service. She stated that the submitted evidence did not suggest this would be possible.

In relation to the third issue she drew attention to the evidence given by Mrs S Lindsay about the significant impact of the appellant's absence on the rest of the team and submitted that this strain could not be sustained.

Ms O'Boyle pointed out that no new evidence had been presented at this meeting on behalf of the appellant. She submitted that the Council's Monitoring Absence Policy had been applied correctly and that all the actions of the officers had been for the right reasons, showing compassion for the appellant.

She drew attention to the fact that the appellant's period of sickness absence had commenced on 15 October 2008 and at that the time of dismissal had amounted to 37 weeks during which time the appellant had not returned to work at all.

Ms O'Boyle asked the Panel to conclude that the decision of Mr Palmer had been correct at the time of the Sickness Absence Hearing and remained correct today.

The Chairman asked Ms O'Boyle if she could provide the date of the report of the Registrar referred to in the Council's Occupational Health provider's letter dated 6 August 2009. Ms O'Boyle said she did not have a copy of that report. The appellant's husband advised that it would have been sometime after the referral on 23 June 2009.

The appellant's husband submitted that everything the Council had done at the Sickness Absence Hearing had been correct legally but he had attempted to draw the attention of the Panel of the moral implications of the decision taken. He claimed that the Council should treat its staff better and that his wife if dismissed would be unlikely to obtain further employment in view of her age. He submitted that his wife's health was now significantly better than it had been at the time of the Sickness Absence Hearing.

The Chairman indicated that the Panel would consider the matter in the absence of the parties. He asked the appellant and her husband if they wished to wait to be notified of the decision. The appellant's husband stated that they would prefer to return home and be notified of the decision in writing. Ms O'Boyle also advised that she would await the decision in writing. The appellant, her husband and Ms O'Boyle then left the meeting.

The Panel discussed all of the evidence which had been submitted.

**RESOLVED:**

(1) That it is the unanimous decision of the Panel that, on the basis of the evidence presented on behalf of the appellant and on behalf of the Council, in writing and orally, the appeal against dismissal from the service be not upheld for the following reasons:

(a) the contention that the appellant would be fit to return to work in the new future has not been evidenced by medical opinion from either the Council's Occupational Health provider or the appellant's own G.P. or consultant; reliance has been placed on the medical evidence produced at the original Hearing from the Council's Occupational Health provider and in a subsequent letter dated 6 August 2009 which was tabled at the meeting; both letters indicate that there is no clear prognosis of the appellant's condition or likely return date and therefore the appeal on this point is rejected;

(b) the appellant's claim that her post would probably not be filled and as a result she had been made redundant is not agreed; evidence from Mrs S Lindsay indicated that it would be her intention to request that the post be filled although this could not be guaranteed as there was currently a recruitment freeze; it is not considered that it would have been appropriate to advertise the position until this appeal procedure had been concluded; it is clear that there is no intention that the post would be deleted from the Establishment therefore resulting in a redundancy situation; it is clear that the appellant was dismissed on grounds of capability due to ill health and the appeal on this ground is rejected;

(c) the appellant's contention that the length of her absence is the responsibility of the Council as the Council's Occupational Health provider prescribed treatment is not a relevant ground of appeal and the appeal on this point is rejected;

(2) That for future cases the Council's template letter following a Sickness Absence Hearing includes suitable thanks for the work undertaken by the postholder, where appropriate; and

(3) That the officers review the arrangements for the instruction of and the monitoring of invoices from the Council's Occupational Health provider.

**CHAIRMAN**

# Agenda Item 5

## **Staff Appeals Panel**

### **Job Evaluation Appeals**

#### **Introduction**

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Staff Appeals Panel Hearings Procedure Appendix 7

Staff Appeals Panel Hearing Procedure – Employees Guidance Appendix 8



## **Staff Appeals Panel**

### **Job Evaluation Appeals**

#### **Introduction**

I am the Council's Assistant Director (HR) and have been involved in carrying out job evaluations for over 15 years for this and other councils. I have used the previous National Joint Council Scheme and implemented the computerised version of the current scheme. I was part of the team who drafted the Conventions for the Council; I was a joint Chairman of the original Job Evaluation Panel; I was the Panel's representative to the Job Evaluation Appeal Panel and I am currently the Chairman of the Job Evaluation Appeal Panel.

Whilst joint Chairman of the Job Evaluation Panel I carried out over 500 evaluations and carried out moderation exercises for these posts both across and up/down the Council.

#### **Job Evaluation**

Job evaluation is a method of determining on a systematic basis the relative importance of a number of different jobs.

Deciding the relative importance of jobs within the Council will cause anxieties as well as raise expectations for all involved as even though job evaluation evaluates the job and not the job holder, employees identify very closely with the jobs that they do.

Job evaluation does not determine grades or pay levels, but does produce a hierarchy of jobs that may not mirror everyone's perceptions.

Job evaluation is;

- A way of assessing the Council's requirements of the job
- Systematic
- Consistent
- A way of producing a hierarchy of jobs on which to base a grading structure,
- A method to ensure equal pay.

Job evaluation is not;

- Scientific
- An exact measurement of duties or tasks performed
- A way of judging performance
- A way of assessing the attributes of the employee
- A way of allocating pay rates.

It is human nature for some employees to hope that job evaluation should move them up the 'pecking order' at work, in reality jobs can move up, down or stay the same.

The Council has implemented an analytical job evaluation scheme which evaluates jobs by separately appraising individual characteristics of the role such as skills, effort, responsibility and working conditions. Each characteristic is broken down into factors and each factor is further broken down into levels.

The factors are weighted and jobs are evaluated against each factor to determine which level the job scores under each factor. Points are awarded for each level. The points for all factor levels are totalled and the total points scored decide a job's place in the ranking order.

The Council implemented the National Joint Council (NJC) Job Evaluation Scheme which was developed by the national employers and trade unions to meet the needs of local authorities. It was designed to meet the diversity of jobs within local government, some of which are not employed by district councils, for example social workers, grave diggers and refuse collectors.

The NJC Scheme is a points-related analytical scheme which covers 13 factors with 5 – 8 levels within each of the factors.

A copy of the NJC Job Evaluation Scheme Scoring and Weighting Matrix is attached at appendix 1.

In 1998 the National Employers and the Trade Unions signed an agreement which required local authorities to work towards the harmonisation of terms and conditions of service for former officer and manual workers. A central part of this agreement was that there should be a common job evaluation scheme against which all jobs should be ranked. This was known as the Single Status Agreement and the Council started to progress work in 1999.

The Council started to develop what is the current job evaluation scheme in 2002 when the Conventions were agreed and the Job Evaluation Panel was constituted. At this stage all posts below Chief Officer level were evaluated with the exception of Craft Workers within the Works Unit (this was because they were not subject to the Single Status Agreement).

The Job Evaluation Panel decided that it should start to evaluate jobs at the top of the structure (i.e. Assistant Heads) down to the bottom carrying out moderation at appropriate points, i.e. in broad bands/levels across the authority. At the end of the evaluation process moderation took place within teams/service areas i.e. up/down the authority.

The ongoing evaluation of posts is set out in the Council's Job Evaluation Maintenance Policy and a copy is at appendix 2.

A copy of the Job Evaluation Maintenance Policy – Guidelines is at appendix 3.

### **Application of the Conventions**

The Council's (local) conventions were agreed before evaluating any posts and the appeal process (whether at officer or member level) does not have the remit to change the convention or the Job Evaluation Panel's interpretation or application of the convention. It is the responsibility of the appeal process to ensure that the convention has been interpreted and applied consistently across the Council.

A number of the conventions have more than one statement that needs to be satisfied to allow the level to be awarded. The requirement of the job has to meet the entire context of the statement not one or two words or part of the statement to be awarded that level. A level will not be awarded unless the whole statement is met.



The Panel should have regard to 'dilution' of a factor, specifically in relation to the 4 Responsibility Factors. For example, within a team, a number of employees could have different levels of responsibility for the same budget; the evaluators need to ensure that the monetary value of the budget is not accounted for several times and that the exact nature of the responsibility is recognised. For example, an employee may receive and record cheques/cash, the manager could be a spending control officer and the Assistant Director is likely to be responsible for setting and monitoring a number of budgets. In addition, evaluators need to ensure that they consider the Accountant's role in the same budget, as finance would be their specialist area.

A copy of the Council's Conventions is attached at appendix 4.

### **Appeals Process**

Members of the Staff Appeals Panel must have regard to the information and paperwork provided to the original Job Evaluation Panel as this, and this alone, is what the original score was awarded on. The original Job Evaluation Panel would have based their decision on the information provided in the Job Description, Person Specification, Limits of Authority Sheet and Additional Information Sheet.

The Job Evaluation Appeal Panel, in a number of the appeals, was provided with far more information both in the appeal statements and verbally at the hearing which did not reflect the examples included in the original paperwork to be evaluated by the Job Evaluation Panel. This is not to say that the later submissions do not accurately reflect the requirements of the job, it is that the information was not available to the Job Evaluation Panel. For the Job Evaluation Panel to be effective they need to possess all the relevant information.

It is worth noting that contained within the notes on the Council's Job Evaluation Appeal Statement Proforma it states;

'Please remember that you may not include in your statement any evidence that was not available to the Job Evaluation Panel.'

A copy of the Proforma has been included at appendix 5.

It is incumbent on postholders and their managers to ensure that the paperwork reflects the true nature and level of responsibilities of the role. Unless the examples on the original paperwork can demonstrate the full requirements of individual levels, both the officer and member Appeal Panels should request that the paperwork is amended appropriately so that the role can be looked at holistically by the original Job Evaluation Panel and moderated against other posts within the Council.

A copy of the Council's Job Evaluation Maintenance Policy - Appeal Procedure is attached at appendix 6.

A copy of the Council's Staff Appeal's Panel Hearings Procedure is attached at appendix 7.

A copy of the Council's Staff Appeal's Panel Hearings Procedure is attached at appendix 8.

## **Terminology**

Benchmark posts are those where a number of posts are the same, they would have the same job description, person specification and there would be one Job Evaluation score sheet for all. Examples include, Benefit Officers, Area Housing Managers, Council Tax Assistants, Licensing Compliance Officers, Payroll Officers, HR Officers. Benchmark posts are identified as such by managers before the evaluation takes place.

Moderation is the 'sore thumbing' exercise that is carried out by the Job Evaluation Panel. This will entail looking at similar roles in terms of levels of responsibilities or tasks by the Job Evaluation Panel to ensure consistency and identify any factor or assessments which appear out of place.

Job Evaluation Panel is the Panel that carried out the original evaluation. This Panel consists of 4 evaluators, 2 management representatives and 2 trade union representatives. The Joint Chairman consists of 1 management representative and 1 trade union representative.

The Job Evaluation Appeal Panel consists of a management representative, a trade union representative and is currently chaired by the Assistant Director (HR).

Staff Appeal Panel is the Panel consisting of elected members.

## **Appeal Submissions and the Council's Response**

Copies of the employees' appeal statements along with attachments are provided to the Staff Appeals Panel along with the Council's response.

## SCORING AND WEIGHTING MATRIX

### Factors and Points per Level

Level	Knowledge and Skills				Effort Demands				Responsibilities				Env. Demands
	Knowledge	Mental	Communications	Physical	Initiative and Independence	Physical	Mental	Emotional	People	Supervision	Financial Responsibilities	Physical Responsibilities	
1	20	13	13	13	13	10	10	10	13	13	13	13	10
2	40	26	26	26	26	20	20	20	26	26	26	26	20
3	60	39	39	39	39	30	30	30	39	39	39	39	30
4	80	52	52	52	52	40	40	40	52	52	52	52	40
5	100	65	65	65	65	50	50	50	65	65	65	65	50
6	121	78	78	-	78	-	-	-	78	78	78	78	-
7	142	-	-	-	91	-	-	-	-	-	-	-	-
8	163	-	-	-	104	-	-	-	-	-	-	-	-
Factor %	16.3	7.8	7.8	6.5	10.4	5.0	5.0	5.0	7.8	7.8	7.8	7.8	5.0
Heading %	38.4				25.4				31.2				5

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**EPHING FOREST DISTRICT COUNCIL**  
**JOB EVALUATION MAINTENANCE POLICY**

**1. Introduction**

Epping Forest District Council has adopted the Local Government Single Status Job Evaluation Scheme which provides a means of establishing systematically the relative values of different jobs. The Scheme will be used to determine job grades and pay levels of both new and existing posts and is recognised by all parties as the only mechanism within the Council for determining the pay of all posts below Head of Service level. Responsibility for administering and co-ordinating the Single Status Job Evaluation Scheme will rest with the Head of Human Resources in consultation with recognised trade unions.

Having introduced the Single Status Job Evaluation scheme, and in order to ensure that the Council continues to have in place a fair and equitable pay structure, which meets the requirements of Equal Pay legislation, it is essential that this Job Evaluation Maintenance Policy is consistently applied.

This policy takes account of advice provided by the National Joint Council for Local Government Services, and implements that advice where appropriate to the circumstances of the Council. It supersedes the policy agreed by the Executive Committee on 2 July 2001.

**2. Situations which will require posts to be evaluated**

It is recognised that whilst all jobs were evaluated in 2002/03 and appeals heard thereafter, some jobs may change and new posts be created. The purpose of this policy therefore is to cover the following situations:

- Creation of new posts
- Restructuring
- Management instituted changes of significance to job descriptions.

**Category 1 - New posts** - where new posts are formally added to the approved structure of the Council, the appropriate Head of Service will be directly responsible for ensuring the accurate completion and authorisation of a Job Description, Person Specification and Additional Information Sheet, and its submission for evaluation prior to advertising the posts. There will be no right of appeal following the evaluation of a new post.

**Category 2 - Restructuring** - before any restructuring can be implemented the full impact of the restructuring must be assessed and costed. This will mean that the affected post(s) must be properly evaluated by the Job Evaluation Panel using a job description, person specification and additional information sheet. It should be recognised that in these situations posts may go up or down and the impact of the Protection Arrangements should be taken account of in the final assessment of restructuring costs. There will be no right of appeal following the evaluation of a restructured post.

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**Category 3 - Management instituted changes of significance to job descriptions -** where posts significantly<sup>†</sup> change as a result of management instituted changes to working practices or the allocation of duties and responsibilities, (but outside of the scope of a restructuring), the Head of Service will be directly responsible for agreeing a new job description, person specification and additional information sheet with the postholder. The Head of Service will be responsible for demonstrating why the significant change to the job has occurred, and must be able to state how they will contain the cost of any salary increase within the ongoing continuing service budget and whether there are any other ways of accommodating the additional duties. This will then be evaluated by the Job Evaluation Panel, subject to the provisions of paragraph 3 below.

### 3. How evaluations will be carried out

All posts will be evaluated in accordance with the National Single Status Job Evaluation Scheme by Panels comprising the following:

- A Management representative
- A Human Resources representative (to be one of the Joint Panel Chairmen)
- A Trade Union representative from each of the two recognised trade unions (one of which will be one of the Joint Panel Chairmen).

Although the Panel is comprised of four persons, where necessary, it may sit as a three member Panel if required. No Panel Member will be an officer of the same section as the post under consideration. All panel members will be required to be properly trained and the Head of Human Resources will be responsible for ensuring that this training takes place.

The appropriate Head of Service will be directly accountable for ensuring the accuracy of all information submitted. Evaluations will be undertaken by means of the job description, person specification and additional information sheet. Job evaluation questionnaires will not be completed or considered.

Once the Head of Service is satisfied of the following:

- i) the accuracy of the job description
- ii) the accuracy of the person specification
- iii) the accuracy of the additional information sheet
- iv) that the evaluation can properly be carried out under Categories 1, 2 or 3
- v) that the proposed implementation date for any change to the grade is correct, including any element of backdating

then the request for the evaluation will be submitted to Management Board for consideration.

Management Board's role is to ensure consistency and fairness in the application of the Maintenance Policy across the Council. In exercising that role they will consider the following:

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- (a) **Categories 1 and 2:** whether the posts may appropriately go forward for evaluation under the proposals for the creation of new posts or restructuring. Posts evaluated within these categories cannot be advertised/filled where there are additional budgetary requirements, until the financial effects have been reported to and agreed by the appropriate Members.
- (b) **Category 3:** whether the management instituted changes to working practices or the allocation of duties and responsibilities are likely to result in a significant change to the job.<sup>†</sup> In support of a request for an evaluation under this category the Head of Service must submit a short written statement indicating the changes that he/she considers significant in the new job description and person specification as compared to the existing documents. In considering these matters Heads of Service must be mindful of the provisions of paragraph 5 of this policy, headed 'Development Opportunities'.

Job evaluation issues relating to category 3 will be considered by Management Board when all three members are present, unless there are exceptional circumstances, which prevent this. The Head of Human Resources and Performance Management will be present at these discussions, except where they concern potential evaluations in that Service, in which case the Head of Legal, Estates and Administration will be present.

Once Management Board has made a decision about whether a post should go forward for evaluation the Head of Service will seek as appropriate, for the evaluation to be arranged by contacting the Human Resources Unit. There is no right of appeal against a decision by Management Board about whether a post may be submitted for evaluation. For the avoidance of doubt the Job Evaluation Maintenance Policy and its associated Appeals procedure are matters of Council policy and are specifically excluded from the Grievance procedure. For consistency this exclusion will also apply to Assistant Heads. Following the completion of the evaluation(s), the result must be reported back to Management Board by the Head of Service for information, prior to implementation. If there are budgetary issues arising from the evaluation the matter must be referred back to Management Board.

#### 4. Right of Appeal

A right of appeal is confined only to those posts which have been evaluated under Category 3 – Management Instituted Changes of significance to Job Descriptions. The Appeals Procedure is set out at Appendix 1 to this document.

#### 5. Development Opportunities

Where employees, as part of their personal development are assigned specific tasks to broaden their knowledge, skills and understanding, this will not result in grounds for re-evaluation. (An individual who is acting up into a higher level post has no recourse to this procedure). Heads of Service and Line Managers are responsible for explaining such situations to employees. Furthermore, an employee may bring specific skills and abilities to their job, by virtue of previous training, aptitude or experience, which significantly enhance their job performance or the way they carry out the job. These matters are not grounds for a re-evaluation of the post.

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## 5. Protection arrangements

The Council's Pay Protection Policy will apply to all situations, which result in a downgrading following an evaluation under Category 3 of this procedure. The arrangements for pay protection under Category 2 are set out in the Redundancy and Redeployment Procedure. Pay protection is not applicable under Category 1.

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† A significant change is a change that has the potential to result in an amendment of the factor level of one or more of the 13 factors in the National Scheme.

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## EPPING FOREST DISTRICT COUNCIL

### JOB EVALUATION MAINTENANCE POLICY - GUIDELINES

#### 1. PURPOSE

- 1.1 The purpose of these guidelines is to establish a process that will ensure the timely and appropriateness of evaluating posts in accordance with the Maintenance Policy.

#### 2. PROCEDURE

- 2.1 The Head of Service is responsible for collating and checking the accuracy of the job description, person specification, additional information form and delegated authority proforma ensuring that they are signed as appropriate.
- 2.2 The Head of Service is responsible for completing the Management Board Proforma. Once completed they will send all the relevant documents to HR who will arrange for the request(s) to be placed on the next convenient Management Board agenda.
- 2.3 If Management Board agrees a request for re-evaluation the Head of HR will notify the Management Chairman of the JE Panel who will arrange for the evaluation(s) to be carried out at the next Panel meeting.
- 2.4 If Management Board denies the request the Head of Service will discuss the issues with Management Board. Additionally, they will notify the postholder(s) of the decision.
- 2.5 If the post to be evaluated is already filled, it is the responsibility of the Head of Service to keep the postholder(s) informed with progress of their evaluation.
- 2.6 The JE Panel will notify the Head of Service and Management Board of the evaluation result. Once Management Board has noted the result the Head of Service arrange for any salary changes and backdating amounts to be paid, if appropriate.
- 2.7 If there are budgetary concerns the Head of Service will discuss the issues with Management Board.

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# **EPPING FOREST DISTRICT COUNCIL**

## **NATIONAL JOB EVALUATION SCHEME AND LOCAL CONVENTIONS**

## FACTOR GUIDANCE NOTES

### General Guidance

1. Words and phrases in the factor and factor level definitions have their normal meaning, unless they are used in a specific context, which is explained in these Guidance Notes.
2. Some factor level definitions include alternative criteria for meeting that demand level. Where a job meets more than one of the alternatives, then the job should still be assessed at that level, unless the combination of the relevant job features means that it meets the criteria for the next higher level.
3. Some factor level definitions incorporate introductory sentences with terms "some", "considerable", "high", "major", "very major". These represent a scale of demand; the individual phrases should be interpreted accordingly.

### The Knowledge and Skills Factors - General Guidance

1. In order to facilitate evaluation, and avoid omission or under-valuation of any individual job feature, the broad Knowledge and Skills area has been divided into a number of discrete factors. As a general rule, a specific type of knowledge and skill should be evaluated under only one of these factors, but distinct aspects of a skill be evaluated under different factors, for example:

**Language Knowledge and Skills:** where a language other than English is required for communication purposes as part of the job, this should be assessed under the Communication and Interpersonal Skills factor, but:

where sufficient knowledge of the structure, syntax and alphabet of a language other than English is required, for example, for translation or drafting purposes, then the level of knowledge required should be assessed under the Knowledge factor.

**Word Processing/Typing Knowledge and Skills:** knowledge of how to operate a typewriter or computer keyboard and of associated layout techniques or software packages should be assessed under the Knowledge factor; and

the dexterity and co-ordination skills needed to achieve required standards of accuracy and speed should be assessed under the Physical Skills factor.

**Driving or Operating Skills:** knowledge of how to drive or operate a particular type of vehicle or plant should be assessed under the Knowledge factor, and

the co-ordination and sensory skills needed to achieve required standards of accuracy and safety should be assessed under the Physical Skills factor.

2. If a specific type of knowledge or skill is required to carry out the job duties, then it should be assessed, even if it is only used occasionally.

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## KNOWLEDGE

### Introduction

This factor measures the Knowledge required for the job, it does not measure the attainments of the postholder. It covers all technical, specialist, procedural and organisational knowledge required for the job, including numeracy and literacy; knowledge of equipment and machinery; and knowledge of concepts, ideas, other cultures or languages, theories, techniques, policies, procedures and practices.

It takes into account the breadth, diversity and range of knowledge and the depth and complexity of the understanding required.

This factor does not take into account physical, mental and interpersonal/communications skills required, as these are covered by separate factors.

**Level 1:** The job requires knowledge of the procedures for a **limited number of tasks** and the operation of associated **basic tools and equipment**. The jobholder needs to be able to follow **straightforward** oral and written instructions and keep **basic work records**.

'**Limited number of tasks**' means no more than 5 simple related tasks, for example photocopying, filing, sweeping and cleaning.

'**Basic tools and equipment**' includes the operation of photocopiers, faxes, telephones, brooms or cleaning materials.

'**Straightforward**' means 'simple' and 'clear cut'.

'**Basic work records**' would include a daily cleaning schedule or fault log.

No formal education or relevant experience would be required to carry out tasks.

**Level 2:** The job requires knowledge of the procedures for a **range of tasks** and the operation of associated **tools and equipment**. The jobholder needs **basic literacy and numeracy skills**.

'**Range of tasks**' means 6 tasks or more, which may not be linked to each other. Examples include basic knowledge of use of e-mail, word processing and data entering, understanding how to operate gym equipment, and knowledge of using a switchboard.

'**Tools and equipment**' - this would be equipment related to a specific operation for example a swimming pool tester, electric screwdriver or a switchboard.

'**Basic literacy and numeracy skills**' - the jobholder needs the ability to read text, write straightforward sentences and carry out straightforward arithmetic sums. Examples include writing a request for cleaning materials, a memo/letter requesting straightforward information (where a standard format is available or appropriate) or taking bookings for a council facility

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such as room bookings. Examples of arithmetic functions include adding up car mileage totals and timesheet/bonus sheets, counting money, giving change and reconciling floats/tills.

Postholder requires a good level education, i.e. NVQ1 or demonstrable equivalent experience.

**Level 3:** The job requires knowledge of the procedures for a range of tasks, some of which, singly or in combination, are **relatively complex**, and of the operation of associated **equipment** and tools. **Literacy and numeracy** skills are required.

'**Relatively complex**' means a degree of sophistication or complexity is involved. An example is a post holder who needs to be able to apply specific job-related regulations/legislation to carry out their job. Alternatively, this could be a post holder who needs a broad knowledge of a range of issues relating to the operation of the service. An example would be a post holder providing relatively complex information to the public on a regular basis about Council Services.

'**Equipment**' - the post holder may operate relatively complex equipment such as pool plant, electrical testing equipment, or have an in-depth knowledge of specific sophisticated software packages related to the job. Knowledge of the health issues relating to the use of gym equipment would also be included at this level.

'**Literacy skills**' include spelling, grammar and punctuation in situations where there is unlikely to be a standard letter/memo format in use. Examples include producing leaflets for the public and writing memos/letters where it is necessary to explain non-complex matters.

'**Numeracy skills**' required would include an understanding of percentages and decimals. Examples include compiling information on staff turnover and monitoring information on usage of facilities/services.

At this level, on appointment post holders are required to have a grade C GCSE (or equivalent) level of education or relevant previous training or demonstrable equivalent experience.

#### Introduction to levels 4 - 8

To provide clarity in levels 4-8, '**organisational, procedural and policy knowledge**' shall mean a corporate/policy area. The level of knowledge required in each case is determined by reference to the earlier part of the definition.

At levels 5 - 8 reference is made to professional/graduate qualification requirements. These references provide an indication only of the type and level of knowledge needed to perform the job duties properly. Jobholders need not necessarily hold such qualifications.

**Level 4:** The job requires predominantly **practical and procedural** knowledge across a **technical or specialist** area,  
OR  
an equivalent level of **organisational, procedural and policy** knowledge.

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**'Practical and procedural knowledge'** means the post holder is able to apply and act upon regulations/legislation/Council policy involving a range of issues across a technical or specialist area. An example is a postholder who inspects or assesses work to be done, preparing if necessary a schedule of works to be carried out. Another example is a postholder who assists with the management of a Council facility by working within the framework of a range of service level and corporate procedures and policies.

**'Technical'** means 'skilled'.

**'Specialist'** means 'expert'.

**'Across'** means requiring background or contextual knowledge of the whole of the technical/specialist area. The postholder may be providing a supportive/administrative role above a basic level, across a technical or specialist area.

On appointment, post holders are expected to require only a short induction period (one month) and they will already possess relevant experience or relevant training in their area of work, including City & Guilds, or a grade C GCSE (or equivalent) level education with relevant experience or an A level standard with experience. The level of experience must demonstrate a commensurate breadth and depth of competence.

**Level 5:** The job requires **theoretical** plus practical and procedural knowledge in a **specialist area**,  
OR  
an equivalent level of organisational, procedural and policy knowledge.

**'Theoretical knowledge'** is an understanding of the background and underpinning concepts and principles in a specific area of work.

**'In'** indicates a depth of knowledge in a narrow specialist area. e.g. bridge maintenance compared to civil engineering generally.

An example is a postholder who has acquired a body of specialist knowledge through extensive experience and/or off the job training, and is required to advise staff on that knowledge. Another example would be a manager of a Council facility who develops service specific policies/procedures within the overall Council framework.

On appointment, the post holder is expected to have a professional qualification and a range of competency and experience to practice the professional qualification in the early stages of the appointment. Some of the experience would be at a senior level. Some posts may require a managerial qualification if the specialism relied upon relates to management.

**Level 6:** The job requires **advanced** theoretical, practical and procedural knowledge across a specialist area  
OR  
an equivalent level of organisational, procedural and policy knowledge.

**'Advanced'** means 'more highly developed', and implies that a considerable depth of knowledge is required. The subject matter will be more complex than that covered by level 5.

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'**Across**' means requiring background or contextual knowledge of the whole of the technical/specialist area. The postholder is likely to be the expert or one of a small number of experts in the specialist area. Advice given at this level can flow upwards to managers within their own service as well as to colleagues and non-specialists.

The knowledge requirement at this level can be gained through extended previous formal training to relevant degree or professional qualification level. The postholder must demonstrate the practice and experience at this level of qualification competently. Or be able to demonstrate an extended period of on the job experience and training including competence at a senior level in the application of the knowledge to the specific requirements of the job especially where there are no or limited recognised professional qualifications.

**Level 7:** The job requires advanced theoretical, practical and procedural knowledge across a specialist area **plus detailed knowledge of the associated organisational policies, practices and procedures,**  
OR  
an equivalent level of organisational, procedural and policy knowledge.

Orders, Financial Regulations, the Council's Constitution etc is required.

The postholder is likely to be engaged in assessing the implications for the Council of new legislation, consultation papers, technological developments and government directives. They are also likely to prepare, on a regular basis, non-routine reports for committee agendas or have a significant role in advising other managers/specialists or members on these matters.

The knowledge requirement at this level can be gained through extended previous formal training to relevant degree or professional qualification level. The postholder must demonstrate practice and experience at this level of qualification competently. Or be able to demonstrate an extended period of on the job experience and training including competence at a senior level, in the application of the knowledge to the specific requirements of the job especially where there are no or limited recognised professional qualifications.

At this level post holders need to be able to apply fully their advanced knowledge across their specialist area.

**Level 8:** The job requires advanced theoretical, practical and procedural knowledge across a specialist area plus detailed knowledge of the associated organisational policies, practices and procedures **for that and other related specialist areas,**  
OR  
an equivalent level of organisational, procedural and policy knowledge.

'**for that and other related specialist areas**' - the postholder must have and utilise a detailed knowledge of the organisational policies, practices and procedures not only in their own specialist area, but in at least two other related specialist areas. This will be clearly demonstrated when the other areas of specialism are outside the postholder's own Service Area but certainly must be outside the postholder's own divisional responsibilities. (A division is defined as a function headed up by an Assistant Head of Service).

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The knowledge requirement at this level can be gained through extended previous formal training to relevant degree or professional qualification level. The postholder must demonstrate the practice and experience at this level of qualification competently. Or be able to demonstrate an extended period of on the job experience and training including competence at a senior level, in the application of the knowledge to the specific requirements of the job especially where there are no or limited recognised professional qualifications. In addition, the post holder would be expected to have extensive knowledge and experience of working at a corporate level.

This level has been judged appropriate for those Assistant Heads who would be the Council's expert with little recourse to others.

## MENTAL SKILLS

### Introduction

This factor measures the Mental Skills required for the job. It includes analytical, problem solving and judgemental skills. It also includes creative and developmental skills, whether related to design, handling of people or development of policies and procedures; and planning and strategic skills.

It takes into account requirements to gather, collate and analyse the facts needed to solve problems; and also requirements for imaginative thinking.

Under this factor, it is not possible to score a higher level for 'mental skills' than the jobholder scores for 'knowledge'. A subordinate may score the same, but no more than their manager.

In this context, 'planning' has its normal dictionary definition of:

“the establishment of goals, policies and procedures for a social or economic unit”,

rather than any specific meaning in the local authority context, for example, town and country planning or economic development.

Similarly, 'analytical' has its normal dictionary meaning of:

“examining and identifying the components of the whole”.

**Planning Timescales:** reference to the timescale for solutions and planning relate to the period over which the plans are made, **not** to the durability of what is planned. For example, planning to win and deliver a 5-year contract might take months to plan. It is the months of planning, rather than the 5 years of the contract which should be assessed. Likewise, designing a particular structure, intended to stand for a hundred years, might take a matter of weeks.

**Relationship to other factors:** the factor evaluates the mental skills required by the job irrespective of the level of initiative and independence, or its level of responsibility, which are measured under other factors in the scheme. For example, a computer programmer requires mental skills to design a suitable programme for a specified purpose, but may not have made the decision for the programme to be designed. The same may apply to an architect designing a building. In both cases, the level of mental skills may be high relative to the level of initiative and independence.

The importance or value to the organisation of the computer programme or building is irrelevant to the assessment of the mental skills required (although it may be taken into account under the relevant responsibility heading).

The complexity of the information to be analysed/interpreted is more important than the length of the planning period, but timescales are considered.

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**Level 1:** The job requires **judgemental skills**, in order to identify **straightforward** solutions to **simple problems**.

'**judgemental skills**' at this level are defined as 'discretion', or 'common sense'.

'**straightforward**' means 'generally free from difficulties'.

'**simple**' means 'not complex'.

'**problem**' is an issue or matter that needs to be solved.

An example would be investigating incorrect financial codes and correcting them, putting a misdirected telephone call through to the correct extension, or taking a message and making sure it gets to the right person. Another example would be a person who deals with calls from the public, in circumstances where callers are not familiar with the services available, or a postholder dealing with a double booking of a council facility.

**Level 2:** The job requires judgemental or **creative skills**, where there is **some need** to **interpret information or situations** and to **solve** straightforward problems.

'**creative skills**' means 'original thinking', looking for solutions that may not be readily apparent.

'**some need**' means occasional rather than frequent.

'**interpret information or situations**' means 'to understand and make an assessment of information or situations'.

'**to solve**' means to explain, clear up or answer an issue or problem.

A further example would be a postholder dealing with arrears or service provision queries from members of the public by telephone, where the matters and options for action are relatively straightforward.

**Level 3:** The job requires **analytical** and judgemental or creative and **developmental skills**, where there is a need to interpret information or situations and to solve **varied** problems or **develop solutions** or **plans** over the **short term**.

'**analytical**' means 'investigative', 'questioning' and 'searching', 'examining and identifying the components of the whole'.

'**development**' means 'improvement', 'change' 'progress' and 'doing things better'.

'**varied**' means 'differing from one another', 'of different sorts or kinds', 'a number of discrete issues to address'.

'**develop**' means to 'work out'.

'**solution**' means 'a way forward or course of action to be taken'.

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'plans' means 'a scheme of action, a project, or design', 'the way it is proposed to carry out some thing'.

'short term' is defined as up to one month.

An example is a postholder who will carry out some investigative work/research to solve problems by means of questioning, searching for or examining information with a view to solving problems in the short term. Posts at this level will deal with and resolve public queries that are not complex but are likely to be about specific matters e.g. council tax, housing repairs etc.

**Level 4:** The job requires analytical and judgemental or creative and developmental skills, to **analyse** and interpret **complex** information or situations and to solve **difficult** problems or develop solutions or plans over the **medium term**.

'analyse' means to separate, distinguish or ascertain the elements of anything complex, to investigate, question or search.

'complex' means 'multifaceted' or 'complicated'.

'difficult' means hard to understand and deal with, challenging.

'medium term' is defined as over one month and up to six months.

An example is a postholder who will carry out investigative work, to solve more challenging problems, by means of questioning, searching for or examining complicated information. Then an analysis of this information is carried out, with the findings ordered into a structure, which leads to the development of solutions/options, designed to improve or make progress. This process is carried out over the medium term and is applied within an existing framework or strategy.

Posts at this level could supervise a team and/or have a responsibility for a specific function.

**Level 5:** The job requires analytical and judgemental or creative and developmental skills to analyse and interpret **varied** and complex information or situations and to **produce solutions** or **strategies** over the **long term**.

'varied' means the information sources are 'differing from one another', 'of different sorts or kinds', 'a number of discrete sources'.

'produce solutions' means identifying options which may not have previously been identified.

'strategies' means 'plans or policies'.

'long term' means six months or more.

An example is a postholder who is required to develop solutions, strategies or direction from a number of different and complex information sources, determining the relevance and importance of each to the overall direction of the project.

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Posts at this level could have a significant responsibility for managing staff and/or having a significant responsibility for a specific function, or writing and developing strategy and service policies.

**Level 6:** The job requires analytical and judgemental or creative and developmental skills to analyse and interpret **very varied** and **highly complex** information or situations and to produce solutions or strategies over the long term.

'**very varied**' means that the information and issues dealt with have a wider range or breadth than at Level 5.

'**highly complex**' means that the information or situations faced by the postholder are more complicated, sophisticated or multifaceted than at Level 5.

An example is a postholder who is required to develop solutions, strategies or direction from a number of different and complex information sources, determining the relevance and importance of each to the overall direction of the project. At this level creative or original thinking is required, due to the nature and pace of change in the work.

## INTERPERSONAL AND COMMUNICATION SKILLS

### Introduction

This factor measures the Interpersonal and Communications Skills required for the job. It includes oral, linguistic, sign and written communication skills. This factor does not measure the amount of public contact but the nature of the communication.

The emphasis of the factor is on the purpose to which the interpersonal and communication skills are put (for example, training, promoting, obtaining information from others, interviewing, gaining the co-operation of others, team working, advising, motivating, persuading, counselling, conciliating, negotiating, meeting the needs of others).

The factor covers the complexity or contentiousness of the subject matter to be conveyed, and any requirements to exercise confidentiality or sensitivity. It takes into account the nature, diversity, cultural background and size of the intended audiences.

Scope of Factor – the job should be evaluated according to the most demanding form of interpersonal or communication skill (so, for example, a job requiring highly developed interpersonal caring skills should be assessed at Level 5, even if the written communication skills needed are Level 2 or 3 only).

<p><b>Level 1:</b> The job involves exchanging <b>straightforward</b> information, usually orally, and with work colleagues, but could include other people.</p>
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**'straightforward'** means 'simple or clear cut'.

At this level a postholder's main communication will involve reporting progress on work tasks to their supervisor or communicating with colleagues on routine or straightforward matters.

<p><b>Level 2:</b> The job involves exchanging orally or in writing information to inform other staff or members of the public. Some <b>tact</b> may be required.</p>
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**'tact'** means 'discretion, diplomacy and exercising a degree of judgement'.

An example of oral communications at this level would be speaking to members of the public about straightforward matters such as routine procedures. An example of written communication would be sending letters or memo's, usually where a template or standard exists. The information conveyed would be readily accessible, and there would be little scope for getting it wrong, for example giving details of opening times to the public. Politeness and tact are important but the instructions will not be difficult.

Posts at this level would not have an advisory role.

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**Level 3:** the job involves

- (a) exercising **interpersonal caring skills**, in order to meet the **basic welfare needs** of **clients**, or
- (b) exercising **training or motivational skills** in relation to other members of staff, or
- (c) exchanging orally or in writing **varied** information with a **range of audiences**, or
- (d) exercising **advisory, guiding, negotiating or persuasive skills**, or
- (e) using a language other than English, where there is a need to exchange greetings and straightforward information in that language.

'**interpersonal caring skills**' means addressing the concern of an individual for their comfort, well-being and safety.

'**basic welfare needs**' means ensuring individuals are able to access personal services and facilities needed for their day-to-day lives.

'**clients**' are individuals for whom the Council has some responsibility.

'**training**' means providing 'on the job' support and training for others within a work based context, for example training staff in their day to day jobs. This does not include training the postholder's own staff.

'**motivational skills**' means to encourage and inspire other staff rather than the postholder's own staff.

'**varied**' means different sorts or kinds.

'**a range of audiences**' means different individuals or groups, each of which may have their own perspective/understanding or needs.

'**advisory**', '**guiding**' means suggesting courses of action or solutions to issues. This does not include giving information regarding such matters as course or room availability, opening times, dates etc.

'**negotiating**' means discussing with interested parties in order to reach an agreement or reconcile differences.

'**persuasive skills**' means finding ways to influence a person by reasoning and discussion.

Posts at this level could be the Council's witness at Court, tribunals, hearings etc, not as an expert witness but as to matters fact. Postholders would be required to advise others on general specialist information, deal with and resolve non-complex complaints and queries.

Note: Paragraphs (a) and (e) are unlikely to apply to any posts in the Council.

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**Level 4:** The job involves either:

- (a) exercising **developed** interpersonal caring or training skills, in order to meet the **more demanding needs** of clients, or
- (b) exercising developed training, **developmental, leadership** or motivational skills in relation to other staff, or
- (c) exercising developed advisory, guiding, negotiating or persuasive skills in order to **encourage** others to adopt a particular course of action, or
- (d) exchanging orally and in writing **complicated** or **sensitive** information with a range of audiences, or
- (e) using **one or more languages other than English** where there is a need to exchange complicated information with individuals, or to identify and respond to the needs of clients, in that language.

'**developed**' means more advanced and sophisticated, with a greater degree of complexity.

'**more demanding needs**' would be needs of a personal nature such as ensuring an individual's washing and toileting needs are met.

'**developmental**' means having responsibility for not just an individual's basic and immediate training needs, but also their longer term requirements and aspirations.

'**leadership**' means exercising the direction of other staff, possibly as an expert or role model.

'**encourage**' means persuading someone to choose from a range of acceptable options.

'**complicated**' means complex and difficult.

'**sensitive**' means the information may be confidential or have significant implications for the individual or the Council if disclosed inappropriately.

Note: Paras (a) and (e) are unlikely to apply to any posts in the Council.

Generally this level will apply to staff responsible for training others (not their own staff), technical and professional specialists who will explain complex matters either in writing or orally. Would act as an expert witness at Court, Tribunals and Panels etc.

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**Level 5:** The job involves either:

- (a) exercising **highly** developed interpersonal caring or training skills, in order to meet the very demanding needs of clients, or
- (b) exercising **highly** developed advisory, **counselling**, negotiating or persuasive skills, or **advocacy**, in order to **convince others** to adopt courses of action **they might not otherwise wish to take**, or
- (c) exchanging orally and in writing **complex** and **contentious information** with a range of audiences, including **non-specialists**, or
- (d) using one or more languages other than English where there is a need to exchange orally **and** in writing complicated information with groups and individuals, or to identify and respond to the **demanding** needs of clients, in that language.

'**highly**' means to a greater degree than at Level 4.

'**advocacy**' means having the responsibility of regularly presenting litigation at court, it is more than being the Council's expert witness. There would need to be a variety and complexity to the matters being advocated.

'**counselling**' means giving guidance to a person rather than a job to help them resolve personal issues. This would not include a manager giving guidance to a member of their staff

'**convince**' - at this level the subject matter about which the postholder is trying to convince someone is more critical than at Level 4.

'**others**' is likely to include, members, and external agencies/businesses

'**complex**' means multifaceted or complicated.

'**contentious**' means 'disputed'.

'**non specialists**' means individuals or groups who may be lay persons in respect of the matters being discussed.

Note - Paras (a) and (d) are unlikely to apply to any posts in the Council.

This level would include posts where it was necessary to regularly write complex reports and present them to committees, external bodies or people from different specialisms. It would include posts who would regularly be required to attend court to present prosecutions. Also at this level would include posts who would be required to train staff on a daily basis.

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**Level 6:** The job involves either:

- (a) exercising **very** highly developed caring or training skills in order to meet the exceptionally demanding needs of clients; or
- (b) exercising **very** highly developed influencing, counselling, negotiating and persuasive skills, or advocacy, in order to convince others to adopt **policies** and course of action they might not otherwise wish to take; or
- (c) exchanging orally and in writing **wide ranging** complex and contentious information with a range of audiences, including non-specialists.

Note - Para (a) is unlikely to apply in the Council.

'**very**' means to a greater degree than at Level 5.

'**influencing**' means the power to bring pressure to bear.

'**policies**' refers to principal matters for the Council which are set down in writing and provide guidance on how matters are to be conducted.

'**wide-ranging**' means comprehensive.

This level is unlikely to apply to posts below Assistant Head of Service. It involves a need for the postholder to use sophisticated and persuasive communication skills, given the requirement to regularly attend internal or external meetings as a representative of the authority in order to promote, argue or challenge issues/defend a position, the outcome of which has a significant impact on the Council.

Posts at this level are likely to be required to persuade Management Board/members to change current practices and procedures and to adopt new policies etc.

## PHYSICAL SKILLS

### Introduction

This factor measures the Physical Skills required for the job i.e. the 'doing' part of the job. It covers manual and finger dexterity, hand-eye co-ordination, co-ordination of limbs, and sensory co-ordination.

It takes into account the purpose to which the skills are put and demands arising from the need to achieve specified standards of speed and precision.

It covers all applications of physical skills, for example, in operation of hand tools and other equipment.

The definitions relate to the standard level required for competent performance of the job duties. Any higher rates achieved, for example, in order to meet performance targets should not be taken into account.

'**Speed**' relates to the speed with which the physical skills are exercised and not to the speed of the outcome. For example, pressing a button to release a rocket set to fly faster than the speed of sound requires only limited precision and speed.

**Consequences of error** – the outcome of the physical skills including the consequences of error, should not be taken into account here, but under the appropriate Responsibility factor. If the same degree of precision and speed is required to produce items worth £100 and £100,000, the jobs should be assessed at the same level on the Physical Skills factor.

**Previous requirements for Physical Skills** – the level of skill required should be that needed for the job, and not any other level required for a previous career position. Thus, a supervisor of drivers only needs driving skills if still required to drive, or to train others. The same applies to word processing skills for an office manager.

Filing is not to be measured under this factor as the accuracy is picked up under mental demands. An individual's advanced WP skill will not be measured if the post does not demand it.

**Level 1:** There are no particular requirements for **developed** physical skills.

'**developed**' means more advanced and sophisticated, with a degree of greater complexity.

This level covers activities involving limited dexterity, with no requirement for developed physical skills, for example, standing, sitting, walking, using a pen, pencil or ruler, using a telephone. Use of a keyboard with a limited number of digits (e.g. 2 finger operation) without any time constraints and the opportunity to amend significantly is covered here.

**Level 2:** The work requires **dexterity, co-ordination** or **sensory** skills, where there is **some demand for precision** in the use of these skills.

'**dexterity**' means physically or manually skilful.

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'co-ordination' means use more than one part of the body at the same time to achieve an outcome, ie eye-hand co-ordination

'sensory' means using one of the five senses i.e. hearing, seeing, touching, smelling, taste.

'some' means a general level of skill is required which is greater than at Level 1.

'precision' means any correct or accurate action.

This level is appropriate for posts which require driving skills for an ordinary car, van or similar vehicle. (However, a higher level will be awarded where the driving, size and complexity of the vehicle or plant, and the nature of the passengers or load carried, is greater). Essential car users are likely to operate at this level.

This level will be awarded for posts where some precision in the use of a keyboard is required, for example, administrative or research jobs involving use of computers for some aspects of the work.

**Level 3:** The work requires dexterity, co-ordination or sensory skills, where there is either:

- (a) Some demand for **both** precision and **speed**
- (b) or **considerable** demand for precision,  
in the use of these skills.

'speed' means the requirement to exercise physical skills quickly i.e. within defined timescales which are critical to the success of the work.

'considerable' means significant and important.

In terms of keyboard skills, this level involves elements of both precision and speed, where the keyboard skills are integral to the main duties, for example, computer programming, systems analysis or the use of computerised financial management systems. The work will need to be done accurately and with speed, for example, to meet deadlines. Alternatively, there will be a high need for accuracy. An example would be a post where keyboard skills need to be exercised with precision and speed in order to accurately build and interrogate budgets.

Would include those who are required to drive specialist machinery or equipment, e.g. tractors, ride-on-mowers or 3.5 tonne lorries.

**Level 4:** The work requires dexterity, co-ordination or sensory skills, where there are either:

- (a) **considerable demands** for both precision and speed, or
- (b) **high demands for precision**,  
in the use of these skills.

**'Considerable demands'** - means a demand for both precision and speed is integral to the main duties of the overall work.

**'High demand for precision'** means the occasions when precision is demanded is more than at Level 3. There is a limited facility to correct mistakes.

In terms of keyboard skills, this level covers the precision and speed required by specialist keyboard operators, such as data input or word processing operators, applying considerable precision and speed, in order to complete tasks to the required standards and timescales.

This level would be appropriate to those who are HGV II drivers.

**Level 5:** The work requires dexterity, co-ordination or sensory skills, where there are very high demands for precision in the use of these skills.

It is unlikely that any posts in the Council would reach this level. For example, HGV I drivers.

## INITIATIVE AND INDEPENDENCE

### Introduction

This factor measures the scope allowed to the jobholder to exercise initiative and take independent actions.

It takes into account the nature and level of supervision of the jobholder; the level and degree of direction and guidance provided by policies, precedents, procedures and regulations; and any requirements to organise or quality check own work.

Initiative and Independence is considered as a hierarchical factor and therefore a supervisor/line manager is likely to be assessed at least 1 level higher than those they supervise/manage.

**Council policies** - all work is undertaken within Council policies, including their development. Absence of reference to Council policies at levels below levels 7 and 8 does not mean that these levels are not within Council policies, but that they are also subject to more detailed procedures, which themselves are within Council policies.

**Recommendations** - jobholders may contribute to the decisions of others by making recommendations. The initiative involved in making such recommendations should be taken into account. The level of initiative in making recommendations will depend on how close to or far from the relevant decision making they are, their degree of influence, the breadth of activity to which they relate, and the degree of direction provided.

**Joint decision making** – the nature and extent of the jobholder's contribution to joint decision making by different people, departments or committees should be taken into account in assessing the level of initiative, the same way as with recommendations. The sharing of decision making and action taking may reduce the level of initiative.

**Managerial direction** - the extent ranges from managerial direction through general to minimal. Account should be taken of the amount, level and degree of the direction.

**Level 1:** The job involves following **instructions** which define the tasks in detail. **Minimal** personal **initiative** is required. The job is subject to **supervisory or customer checks** or **close supervision**.

'instructions' means oral or written directions.

'minimal' means limited.

'initiative' means making a decision and acting upon it without reference to a higher authority.

'supervisory or customer checks' are regular checks made by someone else on the quality and progress of work.

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'**close supervision**' is where the work is regularly checked, and clear directions are given, if required, through the day.

An example is a school leaver trainee post where frequent and specific instructions are given. Or a post that is required to adhere to a work schedule that allows only minor decisions to be made.

It is unlikely that any posts fall into this category in the Council.

**Level 2:** The job involves **working from** instructions, but making **minor** decisions involving the use of initiative. Problems are referred to a supervisor/ manager. **Little close supervision** is necessary beyond that provided by **working arrangements and methods**.

'**working from**' means following less detailed and prescriptive instructions than at Level 1.

'**minor**' means not very important decisions as to how the instructions are to be actioned.

'**little close supervision**' means supervision provided in the normal course of work.

'**working arrangements and methods**' - are the systems and procedures in operation to ensure the work is completed to agreed standards.

An example is a postholder who is required to work from instructions and procedures but will have some degree of discretion as to how and when these are carried out. Posts at this level are unlikely to have any supervisory responsibility. The work at this level is likely to be fairly routine and therefore subject to little close supervision.

**Level 3:** The job involves **working with recognised procedures**, which leave **some room for** initiative. The work may involve **responding independently to unexpected problems and situations**. The jobholder generally has **access to a supervisor/manager** for advice and guidance on **unusual or difficult problems**.

Working with '**recognised procedures**' means undertaking an action or series of actions based on guidance, as opposed to detailed, prescriptive or step-by-step instructions.

'**some room for**' means that the procedures will leave some scope for the postholder to exercise some discretion.

'**responding independently**' means deciding without reference to a supervisor/manager a course of action.

'**unexpected problems and situations**' means difficulties which are unforeseen but will be covered by recognised procedures.

'**access to a supervisor/manager**' means being in a position where there is a need to pass a problem to a supervisor/manager to be advised how to solve it.

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'unusual or difficult' means in respect of frequency or complexity outside the normal expectations.

Post progresses work within a framework and in accordance with regular deadlines. A post at this level is allocated work but can organise when and how it is done on a regular basis. Posts at this level are likely to work within a more specialist function e.g. payroll, planning, and council tax.

**Level 4:** The job involves working within recognised procedures, within which the jobholder is required to **organise own workload**. The work involves **making decisions as to when and how duties are to be carried out**, and responding independently to **unanticipated** problems and situations. The jobholder generally has access to a supervisor/manager for advice and guidance on **serious** problems.

**'organise own workload'** means the work is prioritised by the postholder without reference to the supervisor/manager, other than at regular supervisory meetings. This would include meeting the needs and demands of others either internal or external.

**'making decisions as to when and how duties are to be carried out'** means the postholder has discretion about how to organise and prioritise their workload, without the need for reference to their supervisor/line manager.

**'unanticipated'** means unexpected and means in this sense that there are no recognised procedures to follow. It would normally include dealing with unusual or difficult problems referred up by a junior colleague or a subordinate.

**'serious'** means relatively complex or important.

Postholders at this level would decide how/when work is to be done and would only seek the advice/guidance of the manager as to how to deal with serious or significant problems.

An example of an unexpected problem is a failure of an important piece of equipment, which would involve the postholder in making an initial diagnosis or carrying out a problem solving exercise, and then contacting a contractor or maintenance operative. Most decisions are made autonomously within the confines of the procedures, but serious or significant matters are referred to the manager.

Team Leaders and Supervisors are likely to be given this level, as they would make decisions on how and when work is carried out in their teams. Other posts at this level would include those who manage a caseload, regularly making key decisions/recommendations on cases who may not have responsibilities for managing staff.

**Level 5:** The job involves progressing a **series of activities** within **recognised guidelines**. The work involves making **frequent** decisions and exercising initiative **without** ready access to more senior officers. The postholder consults a supervisor/manager for **advice** on **policy** or **resource issues**.

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'**a series of activities**' means a number of discrete projects or pieces of work, which may not be related to each other.

'**recognised guidelines**' are less prescriptive than those at levels 3 and 4 allowing for a degree of discretion and responsiveness to changing situations.

'**frequent**' means 'happening often', probably on a daily basis.

'**without ready access**' means the postholder would only be expected to need to discuss decisions with their manager once or twice a week, because they would be operating at a level where they would be expected to make the majority of decisions by themselves.

'**advice**' means a direction or opinion given about what should be done, or what course of action should be taken.

'**policy**' means the agreed overall or specific direction of the Service or Council.

'**resource issues**' means the financial, physical or human resources required.

At this level a postholder could independently take forward and make decisions on a range of matters within the framework of the job description, without the need for step-by-step guidance and advice from management. However, permission would be required to alter the resources or policies they are responsible for.

<p><b>Level 6:</b> The job involves working <b>within broad practice or guidelines</b>. The work involves using <b>discretion</b> and <b>initiative over a broad area of activity</b>, with <b>little access</b> to more senior officers. The job is subject to <b>managerial direction</b></p>
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'**within broad practice or guidelines**' may be either internal to the Council or external, such as central government directives, where broad principles are laid down, requiring local interpretation and flexibility.

'**discretion**' means the freedom to decide something.

'**initiative**' means taking action to begin something.

'**a broad area of activity**' means exercising discretion or initiative over an extensive range of different, possibly unrelated tasks which makes up the overall activity.

'**little access**' means the same direction as at Level 5, but the need to consult is less frequent.

'**managerial direction**' means that the postholder is subject to specific parameters/direction set by the manager, and is responsible for determining the priorities/detail within this framework.

Posts at this level are likely to be Spending Control Officers as they will have the authority to allocate resources as necessary whereas at level 5 the postholder will not have this authority. Posts are likely to have responsibility for the day-to-day management of a team/function.

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**Level 7:** The job involves working within **Council policies**. The work involves using **wide** discretion and initiative over a **very broad area of activity**, with little access to others. The job is subject to **general managerial direction**.

'**Council policies**' means the broad framework of policies, rather than the more detailed policies and procedures referred to Level 6 and below. It is likely that those postholders who are required to consult a manager on policy matters will consult a manager at Level 7 or above.

'**wide**' means 'far reaching'.

'**a very broad area of activity**' means exercising discretion or initiative over a considerable range of different, possible unrelated tasks which makes up the overall activity (in excess of that defined at Level 6).

'**general**' means that the postholder receives broad direction from their manager, and therefore operates to a largely autonomous degree.

It is likely that this level is allocated to Assistant Heads.

**Level 8:** The job involves working within the **overall policy** of the Council. The work involves using **very wide** discretion and initiative over a very broad area of activity, **without recourse to others**. The job is subject to minimal managerial direction.

'**overall policy**' means the general policy framework of the Council, rather than specific policies. The postholder will have a role in the development of policies, either for their service or across services.

'**very wide discretion and initiative**' means the postholder has a major specialist accountability and discrete professional independence.

'**without recourse**' means the postholder is expected to be able to act autonomously in setting direction across a wide area.

'**minimal**' means 'the least possible'.

This level will only apply to posts at Assistant Heads of Service level, but will not be the automatic level the other criteria in the level must be relevant.

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## PHYSICAL DEMANDS

### Introduction

This factor measures the type, amount continuity and frequency of the physical effort required by the job. It covers stamina as well as strength.

It takes into account all forms of bodily effort, for example, that required for standing and walking, lifting and carrying, pulling and pushing. It also includes the physical demands involved in working in awkward positions, for example, bending, crouching, stretching; for sitting, standing or working in a constrained position; and for maintaining the required pace of work.

It is assumed that all relevant health and safety regulations are complied with. However, in considering the continuity of effort, breaks required by health and safety regulations (for example, for VDU work or driving), or by other recognised breaks, should not be treated as breaks in the period of effort.

Where mechanical aids are available, these should be taken into account when assessing the level of demand. For instance, other things being equal, moving sacks of potatoes with the aid of a trolley involves less demand than lifting and carrying sacks over the same distance.

**Level 1:** Tasks or activities are undertaken mainly in a **sedentary** position, and allow for **considerable flexibility of movement**. There may be **limited** requirements for standing, walking, bending or stretching; or an **occasional need to lift or carry items**.

'**sedentary**' means 'seated'.

'**considerable**' means 'great in amount'.

'**flexibility of movement**' means the opportunity to move the body in all normal positions with ease.

'**limited**' means 'not many'.

'**occasional need to lift or carry items**' means either the postholder is lifting or carrying items in the normal office sense (e.g. using a reference book or box file) or the postholder lifts or carries something more than this, but only on an occasional basis (i.e. once/twice a month).

This level generally covers standard office duties with no real physical demands. There may be some keyboard work, but the postholder is not tied to a constrained sitting position for any appreciable period of time without the opportunity to exercise flexibility of movement.

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**Level 2:** The job involves either

- (a) some **ongoing** physical effort (for example, **regular** sitting in a **constrained** position, or standing, or walking at a normal pace, for **long periods**); or:
- (b) normally limited physical demand, but with **periodic** requirements for **considerable** physical effort (for example, lifting or carrying, pushing or pulling items of light to moderate weight, rubbing or scrubbing, or working in an awkward position).

'**regular**' means repeated, usually associated with the normal duties of the job, and encountered at least once a day.

'**constrained**' means a restricted, fixed and tensed position in order to carry out the job efficiently.

'**long periods**' means periods of an hour or more at any one time.

'**periodic**' means more frequent than occasionally i.e. at least once a week.

'**considerable**' means some substantial effort is required

'**light to moderate weight**' - examples of light weights include a chair, a spade or a broom. Examples of moderate weights includes a bucket of water, a projector screen or sports equipment.

This level is appropriate for;

- Constrained seating for Word Processor Operators and those attending committee meetings/hearings/panels as a regular duty e.g. committee and legal staff
- Postal duties for messengers and post room staff
- Those required to carryout site inspections where walking is involved, climbing ladders, etc
- Those standing at reception desks or court for long periods.

**Level 3:** The job involves either

- (a) ongoing considerable physical effort (for example, regular lifting or carrying, pushing or pulling items of moderate weight, rubbing or scrubbing, or working in awkward positions): or:
- (b) normally limited or some physical demand, but with periodic requirements for **high** physical effort (for example, lifting or carrying, pushing or pulling items of **heavy weight**, or working in very awkward positions).

'**high**' means great exertion.

'**heavy weight**' - examples include sacks of cement, paving stones, kerbing.

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This level has been allocated to posts where it is a main feature of the job to push/pull set up equipment, carry out cleaning duties and carrying items.

**Level 4:** The job involves either:

- (a) ongoing high physical effort (for example, **frequent** lifting or carrying, pushing or pulling items of moderate or heavy weight, rubbing or scrubbing, or working in very awkward positions): or;
- (b) normally considerable physical demand, but with periodic requirements for **very high** physical effort (for example, lifting or carrying, pushing or pulling items of **very heavy weight**, or manual digging).

'**frequent**' means usually happening continuous or almost continuous, likely to be undertaken for most of the working shift.

'**very high**' means greater exertion than at Level 3.

'**very heavy weight**' means greater in weight than at Level 3.

This level has been used for manual posts e.g. grounds maintenance, nursery staff, tractor drivers.

**Level 5:** The job involves ongoing very high physical effort (for example, frequent lifting and carrying, or pushing and pulling, items of (**heavy or**) very heavy weight, or manual digging).

'(**heavy or**)' for the purposes of sensible interpretation these words are deleted from the Council's definition.

This level has been allocated to the most physically demanding jobs in local government e.g. grave diggers, refuse collectors, main drainage/sewer operatives etc, who are not employed by EFDC.

## MENTAL DEMANDS

### Introduction

This factor measures the degree and frequency of the mental concentration, alertness and attention required by the job.

It takes into account features which may make concentration more difficult, for example, repetitive work, interruptions or the need to switch between varied tasks or activities; and other forms of work related pressure, for instance, arising from conflicting work demands. It also takes into account the responsiveness required of the jobholder.

1. **Mental Attention** is defined as attention of the mind, as in thinking, calculating.
2. **Time spans:** demands are affected by the period for which the attention is needed:

Breaks required by health and safety regulations (for example, for VDU work or driving), or other recognised breaks, should not be treated as breaks in the period of attention.

Demands over particular periods relate to the nature of the work, and not to the contractual hours of the jobholder.

3. **Work related Pressures:** arise from features outside the control of the jobholder. Possible sources include interruptions, conflicting demands (more than one person requiring assistance simultaneously), constraining deadlines (for example, post or bank deadlines; administrative or service delivery deadlines; financial deadlines) or other time pressures.

Volume of work, as such, should not be taken into account and is better dealt with in other ways. Otherwise, decreasing volumes of work (through additional staff being appointed) could result in down scoring of jobs; or increasing volumes of work could result in the up-grading of jobs (at the cost of desirable work practices).

Under this factor it is possible for a subordinate to score the same level as their manager.

**Level 1:** The job requires **general awareness and sensory attention**.

**General awareness and sensory attention** is the level required for day-to-day activities, such as moving from one place to another. Sensory attention means attention of senses (eyes, ears, smell) as in watching, looking, listening, touching, smelling.

An example is a postholder who carries out a range of cleaning tasks and is required to switch between them, but will have limited interruptions.

**Level 2:** The job requires general awareness and sensory attention, with **short periods of concentrated sensory attention**.

**Short periods** - means periods of minutes, up to one hour.

**Concentrated sensory attention** occurs when the jobholder needs to be particularly alert, for example, to traffic or the actions of children; concentrating on visual or aural activities, for example, typing, word processing, data input.

An example is a postholder who carries out a range of duties such as filing and office duties, where there are likely to be some interruptions or switching between tasks.

<p><b>Level 3:</b> The job requires general awareness and sensory attention, with either</p> <p>(a) <b>lengthy periods</b> of concentrated sensory attention; or</p> <p>(b) short periods of <b>concentrated mental attention</b>; or</p> <p><b>considerable</b> work-related pressure, for example, from deadlines, interruptions or conflicting demands on the jobholder.</p>
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'**lengthy periods**' means period of one hour to two hours.

'**concentrated mental attention**' means for example, when undertaking repeated manual calculations or other work with figures; or ordering of facts, as for instance, in report writing or preparation of a presentation.

'**considerable**' means 'great in amount'.

An example is a postholder who manages or assists with the management of a Council facility in which a range of different activities take place. There will be conflicting deadlines and demands throughout the day.

A further example is a postholder who is required to be alert to the actions of members of the public who are using a swimming pool.

Another example is a postholder whose duties require the regular carrying out of inspections, where the work requires periods of up to one hour of concentrated mental attention.

Where the post is subject to significant interruptions they have generally been allocated a level 3 rather than 4.

<p><b>Level 4:</b> The job requires general awareness and sensory attention, with either</p> <p>(a) <b>prolonged</b> periods of concentrated sensory attention; or</p> <p>(b) lengthy periods of concentrated mental attention; or</p> <p>(c) <b>high levels</b> of work-related pressure, for example, from deadlines, interruptions or conflicting demands on the jobholder.</p>
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**'prolonged periods'** - periods of more than two hours, for example, most of the morning or afternoon.

**'high levels'** means 'almost continuous'.

An example is a postholder who delivers training to staff lasting most of a morning or afternoon.

A further example is a postholder who is required to carry out word processing duties for the majority or all of the day, where concentrated sensory attention is required for continuous periods of up to two hours.

Another example is a postholder required to carry out figure work or preparation of a presentation or a report, where these activities extend up to two hours.

- Level 5:** The job requires general awareness and sensory attention, with either;
- (a) prolonged periods of concentrated mental attention; or
  - (b) lengthy periods of concentrated mental attention **over a range of different activities**; or
  - (c) **very high levels** of work-related pressure, for example, from deadlines, interruptions or conflicting demands on the jobholder.

**'very high levels'** means 'continuous'.

**'over a range of different activities'** means a number of different work areas which may not be closely related to each other.

An example is a postholder who is subject to very high levels of work related pressure from conflicting demands and deadlines which arise across the area of responsibility or others which they come into contact with, or advise.

A further example is a postholder who writes complex and detailed reports or presentations, where these activities extend over two hours.



## EMOTIONAL DEMANDS

### Introduction

This factor measures the nature and frequency of the Emotional Demands on the jobholder arising from contacts or work with other people. It does not measure the frequency of the contact.

It takes into account the situation in which the contacts or work with other people occur, for example, whether they are angry, difficult, upset or unwell; or whether their circumstances are such as to cause stress to the jobholder, for example, if the people concerned are terminally ill, very frail, at risk of abuse, homeless or disadvantaged in some other way.

1. **Sources of Emotional Demands** cover demands arising from **people-related** features of the job (in contrast to the Mental Demands factor which covers demands arising from work-related features). Emotional demands are those which cause emotional pressure and may result in the jobholder feeling upset, or grieved, or angry.

Job features must be looked at objectively. Account should still be taken of the source of the emotional demand, where individual jobholders, who deal frequently with it, may learn to "cope" and not to demonstrate the emotional pressure on them.

It is assumed that all relevant precautions are taken, that the jobholder is trained to deal with the relevant people and complies with health and safety procedures.

2. The **people** who impose emotional demands may include the public, local authority members, other employees of the local authority or other organisations (internal and external clients; customers; users of services provided by the jobholder). They exclude immediate work colleagues, because changes in personnel could otherwise result in changes to the evaluation.
3. **Verbal abuse** experienced by the jobholder, whatever the source, is **not** measured under this factor heading, but is treated as a form of people-related unpleasant condition under the Working Conditions factor heading.
4. This factor considers the postholder's reaction to the public/clients behaviour ie anger, frustration

<p><b>Level 1:</b> The job involves <b>limited</b> contact with, or work for, other people, which through their circumstances or behaviour place <b>minimal</b> emotional demands on the jobholder.</p>
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'**limited**' means 'not very much'.

'**minimal**' means 'very little'.

An example is a postholder who has contact with other Council staff, or employees of other organisations or the public, dealing with issues which are unlikely cause emotional demands.

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There could be a significant amount of public contact, however due to the nature of the contact, no or limited emotional demands are placed on the postholder.

**Level 2:** The job involves contacts with, or work for, people, which through their circumstances or behaviour **occasionally** place emotional demands on the jobholder.

'**occasional**' - means infrequently and/or for a short period of time (i.e. less than one hour).

An example is an office based postholder who has constant contact with the public in the course of their normal duties either by telephone or in person, who could be demanding, upset or angry, and will deal with such customers on a daily basis. Or a postholder who has regular contact with members who from time to time will place pressure on them.

### Introduction to levels 3 – 5

To score a level 3 and above under this factor the post must have a one-to-one client relationship with the individual.

**Level 3:** The job involves contacts with, or work for, people which through their circumstances or behaviour either:

- (a) **regularly** place emotional demands on the jobholder,
- or
- (b) occasionally place **significant** emotional demands on the jobholder.

'**regularly**' means repeated within the normal cycle of activity (every day).

'**significant**' emotional demands include those arising from dealing with those who are frail or have physical or mental impairments, or are seriously disadvantaged through homelessness.

An example is a postholder who works on a daily basis with vulnerable clients in a face-to-face residential setting. The postholder is exposed to considerable emotional demands everyday due to the circumstances/behaviour of the clients.

**Level 4:** The job involves contacts with, or work for, people, which through their circumstances or behaviour either:

- (a) regularly place significant emotional demands on the jobholder,
- or
- (b) occasionally place **intense** emotional demands on the jobholder

'**intense**' emotional demands include those arising from dealing with terminally ill clients, cases of child abuse or where the necessary actions of the jobholder may cause genuine

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distress to, or be in conflict with the wishes of, the client (for example) transfer from own home to residential care, removal of child to foster care).

It is unlikely that there would be any posts in the Council, which would attain this level e.g. Social Workers, Home Carers and Care Staff.

<p><b>Level 5:</b> The job involves contacts with, or work for, people, which through their circumstances or behaviour regularly place intense emotional demands on the jobholder.</p>
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It is extremely unlikely that there would be any posts in the Council which would attain this level, e.g. Children and Family Social Workers and Approved Mental Health Social Workers.

## THE RESPONSIBILITY FACTORS - GENERAL GUIDANCE

1. The scheme distinguishes four types of responsibility:

- Responsibility for People;
- Responsibility for Supervision/Direction and Co-ordination of Employees;
- Responsibility for Financial resources;
- Responsibility for Physical Resources

to ensure that the diverse responsibilities of the wide range of local authority jobs are considered.

A job may have any combination, and to any extent, of direct responsibilities, and each should be considered separately. For example, management of a nursing home includes responsibility for the health and well-being of the residents (Responsibility for People), direction and co-ordination of staff (Responsibility for Supervision), budgetary responsibility (Responsibility for Financial Resources) and responsibility for residents' records (Responsibility for Physical Resources).

2. **Contributions to Shared/Joint Responsibility:** Each job should be assessed according to its actual contribution to an overall responsibility, as different people, departments or committees may have a direct responsibility. For example, an accountant in Financial Services may directly contribute to the setting and monitoring of the budget and longer term financial planning of a nursing home's maintenance programme (Responsibility for Financial Resources), whilst the home's manager has budgetary control responsibility for the programme (Responsibility for Financial Resources), which is managed by a maintenance manager (Responsibility for Physical Resources).

The same principles apply in client/contractor situations.

The actual responsibility of a jobholder who shares, or contributes to, the same responsibility as others should be assessed. For example, there is no dilution of responsibility where a jobholder is responsible for the careful use of a piece of equipment for the whole shift, even when other jobholders have responsibility for the same equipment on other shifts.

On the other hand, there is considerable dilution of responsibility for a piece of equipment, which is shared by a team of employees on the same shift, but which the jobholder uses only occasionally.

Sharing of responsibility is normally with other employees, but could equally be with others (for example, with clients, for pensions, when collected by the jobholder; or residents, for security of residential premises). The nature and degree of the jobholder's responsibility for resources is more important in assessing demand than who owns them.

2. **Direct responsibilities and Impact.** The Responsibility factors are concerned with the **direct** impact of the job. An accounts job in a charity has a direct Responsibility for Financial Resources, but no Responsibility for People. A job involving home visits to the charity's clients has a direct Responsibility for People, but possibly no

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Responsibility Financial Resources. The job of the charity's shop worker involves some Responsibility for People (those who visit the shop) and some Responsibility for Financial Resources (the shop receipts).

The **impact** of a failure to carry out the responsibilities properly (for instance, delays, inconvenience or discomfort to others, financial loss, lower quality service) may be useful indicator of the **level** of responsibility.

## RESPONSIBILITY FOR PEOPLE

### Introduction

This factor measures the responsibility of the jobholder for individual, or groups of, people (members of the public, service users and recipients, clients), **other than** employees supervised or managed by the jobholder.

The emphasis of the factor is on the nature and extent of the direct impact on the **well-being** of individuals or groups.

The factor covers responsibilities, including any confidentiality requirements, for the physical, mental, social, economic and environmental well-being of people, including their health and safety.

These responsibilities could be exercised through, for example, providing personal services, advice and guidance, or other forms of assistance; implementing or enforcing regulations; or developing and implementing services.

1. **People:** in this context are the recipients of services provided by the local authority, or the **direct** beneficiaries of its activities, for example:
  - residents of local authority homes;
  - clients of, for example, social workers and home carers;
  - users of libraries and leisure facilities;
  - recipients of benefits or other payments, for which local authorities are the originators or paying agents;
  - residents of privately-run homes, and the clients of childminders, who benefit from local authority inspection and registration activities;
  - users of cafes and restaurants, who benefit from local authority inspection and enforcement activities.

Those who are 'beneficiaries' or recipients will not necessarily be happy with the relevant activities, for example, abused children removed from their families, restaurant owners being inspected for compliance with hygiene regulations.

2. **Equivalent Client or Customer Relationship** this factor generally measures responsibilities which have a direct impact on people **other than** Council employees. However, some jobs with responsibilities for other groups of people, who are not defined above, nor employees supervised by the jobholder, should also be assessed.

Those in an equivalent client or customer relationship include **other employees of the local authority** (for example, customers of internal staff catering facilities, or clients of personnel, training, equalities or welfare officers); or **the employees or volunteers of a voluntary organisation**, to whom the jobholder is providing a direct service (but supervisory or co-ordinating responsibilities should be measured under the Responsibility for Supervision etc. factor).

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3. The implementation and enforcement of **Health and Safety Regulations** are to be taken into account under levels 3(b) and 4(b), where the job responsibilities actually involve implementation and enforcement of those regulations on behalf of the local authority as the statutory enforcement agency. The general health and safety responsibilities of all employees should not be taken into account under this factor but account should be taken of specific job responsibilities for the health and safety of other employees, for example, those of a Safety Officer or Occupational Health Nurse.

The responsibilities of health and safety representatives are **not** normally part of the duties of the job: they generally attach to the individual and should not be assessed.

Under this factor a postholder is unlikely to score the same level as their supervisor, only in exceptional circumstances. They will not score higher.

**Level 1:** The job involves **limited**, or no direct **impact** on the **well-being** of individuals, or groups of people. The work may require common courtesy or consideration when encountering members of the public incidentally in the course of normal duties.

'**limited**' means 'not very much'.

'**impact**': direct impact on people does not necessarily require direct contact, for example, environmental health, trading standards and similar officers may have a direct impact on people, through the implementation or enforcement of regulations, without necessarily having direct contact with those who benefit.

'**well-being**' in this context refers to the Services provided by the Council to individuals or groups, who are direct beneficiaries of these Services. It covers their physical, mental, social, economic and environmental well-being.

An example is a postholder who works mainly in an office environment and has little or no contact with external service users or customers in terms of providing or determining the level of service they get.

**Level 2:** The job involves **some** direct impact on the well-being of individual, or groups of people through undertaking **tasks or duties which are to their direct benefit**, or impact directly on their health and safety.

'**some**' means the impact of the tasks is not considerable on clients and customers.

'**tasks or duties which are to their direct benefit**' means actions which will provide a service to clients and customers.

An example is a postholder who provides general information, advice and guidance to members of the public on progress with applications or enquiries for/about Council Services or internal procedures in relation to their well-being as a regular feature of their job.

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**Level 3:** The job involves **considerable** direct impact on the well-being of individual, or groups of, people, through either:

- (a) and **assessment** of needs and implementation of appropriate care or welfare for those who are **reliant** on the jobholder for their basic needs,  
or
- (b) **implementing regulations** which have a direct impact on the health, safety or well-being of people.

'**considerable**' means important.

'**reliant**' means that the people concerned are personally dependent on the provision of service, assessment of needs or decisions made by the jobholder.

'**assessment**' the automatic or mechanical process of delivering or processing the requirements of people (for example, the taking of details of income and circumstances) is not sufficient for a job to be scored at Level 3 or above, unless the deliverer or processor also makes the initial assessment of needs. At this level the assessment could be informal, for example, whether or how to carry out a prescribed programme of care in the light of the condition of the client on a particular day.

'**implementation and enforcement of regulations**' - refers to **Statutory Regulations** for which local authorities are the implementation or enforcement agents. For example, planning and building control, registration of private homes for the elderly and childminders, enforcement or trading standards and environmental health regulations.

An example is a postholder who is responsible for carrying out external inspections, which will have a direct impact on the actions a client or customer may be able to carry out.

Another example is a postholder who is required to collect personal information in order to make an assessment of the financial position of members of the public in order to determine entitlement to state support.

A further example is a postholder who manages a Council facility which is used by a large number of external customers, where health and safety matters are an important consideration.

At this level posts would have a responsibility for implementing regulations including initiating or recommending prosecution.

**Level 4:** The job involves **high** direct impact on the well-being of individual, or groups of people, through either:

- (a) an assessment of the needs and implementation of appropriate programmes of care or welfare for those who are reliant on the jobholder,  
or
- (b) **enforcing** regulations which have a high direct impact on the health, safety or well-being of people.

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'enforcing' at this level the job must involve formal responsibility for initiating prosecution against those failing to comply with relevant statutory regulations.

An example is a postholder who prosecutes an individual or body using regulations designed to protect the public.

Also posts that have a significant responsibility for developing policies/strategies which have an impact on the people of the District.

**Level 5:** The job involves a **major** direct impact on the well-being of individual, or groups of people, who are reliant on the jobholder and involves assessment of their complex needs and arranging for delivery of appropriate programmes of care or welfare. The jobholder has responsibility for taking decisions which may affect the future well-being and circumstances of individual cases.

'major' means greater to importance than at Level 4.

It is unlikely that there would be any posts in the Council that would be allocated this level. This would be allocated to social services managers who have a responsibility for developing care policies/strategies.

**Level 6:** The job involves a **very major** direct impact on the well-being of **substantial** numbers of people, who are reliant on Council Services for their care or welfare, and involves assessment of the needs of the **relevant group of people** and **determining how** appropriate programmes of care or welfare should be delivered. The jobholder has responsibility for taking decisions which may affect the future well-being of individual, and groups of clients.

'very major' means greater in importance than at Level 5.

'substantial' means 'of a considerable amount'.

'relevant group of people' means the wider client or customer group who are eligible to access the service rather than individuals.

'determining how' in this context means devising and implementing policy or procedure which will affect the delivery of services to clients.

An example is a postholder who is responsible for determining policy on a district wide basis, where that policy will affect the health and well being of members of the public, for example Environmental Health, Emergency Planning issues etc.

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## RESPONSIBILITY FOR SUPERVISION/DIRECTION/CO-ORDINATION OF EMPLOYEES

### Introduction

This factor measures the direct responsibility of the jobholder for the supervision, co-ordination or management of employees, or others in an equivalent position.

It includes work planning and allocation; checking and evaluating the work of others; and training, development and guidance. It also includes responsibility for personnel functions for those for whom the jobholder has a formal supervisory responsibility, such as recruitment, discipline, and appraisal; and planning, organising and long-term development of human resources.

The emphasis of the factor is on the nature of the responsibility, rather than the precise numbers of employees supervised, co-ordinated or managed. It takes into account the extent to which other employees contribute to the overall responsibility.

1. **Scope of Factor:** consideration should be given to **all aspects** of the definition, not just to the size of the group supervised. The aim is to find the level definition which **best fits** the job.

There are deliberately no indications of the **size of groups**; numbers may vary with the circumstances of the job. Size of local authority is **not** relevant.

2. **Co-ordination and Management** where a jobholder co-ordinates or manages the work of staff through others' direct supervision, account should be taken of the actual contribution to the overall directing and co-ordinating responsibility for all those concerned.

3. **Others in an Equivalent Situation:** account should be taken of all employees or others who are supervised, managed, or co-ordinated including:

- contractors' or suppliers' employees;
- volunteers and the employees/workers of voluntary organisations;
- work experience students or trainees;
- students on placement for practical experience;
- others in a similar situation.

Where they are a direct responsibility of the job.

**Level 1:** The job involves **limited**, or no direct responsibility for the supervision, direction or co-ordination of other employees. The work may involve **demonstration of own duties or advice and guidance**, to new employees, or others.

'limited' means 'very little'

'demonstration of own duties' in this context means showing others how parts of one's job are done

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'**advice and guidance**' means giving a suggestion or opinion about how something should be done

An example is a postholder who has no one directly reporting to them, but is likely to show other staff how their work is done, or make suggestions/ advise on how other work should be carried out.

**Level 2:** The job involves **some direct responsibility** for the supervision, co-ordination or **training** or other employees. The work **regularly** involves advising, instructing, checking work, or training other employees.

'**some direct responsibility**' means that the postholder may be in a direct supervisory position or may instead have an advice/guidance role with staff

'**training**' at this level does not mean off the job training courses, but usually means training a postholder to do their job.

'**regularly**' means part of the normal duties of the job.

An example is a postholder who has direct supervisory responsibility being the first line of supervision in the management structure. This person will be responsible for the direction and day-to-day instruction of staff. At this level the post would have a regular responsibility for allocating and checking work of contractors.

The postholder could provide general advice and guidance on established internal procedures in relation to human resources or health and safety.

**Level 3:** The job involves **considerable** direct responsibility for the supervision, **direction**, co-ordination or **training/development** of other employees. The work involves the **allocation of work** to a small group or team, **checking of work**, and the direction of staff, including, where appropriate, on-the-job training.

'**considerable**' means 'great in amount'

'**training/development**' includes analysing an individual or the team's training needs. This would include carrying out SDRs.

'**direction**' means 'setting out how things should be done'

'**allocation of work**' means distributing work tasks amongst those supervised

'**checking of work**' means ensuring accuracy of work against performance standards and timescales.

An example is a postholder who is responsible for the day-to-day management of a team of staff. In addition to setting workload priorities the postholder will identify staff training needs, ensure these needs are met, allocate and check work. There is some responsibility for on the job training, but this may be delegated to others in the team.

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The postholder could provide advice and guidance on the operation of established internal policies and procedures in relation to human resources or health and safety. This may involve interpretation of policies and procedures to meet specific circumstances or problems.

**Level 4:** The job involves **high** direct responsibility for the supervision or **management**, direction, co-ordination or training/development of other employees. The work involves supervising, directing and co-ordinating the work of a group of staff **covering more than one area of activity** or **in more than one workplace**, including allocation of work, and **evaluation and appraisal** of the work carried out.

'**high**' in this context means greater in amount or importance than at Level 3.

'**management**' means the act of controlling and setting the overall direction for a group of staff and monitoring progress

'**covering more than one area of activity**' - 'areas of activity' includes cooking, gardening, housing benefits, highways inspection, recruitment and selection, payroll. Closely associated support activities (for example, clerical, secretarial) should be treated as part of the same area of activity.

'**more than one workplace**' means two work places, which will not be adjacent to each other (i.e. adjoining or nearby offices) but may be in separate parts of the Civic Offices. A Council facility such as a Leisure Centre would be considered as one workplace.

'**evaluation**' means 'to make an assessment of'.

'**appraisal**' means 'determining the value/quality of'.

An example is a postholder who is responsible for setting the overall direction of a team of staff working in more than one area of activity. The postholder may carry out less direct supervision than at Level 3, and will be responsible for setting the overall direction and priorities of the team. Lower levels of management will usually be responsible for day-to-day supervision of staff, and are unlikely to be at Level 4.

Another example is a postholder who is responsible for training staff across the Council in the use of new ICT systems and facilities. The training will not only be formal 'off the job' activity, but guiding and assisting individuals and groups in the application of the new facility.

A further example is a postholder who manages a Council facility. This person will set the overall management direction and framework for the facility, but will have subordinates who carry out the day-to-day detailed supervision of staff.

The postholder could interpret and advise others on the operation and implementation of external regulations and statutory requirements in relation to human resources or health and safety. This may require adaptation of internal policies and procedures to meet demands placed on the Council.

**Level 5:** The job involves a **major** direct responsibility for the management, direction, co-ordination and **development** of **significant** numbers of other employees, covering **several different areas of activity** or in **several geographically dispersed workplaces**. The work involves the **organisation**, allocation and **re-allocation**, as appropriate, of areas of work and the evaluation of activities and working methods.

'major' in this context means greater in amount or importance than at Level 4.

'development' in this context means identifying the required skills, knowledge and attitudes needed to carry out the work effectively, and how these might be achieved through a mixture of on and off the job activities.

'significant' means 'a substantial number'.

'several different areas of activity' means that the employees supervised will work in three different functions and specialisms.

'several geographically dispersed workplaces' means that there will be three or four work places which are supervised by the individual.

'organisation' means 'systematic arrangement and prioritisation'.

're-allocation' means in this context the need to reconsider previous decisions about how work should be divided up in the light of operational changes and the need to reprioritise.

An example is a person who has direct responsibility for a large number of operatives, spread across a range of locations. They would be responsible for disciplinary, grievance, absence monitoring and recruitment matters.

Postholder could have a major responsibility for the development of policies and procedures which meet the social, economic, legal or technical demands on a service/department in relation to human resources or health and safety. The development of such should be seen to have a significant impact on the Council.

**Level 6:** The job involves a **very major** direct responsibility for the management, direction, co-ordination and development of **substantial** numbers of other employees, covering **many different areas of activity** or in **many geographically dispersed workplaces**. The work involves **overall responsibility** for the organisation, allocation and re-allocation, as appropriate, or areas of work and the evaluation of activities and working methods.

'very major' in this context means greater in amount or importance than at Level 5.

'substantial' in this context means greater in number than at Level 5.

'many different areas of activity' means four or more.

'many geographically dispersed workplaces' in this context means five or more.

'overall responsibility' in this context means the person having direct responsibility for the service under the general direction of a more senior manager.

An example is a postholder who has overall responsibility for four or more of discrete and quite different functions within one division. The postholder will have managers in each function who are responsible for setting the direction for their individual part of the Service, but the overall responsibility rests with the postholder.

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The postholder could have a very major responsibility for the development of policies which meet the social, economic, legal or technical demands on the organisation in relation to human resources or health and safety and which can be seen to have a major impact on the operation of, or strategy across, services or departments.

## RESPONSIBILITY FOR FINANCIAL RESOURCES

### Introduction

This factor measures the direct responsibility of the jobholder for financial resources, including cash, vouchers, cheques, debits and credits, invoices, budgets and income.

It takes into account the nature of the responsibility, for example, correctness and accuracy; safekeeping, confidentiality and security; deployment and degree of direct control; budgetary and business planning responsibilities; planning, organising and long term development of the financial resources.

It also takes into account the degree to which other employees contribute to the overall responsibility, the frequency with which the responsibility is exercised and the value of the financial resources.

1. **Monetary Values:** the job should be evaluated according to the **nature and extent** of the responsibility, rather than to the exact monetary value.
2. **Accounting for** - means 'give reckoning of; explain; monitor; audit; authorise;' payment of invoices from committed expenditures - covers receipts as well as expenditures.

When measuring the value a person is accounting for, it is important to consider whether responsibility is shared with others. If for instance a team of 10 people are accounting for total income of £10 million, then the value each person is responsible for is £1 million. If that team of people has a team leader, potentially the team leader is responsible for accounting for the whole £10 million, although consideration will need to be given to any dilution of responsibility.

3. **Being accountable for** - means 'bound to give account for; commit expenditure'.

Normally the accountable person will be the nominated spending control officer for a budget. That person will accept accountability for their budget and the level of service to be delivered as a result of spending their budget. Spending control officers are only responsible for income and expenditure that they can influence and therefore when measuring the size of this accountability, elements recharged into budgets such as support service costs, asset rentals etc. should be ignored. Also see comment under staff costs below.

4. **Handling/processing** - must be an active responsibility, for example, checking invoices and cheques against other documentation to identify errors; but excluding the mechanical printing of cheques, without any checking process (the responsibility for printing equipment and materials should be considered under Responsibility for Physical Resources).
5. **Equivalent Levels of Responsibility** - it is impossible to specify all forms of financial responsibility, as many jobs in many departments may contribute to the overall accounting or accountability responsibility, for example, finance officers in corporate finance, departmental finance officers, service budget holders, cashiers, invoice checkers etc. In determining equivalences, it is important to look at the nature of the

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responsibility, the frequency with which it is exercised, the scale of the responsibility and so on of each job.

Similarly, responsibility for controlling a petty cash box, or taking care of clients' monies may normally be Level 1, but, if the sums involved are relatively large and the responsibility is exercised on a daily basis, this may be Level 2 (or, exceptionally, Level 3).

To achieve a certain level an individual will usually have to satisfy both the responsibility and the monetary requirements. Reasons for any exceptions to this will have to be recorded with a full explanation for decision taken.

6. **Staff costs** should be included in total budgetary figures; the level of the responsibility may be affected by the degree of discretion which the jobholder has over such costs.

Normally the Head of Service has discretion over staff costs, and therefore only exceptionally should staff costs be included within the responsibility for financial resources. Managing staff will be accounted for under the responsibility for supervision/direction and co-ordination of employees. Exceptions would include the regular employment of casual staff (as distinct from employing temporary staff to cover vacancies).

7. **Income Collection and Generation** should be taken into account, for example:

- "bidding" for grants from Government, the European Commission and other grant giving bodies.
- developing financial partnership arrangements with the private sector;
- collection of Council Tax and other revenues.

Income generation and expenditure sums should not be counted twice, but the nature of the combined responsibility should be taken into account.

8. A review of the budgetary limits will be reviewed every 3 years.

**Level 1:** The job involves **limited**, or no, direct responsibility for financial resources. The work may involve **occasionally** handling **small amounts of cash**, processing cheques, invoices or equivalent.

'limited' means 'very little'.

'occasionally' means 'not regular, only a small part of the job'.

'small amounts of cash' means up to £100 on a daily basis.

**Level 2:** The job involves **some direct responsibility** for financial resources. The work regularly involves either:

- (a) handling of cash, or processing of cheques, invoices or equivalent or:
- (b) **accounting for considerable sums of money** where care and accuracy are important, or:
- (c) **being accountable for small expenditures** from an agreed budget or equivalent income.



**accounting for** - means 'give reckoning of; explain; monitor; audit; authorise;' payment of invoices from committed expenditures - covers receipts as well as expenditures.

**being accountable for** - means 'bound to give account for; commit expenditure'.

**'direct responsibility'** in this context means that financial resources is a regular part of the job. It means that the individuals can cause an action (good or bad) which will have an effect on the payment or receipt of the sums of money involved in terms of determining timeliness, accuracy and appropriateness.

**'some'** in this context means that financial resources is a regular part of the job.

**'considerable sums of money'** means between £50K and £1 million per annum.

**'small expenditures'** means between £20K and £100K per annum.

A Spending Control Officer with a budget of under £20K would be allocated this level.

- Level 3:** The job involves **considerable direct responsibility** for financial resources. The work involves either:
- (a) accounting for **large sums of money** in the form of cash, cheques, direct debits, invoices, or equivalent, where care, accuracy and security are important, or
  - (b) being accountable for **considerable expenditures** from an agreed budget or equivalent income. The responsibility may include contributing to the setting and monitoring of the relevant budget and ensuring effective spend of budgeted sums.

**'considerable'** means that in terms of reporting lines it is unlikely that the individual will have more than 3 people between he/she and the relevant Head of Service.

**'large sums of money'** means between £1 million and £5 million per annum.

**'considerable expenditure'** means between £100K and £1 million per annum.

At this level the postholder must be a Spending Control Officer of a budget over £20k.

- Level 4:** The job involves **high direct responsibility** for financial resources. The work involves either:
- (a) accounting for **very large sums of money**, in the form of cash, cheques, direct debits, invoices, or equivalent, where care, accuracy and security are important; or
  - (b) being accountable for **large expenditures** from an agreed budget or equivalent income. The responsibility may include contributing to the setting and monitoring of the relevant budget and ensuring effective spend of budgeted sums.

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'high' means that in terms of reporting lines it is unlikely that the individual will have more than 2 people between he/she and the relevant Head of Service.

'very large sums of money' means sums of over £5 million per annum.

'large expenditures' means between £1 million and £5 million per annum.

Posts, which have a responsibility for providing advice and guidance to managers and others on more complex financial matters, have been allocated this level.

**Level 5:** The job involves a **major direct responsibility** for financial resources. The work involves being accountable for **very large expenditures** from an agreed budget or equivalent income. The responsibility includes contributing to the setting and monitoring of the relevant budget(s) and ensuring effective spend of budgeted sums.

'major' means that in terms of reporting lines it is unlikely that the individual will have more than 1 person between he/she and the relevant Head of Service.

'very large expenditures' means £5 million to £50 million per annum.

Posts who provide advice and guidance on financial matters to management board, members or committee are appropriate to this level.

**Level 6:** The job involves a **very major direct responsibility** for financial resources. The work involves being accountable for **extremely large expenditures** from an agreed budget or equivalent income. The responsibility includes contributing to the setting and monitoring of the relevant budget(s), **long term financial planning** and changing the nature, level and composition of expenditure to meet service or other requirements.

'a very major' means that in terms of reporting lines it is likely that the individual will report direct to the relevant Head of Services.

'extremely large expenditures' means over £50 million per annum.

'long term financial planning' means having a key contribution to the financial requirements of the Council over a three-year period.

Posts who have a responsibility for the long terms planning of the Council's financial resources and provide specialist advice to management board, members or committee are appropriate to this level.

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## RESPONSIBILITY FOR PHYSICAL RESOURCES

### Introduction

This factor measures the direct responsibility of the jobholder for physical resources, including manual or computerised information; data and records; office and other equipment; tools and instruments; vehicles; plant and machinery; land, construction works, buildings and fittings and fixtures; personal possessions; and goods, produce, stocks and supplies.

It takes into account the nature of the responsibility, for example, safekeeping, confidentiality and security; deployment and degree of direct control; maintenance and repair; ordering, purchasing and replacement authority; planning, organising and long term development of the physical resources.

It also takes into account the degree to which other employees contribute to the overall responsibility, the frequency with which the responsibility is exercised and the value of the physical resources.

The job should be evaluated according to the highest level of Responsibility for Physical Resources. For example, a job involving regular use of very expensive equipment and care of the personal possessions of clients should be assessed at Level 3, in line with the first of these features.

**Level 1:** The job involves **limited**, or no, direct responsibility for physical resources. The work may involve limited **handling or processing of information** or careful use of **low value equipment** or care of the **limited personal possessions** of others.

'limited' means 'very little'.

'handling or processing of information' means using either manual or electronic data, for example, to compile throughput figures.

'low value equipment' means general office equipment, simple tools and instruments.

'limited personal possessions' means up to five items of personal possessions.

A computer terminal or PC is included at this level because the active responsibility for its careful use is very limited.

An example is a postholder who operates a switchboard, and will be required to handle information relating to telephone numbers and the location of individuals.

- Level 2:** The job involves **some direct responsibility** for physical resources. The work regularly involves either:
- (a) handling and processing of manual or computerised information, where care, accuracy, confidentiality and security are important, or
  - (b) careful use of **expensive** equipment, or
  - (c) cleaning of buildings, external locations or equivalent, or
  - (d) **some responsibility for security of buildings**, external locations or equivalent, or
  - (e) day-to-day maintenance of equipment or premises; or
  - (f) care of the personal possessions of others, or
  - (g) ordering, or stock control of, a limited range of supplies.

'**some direct responsibility**' means the postholder has a degree of accountability.

'**expensive**' items of equipment at this level include a car, used only for local authority purposes; and a minibus or transit van used for transporting passengers or goods.

'**some responsibility for security of buildings**' means the postholder has a role in the security aspect of the building, but this is not pre-eminent in the overall context of the job. Examples include:

- Key holder responsibility for part or all of a building, external location or construction site;
- responsibility for opening or closing (with keys) one or more buildings;
- responsibility for checking windows, switching on alarm systems or similar, where there is no caretaker.

An example is a postholder in a management position in a Council facility who has some direct responsibility for use of expensive equipment needed for the operation of the facility.

### **Introduction to Levels 3 – 6**

Posts at level 3 and above are required to have obvious resource responsibilities either as a primary function, e.g. housing maintenance, highways, information systems or as a separate secondary job i.e. finance position with distinct responsibility for a financial information system.

**Level 3:** The job involves **considerable direct responsibility** for physical resources. The work involves either:

- (a) handling and processing of **considerable amounts** of manual or computerised information, where care, accuracy, confidentiality and security are important, or
- (b) cleaning, maintenance and repair of a range of equipment, buildings, external locations or equivalent, or
- (c) **regular** careful use of **very expensive** equipment, or
- (d) **security** of buildings, external locations or equivalent, or
- (e) ordering, or stock control of, a range of equipment and supplies.

'**considerable direct responsibility**' means the responsibility is a major feature of the postholder's job.

'**considerable amounts**' means the postholder will handle substantial amounts of information, for example, processing electoral register data or benefit contribution forms/records.

'**regular**' means with a short cycle i.e. daily to weekly.

'**very expensive**' items of equipment include heavy plant, a refuse lorry or similarly adapted large vehicle; a mainframe computer system where the jobholder has active responsibility for its operation; dedicated in-house printing system or operation.

'**security**' responsibilities include acting as security guard or attendant, where this is a major job feature.

An example is a person involved in the management of the Council's Committee/Cabinet process, who is required to handle considerable amounts of information, ensuring accuracy, confidentiality and security at all times. Also this level has been allocated to posts where they are responsible for a caseload.

**Level 4:** The job involves **high direct responsibility** for physical resources. The work involves either:

- (a) adaptation, development or design of **significant information systems**, or
- (b) adaptation, development or design of a **wide range** of equipment, land, buildings, other construction works or equivalent, or
- (c) security of a range of **high value** physical resources, or
- (d) ordering of a wide range of equipment and supplies, or
- (e) making a **significant contribution** to the adaptation, design or development of either large-scale information systems for use by others, or of a range of equipment, land, buildings, other construction works or equivalent.

'**significant information systems**' means a system which will be used across a Division of a service.

'**wide range**' means a number of physical resources which are different/discrete from each other.

'**high value**' physical resources at this level are likely to be property or land sites, or major contracts.

'**significant contribution**' in this context means personal involvement in design, briefing and project management.

An example is a postholder who has a high direct responsibility for the design and adaptation of buildings. Another example is a postholder who is responsible for the development of corporate or important service level ICT systems.

<p><b>Level 5:</b> The job involves a <b>major direct responsibility</b> for physical resources. The work involves either;</p> <p>(a) adaptation, development or design, of <b>large-scale information systems</b> for use by others or</p> <p>(b) adaptation, development or design of a <b>wide and high value</b> range of equipment, land, buildings, other construction works or equivalent, or</p> <p>(c) security of a <b>wide and very high value range</b> of physical resources or</p> <p>(d) ordering of a wide and high value range of equipment and supplies.</p>
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'**major direct responsibility**' means the responsibility for physical resources is a core requirement of, and integral to the job.

'**large scale information systems**' means systems applying across the Council.

'**wide and high value**' (b) & (d) means at this level the resources will be both different/discrete from each other and likely to be property, land sites or major contracts.

'**wide and very high value**' (c) means at this level the resources will be both different/discrete from each other and likely to be significant property e.g. depots or office complex.

An example is a postholder who is responsible for the development of a major road maintenance/repair programme. Also posts that have a responsibility for the procurement of large ICT systems or other long term contracts e.g. Housing Maintenance.

<p><b>Level 6:</b> The job involves a <b>very major direct responsibility</b> for physical resources. The work involves overall responsibility for the <b>procurement</b> and deployment of substantial physical resources. The responsibility includes long-term planning of the procurement and deployment of physical resources and changing the source, nature, level and composition of such resources to meet service of other requirements.</p>
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**'very major direct responsibility'** means the postholder has either overall responsibility for physical resources (within their specialist areas) or is responsible for provision of overall advice about their use or procurement (leading as the lead specialist).

**'procurement'** means the overall policy and procedural framework within which the Council obtains goods and services.

An example is a postholder who has overall responsibility for specifying, procuring and managing/monitoring a number of significant and long term Council contracts, e.g. highways, waste and recycling or various housing maintenance contracts.

## WORKING CONDITIONS

The factor measures exposure to disagreeable, unpleasant, uncomfortable or hazardous working conditions arising from the environment or from work with people.

It covers the frequency, duration and nature of conditions, such as dust, dirt, temperature extremes and variations, humidity, noise, vibration, fumes and smells, human or animal waste, steam, smoke, grease or oil, inclement weather, lack of privacy or isolation, and the risk of illness or injury arising from exposure to diseases, toxic substances, machinery or work locations. It also covers abuse, aggression and risk of injury from people.

It does not consider the likely reaction of the postholder to a client's behaviour, this is considered under emotional demands.

The factor measures those aspects of the working environment which are unavoidable and integral to the job. Health and safety regulations and requirements are assumed to be met, but the requirement to wear protective clothing may create disagreeable or uncomfortable conditions. No account is taken of poor office environments.

The emphasis of this factor is on the degree of unpleasantness or discomfort caused. This takes into account the frequency, intensity and duration of exposure to particular conditions; and the additional effect of variations or combinations of conditions.

1. **Scope of Factor:** covers all **people related behaviour** including any form of verbal abuse and aggression from people other than immediate work colleagues; and **environmental working conditions** including dirt, smell and noise resulting from both the physical environment and contact or work with people.

The emphasis is on the **degree of unpleasantness or discomfort** encountered, which is affected by the frequency, intensity and duration of exposure to particular conditions.

2. **Indoor/Outdoor Work** – outdoor work generally involves more exposure to disagreeable conditions than indoor work, but consideration must be given to all other features, for example:
  - Whether or not the outdoor work can be organised to minimise exposure to cold and wet and maximise exposure to sun and warmth;
  - Other unpleasant aspects e.g. fumes, smells, noise, abuse;
  - Whether or not the indoor work involves exposure to heat, cold or abuse from people. It does not include temperature variations in office conditions, but covers exposure to conditions from refrigeration or furnace work.
  - The extent to which the work can be organised by the jobholder to lessen the exposure to unpleasant conditions, and the level of control over the conditions.

Where a job is split between indoor and outdoor work, the frequency of each, and any other relevant features, should be taken into account.

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3. **Personal Comfort Levels** – the degree and nature of the unpleasantness, and the frequency and duration with which it is encountered should be assessed, rather than individual responses to these, which vary. For example, some people are better at withstanding cold, or prefer heat; some are better at withstanding abuse. Responses may also vary with the familiarity with the condition, for example, some people become accustomed to an odious human or environmental smell.
4. **Hazards/Risk of Injury** – are included, because it is recognised that some jobs are inherently more hazardous than others. The scheme assumes that all appropriate precautions and safeguards are taken, for example, special training, protective measures and clothing, being accompanied by another responsible person where feasible.

The extent of hazards and risk of injury takes into account the likelihood of such incidents occurring. This may vary between similar jobs, depending on their precise nature, location and degree of isolation.

**Level 1:** The job involves **minimal** exposure to disagreeable, unpleasant or hazardous:

- (a) environmental working conditions; or
- (b) people related behaviour.

'**minimal**' means 'very little' and includes either occasional exposure to disagreeable conditions (environmental or people related) or more frequent exposure to marginally unpleasant conditions.

An example is an office worker who is 100% office based and does not generally deal with disagreeable people on the telephone or face-to-face.

**Level 2:** The job involves **some** exposure to disagreeable, unpleasant or hazardous:

- (a) environmental working conditions; or
- (b) people related behaviour

'**some**' means occasional (exposure), at least once a day, but not judged as considerable.

An example is a postholder who undertakes visits to clients' homes where occasionally a degree of cleanliness is lacking or there is a potential for occasional anger/abuse from the person visited. Or those who undertake inspections of building sites, unsafe structures, dirty kitchens etc.

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**Level 3:** The job involves **considerable** exposure to disagreeable, unpleasant or hazardous:

- (a) environmental working conditions;  
or
- (b) people related behaviour

**considerable** includes regular exposure to disagreeable conditions.

An example is a postholder who is regularly exposed to odorous effluents in watercourses. Or subject to serious verbal abuse at least daily.

Posts at this level are likely to be required to work outside for more than 50% of their time. Also posts that would use power tools and machinery, including the cleaning of printing machines and the guillotine would be considered at this level.

**Level 4:** The job involves **high** exposure to disagreeable, unpleasant or hazardous;

- (a) environmental working conditions,  
or
- (b) people related behaviour.

**high** means almost continuous exposure to disagreeable working conditions.

An example is a postholder who has almost continuous exposure to either disagreeable weather, or site conditions, or machinery, or noise, or hazardous/toxic substances or confined spaces. Or a postholder who is subject to serious verbal abuse at least 3 times a day.

**Level 5:** The job involves **very high** exposure to disagreeable, unpleasant or hazardous:

- (a) environmental working conditions,  
or
- (b) people related behaviour.

**very high** means continuous exposure to very disagreeable conditions.

An example is a postholder who has continuous exposure to either disagreeable weather, or site conditions, or machinery, or noise, or hazardous/toxic substances, or confined spaces, or sewage/effluents. Or a postholder who is subject to serious threatening behaviour at least once a day.

This level is unlikely to be used as they are not employed by the Council e.g. gravediggers, refuse collectors, sewage operatives and it is unlikely that staff at EFDC face daily serious threats.

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**JOB EVALUATION APPEAL STATEMENT**

**Your Post No.**

**Your Post Title**

**Your Name**

**Is the appeal on behalf of a benchmarked group?**

**YES / NO**

**Notes to help you: (see also Section 3 of the Appeals Procedure for more details)**

- (i) Please set out below your reasons for claiming a higher level in one or more of the factors which make up the Job Evaluation Scheme. This will constitute your job evaluation appeal statement as required under the appeals procedure. Please ensure you cover all your points in as brief and non-repetitious way as possible.
- (ii) Please use a separate sheet for each factor against which you are appealing.
- (iii) No appendices or attachments may be submitted with this sheet.
- (iv) Please remember that you may not include in your statement any evidence that was not available to the job evaluation panel.
- (v) Please number all pages at the bottom right hand corner. You may use a continuation sheet if necessary.

**Factor** \_\_\_\_\_ **Level awarded** \_\_\_\_\_ **Level claimed** \_\_\_\_\_

**Appeal signed by**.....**Date**.....

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## EPPING FOREST DISTRICT COUNCIL

### JOB EVALUATION MAINTENANCE POLICY - APPEALS PROCEDURE

#### 1. Introduction and scope of the Procedure:

This appeals procedure forms part of the Council's Job Evaluation Maintenance Policy. Appeals may be lodged after an evaluation of a post has taken place in the following circumstances:

- After management instituted changes to a job description (Category 3 in the procedure);

#### 2. Notification of Results of Job Evaluation

Following an evaluation, the member of staff will be given his/her total number of points and the individual scores under Category 3 of the procedure.

#### 3. Procedure for Lodging Appeals

It is insufficient for the purposes of a valid appeal for a postholder to state solely that the total number of points awarded is incorrect.

No new evidence should be presented in either written or oral form to an Appeals Panel that was not made available by the individual in the paperwork submitted with the original evaluation.

Employees (or a group of employees in an identical post) electing to appeal do not necessarily have to attend the actual Appeal Panel meeting but they may do so if they wish. As part of that written appeal, the postholder(s) must state whether they intend to attend the hearing. They may be accompanied by a representative. This person should not have been a member of the Panel which previously evaluated the post in question. In the case of a group appeal, the group may nominate one person to address the hearing, with a single representative, if required. Any representative may not be the postholder's line manager, Head of Service or member of Management Board.

#### 4. Constitution and powers of the Appeal Panel

An appeal by an employee will be considered by a Panel comprising three persons trained in the application of the Job Evaluation Scheme - a representative from the trade union side, a representative from the management side and a representative from the Human Resources Unit (to be the chairman). (Separate arrangements will apply for appeals from staff working in the Human Resources Unit, in order to ensure impartiality). No person will be allowed to sit on an appeals panel in a case where either the postholder is employed in the same Service Area or if they have been associated with the original evaluation. The chairman of the original Job Evaluation Panel will be present throughout the Hearing to explain the rationale for the original evaluation. If the original Chairman is unavailable a representative from the Panel will attend instead. The original chairman will not be present for the decision making process.

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The Panel will have power to allow or reject an appeal (either wholly or in part). The Panel can amend the level appealed against if, on hearing the evidence, it is judged to be appropriate. Outcomes of the appeal process could either be:

- (a) a higher level award is made;
- (b) there is no change to the level awarded;
- (c) a lower level award is made.

This means that there is a potential for the grade of the post to rise, remain the same or fall.

## 5. Appeals Procedure at the Hearing

The Panel will have before it the following:

- A copy of the original completed Job Questionnaire (if completed);
- A copy of the postholder's Job Description (as supplied to the original panel);
- A copy of the postholder's Person Specification (if supplied to the original panel);
- A copy of the completed Additional Information Sheet;
- The score sheet for the original evaluation;
- The Job Evaluation Scheme;
- The postholder's written appeal (both the notice of appeal and the written statement).

If the postholder has chosen to attend, he/she will be invited to speak to the written submission after which the Panel and the original Job Evaluation Panel Chairman may question the postholder(s).

The Chairman of the original Job Evaluation Panel will respond to the appeal to explain the rationale for the original evaluation and in particular to respond to the issues raised in regard to the Level Award(s) brought into contention. The Appeals Panel may question the original Job Evaluation Panel Chairman, followed by the postholder.

The postholder may make a short closing statement after which the postholder, the chairman of the original hearing and any other representatives will retire leaving the Appeals Panel to consider the appeal.

If the Appeals Panel wishes to clarify any points all parties will be recalled, together with their representatives.

The Appeals Panel will then reach a decision.

Decisions of the Appeals Panel will be notified within 5 working days (with written reasons given). Where the result is a change in the scores for one or more factors a new score sheet will be supplied to the individual concerned who will be advised of any grading implication that the change(s) yield.

The decision of the Appeals Panel is final.

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## **EPHING FOREST DISTRICT COUNCIL**

### **STAFF APPEALS PANEL HEARINGS PROCEDURE**

#### **1. PURPOSE OF THE STAFF APPEALS PANEL HEARING**

- 1.1 The purpose of the Hearing is to enable eligible employees to appeal against a decision to dismiss under the Disciplinary/Capability and Managing Absence Procedures to a higher and independent level of authority. The Panel will also hear an employee's grievance at Stage 3.

#### **2. SCOPE**

- 2.1 All employees of Epping Forest District Council (EFDC) are covered by this policy with the exception of the Chief Executive (Head of Paid Services), Corporate Directors, Monitoring Officer, Deputy Monitoring Officer, Heads of Service, Chief Financial Officer (if the postholder is not a designated Chief Officer), casual staff and those employees with less than 6 months continuous local government service. For staff in these categories separate arrangements apply.
- 2.2 The provisions of this procedure shall not apply in relation to dismissals arising out of;
- the expiry of a casual, temporary or fixed term contract of employment
  - termination of employment by reason of redundancy.

#### **3. ROLE OF THE STAFF APPEALS PANEL**

- 3.1 The role of the Staff Appeals Panel will be to consider whether the dismissal should be rescinded, upheld or reduced in the light of their deliberations. Also to hear Stage 3 grievances.

#### **4. MEMBERS OF THE APPEALS PANEL**

- 4.1 The Staff Appeals Panel will comprise of five members of the Epping Forest District Council (hereinafter called the Council) who are not members of the Executive Committee.
- 4.2 The Council will appoint a Chairman and Vice-Chairman of the Panel and no meeting will be held in the absence of both the Chairman and Vice Chairman.
- 4.3 A senior member of the Human Resources (HR) Unit will be present to advise on points of fact, evidence, procedure and law. The HR Advisor will be completely neutral and impartial. If a senior member of the HR Unit is not available or unable to fulfil this role due to prior involvement in the case, then an independent external advisor may be substituted.

#### **5. NOTIFICATION OF APPEAL**

- 5.1 Within 5 working days of receiving the letter of formal notification of the decision, the employee must write to the Head of HR informing them of their intention to appeal, and that they will be submitting a full Written Statement within the next 5 working days.

#### **6. WHEN THE HEARING SHOULD BE HELD**

- 6.1 The Hearing will usually be held within eight weeks from the date on which the Head of HR received formal notification of the decision. This timescale may be varied and an extension beyond this period granted with the agreement of the Head of Legal and Administration or their

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representative, (hereinafter called the Council's representative), the Head of Service and the employee and/or their representative in consultation with the Chairman of the Staff Appeals Panel.

## **7. PROCESS**

- 7.1 If the employee is a member of Legal and Administration Services and the Head of Service has been party to the decision against which the employee is appealing, the Written Statement will be prepared and taken forward by a Corporate Director.
- 7.2 Within 10 working days from receipt of the employee's Written Statement, the Council's representative will construct the Council's Written Statement.
- 7.3 A copy of the employee's Written Statement and the Council's Written Statement will be sent, by the Council's representative, for review by the Chief Executive. This review process shall be completed within 5 working days on receipt of the Written Statements.
- 7.4 Where the appeal is against both the finding and the penalty, any transcription notes taken at the disciplinary hearing will not form part of the appeal papers and the proceedings are likely to be in the form of a complete re-hearing of the evidence.
- 7.5 The employee and the Council's representative may exchange further statements if necessary. Where a hearing date has been fixed well in advance, supplementary evidence may be given to the Council's representative for distribution provided that this is at least 10 working days before the hearing to allow research into the points and copies to be taken, thereby avoiding the need for adjournment.
- 7.6 Further guidance on compiling Written Statements is given in the documents 'Staff Appeals Panel Hearings - Guidance Notes for Employees' and the same for the Council Representative.

## **8. EMPLOYEE'S CASE – WRITTEN STATEMENT**

- 8.1 It is the employee's responsibility to prove that the Council's original decision was unreasonable or incorrect.
- 8.2 The employee must prepare a comprehensive Written Statement, perhaps with assistance from their nominated representative.
- 8.3 The Written Statement should clearly state the following:-
  - full circumstances of the case and full details of events as they have happened to date
  - full details of the dismissal they are appealing against
  - the grounds on which they are appealing against, the decision and the remedy sought
  - a list of the key documents to be produced at the hearing
  - copies of all these key documents, which may include;
    - a timetable of events as appropriate
    - any evidence to present to the Panel
    - a list of names of any witnesses to be called to give evidence in support of the appeal: and
    - written statements of witnesses
- 8.4 Only those grounds and items of evidence which are referred to in the Written Statement or supplementary statements can be raised at the hearing. Any attempt to introduce new material at the hearing may lead to an adjournment. Material not contained in the Written Statements and therefore not circulated will only be admitted with the agreement of both parties, or by order of the Panel Chairman.

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8.5 The Employee's Written Statement of Case will be sent to the Council's representative within 5 working days of submitting the notification of Appeal to the Head of HR.

## **9. COUNCIL'S CASE – WRITTEN STATEMENT**

9.1 The Council's representative will respond to the submission of the employee's Statement by preparing a Written Statement of the Council's case in support of the original decision within 10 working days.

9.2 The Statement will present the circumstances of the case and the action taken to date. It should answer points raised on the employee's Statement and give reasons why the original decision was made.

9.3 The Statement should also list and append any key documents which the Council's representative wishes to produce at the hearing. These documents may include:

- organisational charts
- copies of the employee's contract, appraisal documents, notes of disciplinary hearings or interviews or job description
- a timetable of the events as appropriate
- a list of names of any witnesses to be called to give evidence
- written statements of witnesses.

## **10. REVIEW OF PAPERS**

10.1 The Chief Executive or, in their absence, one of the Corporate Directors (provided they have had no prior involvement in the case) shall review the Written Statements to ensure that the information presented is adequate. If either or both of the Statements are unclear or ambiguous the Chief Executive will direct the employee or Council's representative to clarify or expand the relevant points.

10.2 The review mechanism will ensure that the final Statements give a clear logical detailed account of events, with the employee's Statement clearly stating the grounds for the appeal and the defending statement clearly answering all the points raised by the employee. The Chief Executive shall complete this review process within 5 working days on receipt of the Written Statements.

## **11. NOTICE OF HEARING**

11.1 The Secretary to the Appeals Panel will give a minimum of 10 working days notice (excluding the day of the hearing) to the employee. Employees are responsible for arranging their representation if required. This may be a representative of their choice. The employee will be reminded of this right when they are notified of the arrangements for the hearing.

## **12. ISSUE OF CASE STATEMENTS**

12.1 After the review, which will take no longer than 5 working days, the statements will be passed to the Secretary to the Appeals Panel. The Secretary will produce a Case File incorporating these Case Statements within 5 working days of receipt of the Statements.

12.2 The Case File will include the following;

- Index

- Written Statement from the Employee plus supporting documentation, including a list of witnesses appearing.
- Written Statement for the Council's representative plus supporting documentation, including a list of witnesses appearing.
- Contractual documentation ie a job description, contract of employment.
- Copies of;
  - the appropriate Standing Order
  - the Procedures for Staff Appeals Panel Hearings
  - Guidance Notes for Staff Appeals Panel members
  - Guidance Notes for the Employee and for the Council's Representative
  - The previous hearing papers, if not included above

12.3 The Secretary will send copies of the case file to the Panel Members, the HR Advisor, the employee and Council's representative no later than 10 working days before the Hearing date.

12.4 These procedures allow for a maximum of 5 working days for the review to be carried out, a maximum of 5 working days for the Secretary of the Appeals Panel to produce a Case File and a minimum of 10 working days for all parties involved with the Appeal to read the papers. However, these timescales may be varied by agreement of the parties.

### **13. CONDUCT OF THE APPEAL HEARING**

13.1 The employee, their representative and the Council's representative will remain present throughout the hearing, except when the Panel are left alone to consider and determine the case.

13.2 The Panel may adjourn proceedings if they feel further investigation is necessary, a vital witness is absent or for any other appropriate reason. They will confer with all parties before reaching their decision but if they decide an adjournment is necessary the proceedings must be reconvened as soon as is practicably possible.

### **14. ORDER OF PROCEEDINGS**

#### **14.1 Introduction**

13.1.1 The Chairman of the Panel will preside over the Hearing, introducing the Members of the Panel, the Secretary and the HR Advisor to the parties. They will then state the reasons for the hearing being held and the remedy sought by the employee.

14.1.2 The Chairman will then confirm the presence or absence of the parties to the case and any representative thereof. In the absence of any of these persons the Chairman may order the hearing to be postponed or order the parties to proceed.

#### **14.2 Evidence**

14.2.1 The Chairman will outline the order with which the case will be heard. This will be as follows:

- the employee's opening statement (if appropriate)
- the employee's evidence
- the Council's opening statement (if appropriate)
- the Council's evidence

- Council's summing up
- Employee's summing up

14.2.1 With the agreement of the employee and the Council's representative, the Chairman may rule that the order of these could be amended.

## **15. THE EMPLOYEE'S CASE**

- 15.1 The employee and/or their representative will make an opening statement, which is effectively a summary of the Written Statement.
- 15.2 The employee and/or their representative would call witnesses who will be asked a series of questions whose answers will provide evidence for their case. Each witness, including the employee, will be cross-examined by the Council's representative after giving their evidence. After the Council's representative has completed their cross examination the Panel may also ask questions.
- 15.3 If the employee is presenting their own case they will present their own evidence referring to documents contained in the case file and calling witnesses to support their case. Whilst acting as an advocate and calling witnesses they cannot be cross-examined.
- 15.4 During the hearing the Panel may ask questions of clarification from time to time. Otherwise questions by the Panel shall be put to each party, after he or she has been cross-examined by the Council's representative.

## **16. THE COUNCIL'S CASE**

- 16.1 The Council's representative will also make an opening statement.
- 16.2 They will present their case in support of the original decision, presenting and questioning such witnesses as are mentioned in their Written Statement of Case.
- 16.3 The employee will have an opportunity to ask questions and can question any witnesses after they have given evidence.
- 16.4 The Panel may ask questions on points of clarification at any time. Otherwise questions by the Panel will be put to each party, after they have presented their case.

## **17. RE-EXAMINATION**

- 17.1 Both parties will be asked if they wish to re-examine any evidence before they proceed to the next stage. Only in exceptional circumstances will witnesses, who have previously given evidence, be recalled to the Hearing.

## **18. FINAL STATEMENT/SUMMING UP**

- 18.1 The Council's representative and then the employee and/or their representative may make final statements if they so wish. Neither party may introduce new matters or evidence in their summing up.
- 18.2 The Appeal Panel may seek clarification on any points made in the final statements, but no other party may do so.

## **19. ADJOURNMENTS AND EVIDENCE**

- 19.1 Either party may request an adjournment of the Hearing at any stage. The Panel will consider the reasons for the request and will decide according to the individual circumstances whether or not to allow an adjournment.
- 19.2 The Panel may order an adjournment of the Hearing if they feel that further evidence is required or further witnesses are vital to the determination of the Appeal. The Panel will confer with all parties before reaching a decision but if they decide an adjournment is necessary, the proceedings will stand adjourned and will be reconvened as soon as practically possible.
- 19.3 With the agreement of all parties the Chairman may amend the order in which the evidence is presented.
- 19.4 The submission of new evidence or documentation not contained in the Written Statements will not be allowed by the Staff Appeals Panel except with the consent of the other side or by order of the Panel. If the opposing party object to the submission the Panel will have the power:-
- to disallow the submission and order proceedings to continue
  - to allow the submission of the new evidence
  - to order a short adjournment so that the new evidence can be considered by all parties, after which the Hearing will reconvene
  - to order that the Hearing is adjourned to another day to allow time for proper consideration of the new evidence.
- 19.5 In determining its ruling concerning new evidence, the Panel shall take into consideration the importance of the new evidence and the length of time needed to consider the evidence fully. They will, if they are satisfied that the evidence is relevant to the determination of the Appeal, either order a short adjournment or order the Panel to stand adjourned to another day to allow proper consideration by all parties of the new evidence.
- 19.6 Before the date of an adjourned Hearing, further statements relating to the new evidence or witnesses must be exchanged.

## **20. CONSIDERATION OF THE CASE**

- 20.1 The Council's representative, the employee or their representative will not have voting powers and will not be present during the Panel's deliberation on the case.
- 20.2 The employee, their representative and the Council's representative will withdraw to allow the Panel to deliberate in private.
- 20.3 The Secretary to the Panel and the HR Advisor shall remain present throughout the hearing. They will also remain in the hearing after the employee and the Council's representative have withdrawn whilst the Panel considers its decision. The Secretary and HR Adviser will advise and assist the Panel as required.
- 20.4 If the Panel requires clarification on any point during their consideration of the case in private, the representatives of both sides will be recalled to avoid any unfair advantage to either side.

## **21. DECISION OF THE PANEL**

- 21.1 The employee, their representative and the Council's representative will be recalled and the Panel will announce its decision.

- 21.2 The decision of the Appeals Panel is final. The Panel may allow the appeal, reduce the dismissal to a lesser penalty or reject the appeal.
- 21.3 The decision will normally be given orally at the Hearing; if this is not possible it will be confirmed in writing within 5 working days of the Hearing. If the decision is given orally it will also be confirmed in writing within 5 working days. The HR Adviser will write to the employee confirming the decision, sending copies to their Head of Service, the Council's representative and if appropriate their representative.
- 21.4 Where the appeal is against both the finding and the dismissal it will be necessary to deal with the appeal on the basis of a complete rehearing. If the appeal is simply against the dismissal or only some elements of the original hearing, with the agreement of the parties, there is likely to be opportunity to omit stages of this procedure.
- 21.5 An appeal is not intended to be a substitution for, or prejudicial to, an employee's right of appeal to an Employment Tribunal. However, Employment Tribunals do expect internal appeals procedures to have been exhausted before a complaint is brought before them.

## **22. FURTHER GUIDANCE**

- 22.1 Further guidance on the operation, interpretation and application of this procedure is available from HR.
- 22.2 Alternatively, see the following;

Staff Appeals Panel Hearings – Guidance Notes for Employees  
Staff Appeals Panel Hearings – Guidance Notes for the Council's Representative  
Staff Appeals Panel Hearings – Guidance Notes for Appeal Panel Members



**EPPING FOREST DISTRICT COUNCIL**  
**STAFF APPEALS PANEL HEARINGS**  
**GUIDANCE NOTES FOR EMPLOYEES**

**1. THE PURPOSE OF THE STAFF APPEALS PANEL HEARING**

- 1.1 The purpose of the hearing is to enable you to appeal against a decision to dismiss you under the Disciplinary/Capability or Managing Absence Procedures to a higher and independent level of authority. The Panel will also hear a grievance at Stage 3.

**2. SCOPE**

- 2.1 All employees of Epping Forest District Council (EFDC) are covered by this policy with the exception of the Chief Executive (Head of Paid Services), Corporate Directors, Monitoring Officer, Deputy Monitoring Officer, Heads of Service, Chief Financial Officer (if the postholder is not a designated Chief Officer), casual staff and those employees with less than 6 months continuous local government service. For staff in these categories separate arrangements apply.
- 2.2 The provisions of this procedure shall not apply in relation to dismissals arising out of;
- the expiry of a casual, temporary or fixed term contract of employment
  - termination of employment by reason of redundancy

**3. ROLE OF THE STAFF APPEALS PANEL**

- 3.1 The role of the Staff Appeals Panel will be to consider whether your dismissal should be rescinded, upheld or reduced in the light of their deliberations. Also to hear Stage 3 grievances.

**4. NOTIFICATION OF APPEAL**

- 4.1 You must write to the Head of Human Resources (HR) informing them of your intention to appeal within 5 working days of receiving the letter of formal notification of the dismissal decision, and that you will be submitting a full written statement within 5 working days.

**5. WHEN THE HEARING SHOULD BE HELD**

- 5.1 The Hearing will usually be held within eight weeks from the date on which the Head of HR received formal notification of the decision. This timescale may be varied and an extension beyond this period granted with the agreement of you and/or your representative, the Head of Legal and Administration or their representative (hereinafter called the Council's representative) and your Head of Service in consultation with the Chairman of the Staff Appeals Panel.

**6. PROCESS**

- 6.1 Within 5 working days of notifying the Head of HR of your intention to appeal you must provide the Council's Representative with your Written Statement of Case.
- 6.2 Where your appeal is against both the finding and the penalty the proceedings will be in the form of a complete re-hearing of the evidence.

6.3 You and the Council's representative may exchange further evidence if necessary. Your supplementary evidence should be given to the Council's representative provided that there are at least 10 working days before the Hearing to allow research into the points and copies to be taken, thereby avoiding the need for an adjournment.

6.4 If the Head of Legal and Administration Services has been party to the decision against which you are appealing, a Corporate Director will be the Council's representative.

## **7. YOUR WRITTEN STATEMENT**

7.1 You must prepare a comprehensive Written Statement with the assistance of your representative if necessary.

7.2 Your Written Statement should include:-

- the grounds on which you are appealing against the decision. The main areas of appeal are likely to be;
  - if you wish to contest the findings, in that if you believe that the original decision or hearing was flawed, and/or
  - the outcomes or penalty of the hearing
- an introduction which gives a summary of the case listing the main points – this could form the basis of the opening statement
- full details of the dismissal you are appealing against
- a list of documents, which may include:-
  - a timetable or diary of events
  - any evidence such as medical reports, letter of notice/dismissal, appraisal documents
  - a list of the names of witnesses who you are calling to give evidence in support of your case
  - written statements from your witnesses

7.3 Your information should be presented in a logical manner, clearly identifying the issues.

7.4 Only those grounds and items of evidence which are referred to in your Written Statement or supplementary statements will be raised at the Hearing. Any attempts to introduce new material at the Hearing may lead to an adjournment. Material not contained in the Written Statements and therefore not circulated will only be admitted with the agreement of both parties or by order of the Chairman.

## **8. REVIEW OF PAPERS**

8.1 The Chief Executive or, in their absence, one of the Corporate Directors, shall review the Written Statements to ensure that the information presented is adequate

8.2 The Chief Executive shall complete this review process within 5 working days on receipt of the Written Statements.

## **9. NOTICE OF HEARING**

9.1 The Secretary to the Appeals Panel will give you a minimum of 10 working days notice of the Hearing (excluding the day of the Hearing).

9.2 You are responsible for arranging representation if required. This may be a representative of your choice.



## **10. ISSUE OF CASE STATEMENTS**

- 10.1 The Secretary to the Appeals Panel will produce a Case File incorporating all the documentation and will send you a copy no later than 10 working days before the Hearing date.

## **11. PREPARING FOR THE HEARING**

- 11.1 Prepare carefully and make sure you are familiar with all the facts.
- 11.2 Study the Case File and ensure that you are totally familiar with not only your side of the case but also the Council's case and consider how the proceedings will be conducted.
- 11.3 It is your responsibility to prove the Council's original decision was unreasonable or incorrect.
- 11.4 Depending on the circumstances of your case, you or your representative should prepare a written brief/summary of the case and may include the following;
- a chronological analysis of dates, times and facts as this may show any gaps and/or inconsistencies. You may find it useful to set out the list in three columns: date in the first column, times in the second and facts in the third. You could use this document as an aide memoir during the hearing.
  - list all the issues arising from the case, ie what facts do you have to prove or disprove. Those that are amply supported by a document, mark with a tick and those where evidence is required mark with a cross.
  - an opening statement. This should be a summary of your case containing the main points and stressing the strengths of your case. It may be based on the introduction of the written statement but if you or your representative is inexperienced in presenting cases it may be worth writing down exactly what you are going to say and listing all the points you wish to raise.
  - your summary should clearly identify any passages of the other party's written statement that need clarification and cross examination. This may be because of the special significance of the particular document or because of inaccuracies contained in the correspondence, or because a document is likely to be helpful to the proof of your case or the refuting the opponent's case.
  - it is easy to forget vital questions so write down the questions you wish to ask your witnesses also any questions you will be asking the Council's witnesses
  - an outline closing/summing up statement. The closing statement may need to be modified according to the evidence produced at the hearing.
- 11.5 Prepare your witnesses. You are responsible for ensuring that your witnesses attend, know what is going to happen and what they are going to say. They will have provided you with a written statement and will be supporting that statement at the hearing. Try not to ask your witness a question to which you do not know the answer. Try to prepare them for cross examination. You will be responsible for calling them and arranging a waiting area for them.

## **12. PRESENTING YOUR CASE AT THE HEARING**

- 12.1 The normal order of the proceedings are as follows;

12.1.1 Your opening statement

- it is not always necessary to give an opening statement however, it helps to set the scene and its purpose is to outline the case and define the issues the Hearing has to decide

#### 12.1.2 Stating your case

- outline the facts in chronological order
- go through the written statements bringing to the Panel's attention any pieces of vital evidence to be considered
- introduce your documents and witness statements.

#### 12.1.3 Your witnesses

- call your witnesses in the order that you have presented your case
- take your witnesses through the evidence in chronological order
- when questioning your witnesses;
  - start with a few simple uncontroversial questions to put them at ease
  - guide your witnesses through their evidence
  - ask short questions and only ask one at a time
  - if your witness appears to be moving on to a different point, politely interrupt and bring them back to the point and ask your next question.

#### 12.1.4 Cross examination of your witnesses

- the Council's representative will be given an opportunity to cross examine your witnesses. Cross examination is used;
  - for the other side to comment on your evidence
  - to refute or cast doubt over your evidence
  - to place the witness's evidence in context or complete picture.

#### 12.1.5 The Council's opening statement

#### 12.1.6 The Council's case

#### 12.1.7 Cross examination of the Council's witnesses

- If you are cross examining remember;
  - to stay calm, be firmly in control but polite
  - prepare your points or questions in advance
  - only ask necessary questions and one at a time
  - short questions are often the most effective
  - allow witnesses to answer even if it is a damaging answer
  - do not make speeches

12.2 Throughout your presentation remember to take your time to consider and collect your thoughts. Ask the Chairman to allow you a few minutes to compose your thoughts if required.

### 13. RE-EXAMINATION

13.1 You and the Council's representative will be given the opportunity to re-examine any evidence before proceeding to the next stage. If you wish to introduce new material at this stage you must obtain the Chairman's agreement. This will be subject to the Council's side having the right to cross examine the new evidence.

#### **14. FINAL STATEMENT/SUMMING UP**

- 14.1 You and/or your representative should make a final statement, not introducing any new evidence into your summing up.
- 14.2 Your Final Statement/Summing Up should cover;
- the main points you wish the Panel to address
  - a review of the supporting evidence
  - the argument in favour of your case
  - arguments to dispose of the Council's case
  - decisions that the Panel could consider.

#### **15. ADJOURNMENTS AND EVIDENCE**

- 15.1 With your and the Council's representative's agreement the Chairman may amend the order in which the evidence is presented.
- 15.2 Either party may request an adjournment of the hearing at any stage and the Panel will decide whether or not to allow an adjournment.
- 15.3 The Panel may order an adjournment of the hearing if they feel that further evidence is required or further witnesses are vital to the determination of the Appeal.
- 15.4 In some instances cases will be adjourned part heard if they run over the expected time or if some unforeseen issue arises.

#### **16. CONSIDERATION OF THE CASE**

- 16.1 The Panel will deliberate in private and if the Panel requires clarification on any point both sides will be recalled.
- 16.2 You and the Council's representative will withdraw to allow the Panel to deliberate in private. The Secretary and HR Adviser shall remain to offer advice and assistance as required.

#### **17. NOTE TAKING**

- 17.1 You should make accurate notes on the evidence of any points made by the Council's representative.

#### **18. DECISION OF THE PANEL**

- 18.1 You will be recalled along with the Council's representative to receive the Panel's decision.
- 18.2 The decision of the Appeal's Panel is final.
- 18.3 The decision will normally be given orally to you at the Hearing; if this is not possible it will be confirmed in writing within 5 working days of the Hearing. If the decision is given orally it will also be confirmed in writing within 5 working days. The HR Adviser will write to you confirming the decision, sending copies to your Head of Service, the Council's representative and if appropriate your representative.

