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Regrading Application Policy

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1. POLICY STATEMENT

The Council has agreed, in conjunction with the trade unions, to implement a Regrading Application Policy.

This Policy is to be used where an employee(s) is/are making the request themselves. **If management are the main drivers for the proposed change to the post(s) concerned then the Managing Change Policy must be followed.**

Both the Council and the trade unions agree that, although the particular duties attached to posts may vary over time, this does not necessarily result in a significant change in the level of responsibility or the general character of the duties involved. Such variations are a common occurrence, and do not provide a justifiable basis for regrading.

However, in cases where there has been a substantial change in the duties and responsibilities of a post, and the grading has not been altered to reflect this or the employee concerned is dissatisfied with the decision as to the grading of that post, then an application for a review can be made using the following procedure.

2. REGRAIDING APPLICATION CRITERIA

All applications must evidence a substantial change in the duties and the level of the responsibilities attached to the post to proceed to the Review Panel stage.

3. REGRAIDING - FORMAL REVIEW STAGE

Any employee(s) who wish to apply for a regrading must complete the application form set out in Appendix 1 and will need to state on this whether they are applying on an individual basis or as a group.

All applications must be submitted to the appropriate Director/Service Director using the following timescales

Applications received between:

- 1 October to 31 March will be processed by 30th June each year
- 1 April to 30 September will be processed by 31st December each year

If the Director/Service Director **accepts** that the employee(s) has/have evidenced a substantial change in the duties and the level of the responsibilities, they will confirm this fact by countersigning the form and stating the reason why they are prepared to support. The form will then be submitted to the Director of Human Resources who will arrange for the post to

be suitably evaluated. As part of that evaluation process, the Council's Job Analyst(s) may determine to meet with the employee(s) and their Director to clarify any points contained within the submitted form.

The outcome of the Formal Review Stage is as follows:

- i) If following the evaluation process, it is determined that the post **should increase** then the increase will take effect from the date the application was submitted (NB - no backdating of payment will be allowed prior to this submission date).
- ii) If following the evaluation process it is determined that the post **should not increase** then the matter will be considered closed and no further review will take place for a 12 month period.

If the Director/Service Director **does not** accept that the employee(s) has/have evidenced a substantial change in the duties and the level of the responsibilities, they will confirm this fact by countersigning the form and stating the reason why they are not prepared to support.

The Director/Service Director will then write to the employee advising them of the reason for the decision, and clarifying the next stage of the process. If the employee wishes to then submit their application to the Regrading Review Panel, they will be required to write to the Director of Human Resources within 10 working days of receiving the decision of the Director/Service Director.

4. REGRADING REVIEW PANEL

The Panel will hear all cases within 3 months of the date that the regrading application was submitted, in accordance with the timescales identified in this procedure.

The Panel will be chaired by a representative of the Director of Human Resources or, in the case of the applicant being a Human Resources employee, a representative of the Director of Legal & Democratic Services. The Chairperson will be non-voting, but will provide advice and guidance to all parties present. Two Service Directors/Heads of Service unconnected with the applicant(s) service area, together with one trade union representative, will complete the Panel.

The Director of Human Resources representative must receive the statements of case of each party, at least fourteen days prior to the meeting of the Review Panel, and will arrange the mutual exchange of these documents. The agenda for the Panel meeting, together with all relevant documents, will be circulated to all parties at least five working days prior to the meeting of the Panel.

Where a trade union representative is presenting the case for an employee, the employee concerned will be permitted to attend. If representing a group of employees then a maximum of two representatives will be permitted to attend. The procedure for hearing the regrading application is shown at Appendix 2.

NB - No witnesses can be called at any stage of the procedure.

5. REGRAIDING REVIEW PANEL DECISION

The Panel Members will consider the case in private, and will advise all parties in writing of their decision, within 10 working days of the hearing.

If the Panel accepts that the employee(s) has/have evidenced a substantial change in the duties and the level of the responsibilities then they will confirm this fact and ask the Director of Human Resources to arrange for the post to be suitably evaluated. The outcome of the formal review stage is as detailed in point 3 above.

The application will then be considered using the procedure set out in the Formal Review Stage as detailed in point 3 above.

If the decision is **not to agree** to the regrading application the employee will be notified that the appeal was unsuccessful.

It has been agreed that no further action will be taken outside this procedure in respect of a regrading review claim.

No further formal review stage appeal can be submitted within the 12 month period following the date of notification of an unsuccessful appeal.

APPLICATION FOR A REGRADING REVIEW

All applications must be submitted to your Service Director.

PERSONAL DETAILS

NAME: _____

ADDRESS: _____

TRADE UNION MEMBER: YES/NO

IF YES, WHICH TRADE UNION _____

PAYROLL NOS: _____

POST DETAILS

POST TITLE _____

GRADE: _____ SERVICE AREA: _____

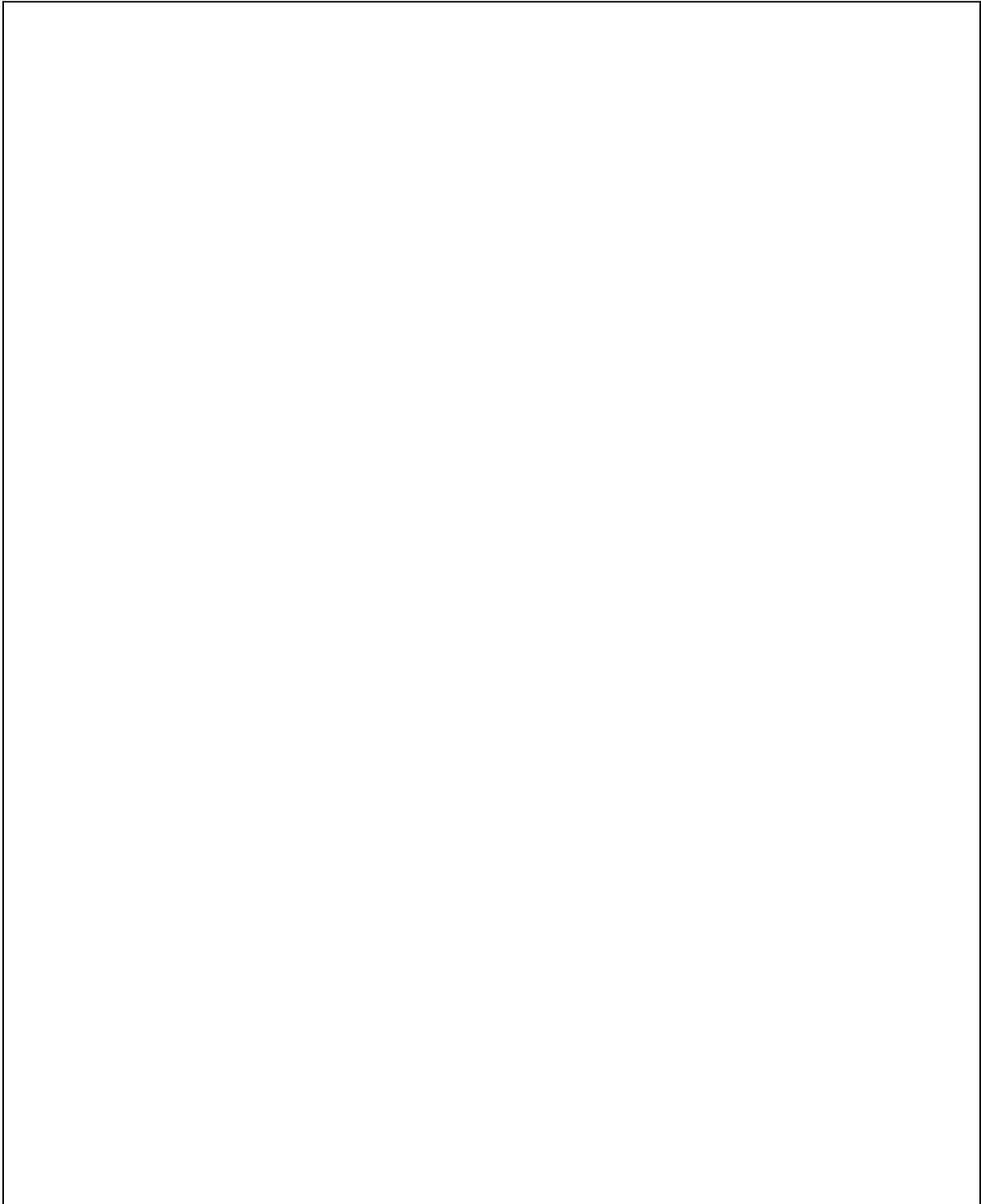
GROUP: _____ LINE MANAGER: _____

APPLICATION DETAILS

Please outline evidence of a substantial change in the duties and level of responsibilities attached to the post (you may attach further information if required).

Do not submit your job description with this application. You are only required to list those duties which in your view are not reflected within your current job description/person specification.

APPLICATION DETAILS CONTINUED:

A large, empty rectangular box with a thin black border, occupying the central portion of the page. It is intended for the user to provide application details.

Applications received between:

1 October to 31 March will be heard by 30 June each year.

1 April to 30 September will be heard by 31 December each year.

This application is submitted as:

- an individual request for a regrading review (*)
- a group request for a regrading review and the additional staff members submitting the request are as follows (*)

(*) – please tick one box only.

ADDITIONAL STAFF NAMES

SIGNED: _____

DATE: _____

SERVICE DIRECTOR CONFIRMATION

- I confirm that I am **in agreement** that the employee(s) has/have evidenced a substantial change in the duties and the level of the responsibilities and request a formal evaluation of their submission (*).

- I confirm that I **do not agree** that the employee(s) has/have evidenced a substantial change in the duties and the level of the responsibilities (*).

(– please tick one box only.*

OUTLINE FOR DECISION

SIGNED: _____

PRINT NAME: _____

POST TITLE: _____

SERVICE AREA: _____

GROUP: _____

DATE: _____

REGRAIDINGS REVIEW PANEL PROCEDURE

1. The trade union representative and/or individual appellant will make the initial submission.
2. Questions may be asked, in the first instance, by management's representative, followed by Panel members.
3. Management will then state its case.
4. Questions may be asked by the trade union representative and/or individual appellant, and then by the Panel members.
5. The trade union representative or individual appellant will sum up their case.
6. The Management side will sum up their case.
7. All parties will then withdraw from the meeting.
8. If there is a need to recall the parties, then both parties shall return, notwithstanding that only one side is concerned with the point giving rise to doubt.
9. The Panel will determine on the case, in private, and will advise all parties in writing of their decision, within 10 working days of the hearing.