

## Guidance on Review Procedures

### 1. Introduction

- 1.1 This guidance note has been produced in response to increasing numbers of queries and requests concerning local review procedures. This clearly arises from the fact that most organisations have completed or almost completed their matching and attention is now turning to consideration of detailed local review procedures.
- 1.2 Some organisations have already developed local review procedures, which have been proven to work successfully, so the aim of this guidance is to disseminate good practice to assist those who have yet to commence on reviews; organisations should adopt this as a minimum standard. [Nothing in this guidance requires organisations that have completed their matching reviews or agreed acceptable local procedures to re-visit them.]
- 1.3 The matching and local evaluation review procedures as set out in the Job Evaluation Handbook are attached as an appendix, for convenience.

### 2. Good practice in relation to review requests

- 2.1 There are a number of points to be drawn from best practice in relation to review requests in the job evaluation/ matching context:

- (1) Emphasis on **partnership** in the process for arriving at matching or evaluation outcomes should increase confidence and mean that review requests are not seen as challenges to management authority. The detailed review procedure should also be agreed in partnership.
- (2) The local procedure should be **transparent**, that is, the jointly agreed procedure should be published and disseminated to all employees affected by the exercise, with information about who they should consult for assistance, if required, and on relevant timescales or deadlines.

Many organisations have provided contact lists; some have set up telephone lines or local surgeries to provide advice and respond to those who require further information or explanation about the matching/evaluation outcomes. Briefing line managers to be able to answer immediate queries can also be helpful from the perspective of both the line managers and those they manage. All these measures can help to reduce the number of review requests, where these arise from lack of information or understanding.

- (3) Review requests should be monitored, for equality reasons. Monitoring should cover the numbers of review requests and the outcomes at each stage of the procedure (see below) by gender, ethnicity and any other agreed characteristics e.g. age, disability.

There is some evidence that appeal and review processes can be a source of discrimination, for example, because men are disproportionately likely to appeal grading outcomes and to be successful in their appeals. This can be checked through monitoring.

- (4) Jobholders should have sufficient information to allow them to decide whether or not to ask for a review in line with JEH should be provided with a matching/evaluation job report at the time they are notified of their pay banding. All original matching or evaluation documentation including interview notes should be available to the review panel.

### 3. The informal review stage

- 3.1 Experience among health service organisations which have completed reviews and from outside the service is that an informal review stage before the panel stage can resolve many review requests without the need for a panel to be convened and clarify issues where the request does go to the formal panel stage, thus expediting the whole process.
- 3.2 The aim of such an informal stage, which might be termed the initial or preliminary stage, is to exchange information in an informal manner to help clarify issues and provide an opportunity for discussion and resolution.
- 3.3 The informal stage normally consists of a meeting between the employee requesting a review and a nominated person from each side, for example, an HR adviser and a staff side representative, both of whom are trained matching or evaluation panel members, so able to explain the job evaluation scheme and local procedures for matching or evaluation.
- 3.4 If requested by employee, the employee's own staff side organisation representative and/or the line manager can be present.
- 3.5 Possible outcomes from an informal stage are:
- (1) The employee withdraws their review request because they now understand and accept the original outcome. There must however be no pressure on employees to withdraw review requests, even if they appear to other attendees to be unfounded.
  - (2) The employee better understands what information will be required by the panel in order to consider the review request.
  - (3) The employee is better able to focus on those JES factors which are relevant to a review in their particular circumstances.

### 4. The formal review stage

It will be necessary to determine locally detailed aspects of the formal review procedure, for example:

- Whether locally determined features such as administration and chairing will be as for the organisation's original matching or evaluation exercise
- The JEH outline procedure allows for job representatives to be in attendance, as for the original panel, but is silent as to whether those requesting a review should be allowed to make their case in person or through a union representative.
- Record keeping: it is important in case of subsequent internal or external investigation that good records are kept of the review outcomes and any amendments made to the original match or evaluation. It may be sensible to input the revised match or evaluation into CAJE ensuring that the original matching record is attached as a document to the now reviewed file, to provide an audit trail for the future.
- Jobholder should be provided with a job report of the review of the match or evaluation.

### Job Evaluation Group

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The Job Evaluation Group is a national technical sub-group of the NHS Staff Council whose remit is to continue to ensure that the NHS Job Evaluation Scheme is fit for purpose. Its membership includes representatives of the health service, the UK health departments in each of the UK countries and representatives of the NHS joint unions.

## APPENDIX

In relation to **matching**, the *NHS Job Evaluation Handbook* [2<sup>nd</sup> edition, October 2004] says:

"In the event that groups of staff or an individual is unhappy with the result of matching, they may request a rematch by a panel with the majority of its members different from the previous panel. Such a request must be made within three months of notification of the original panel's decision. In order to trigger a review, the postholder(s) must provide details in writing of where they disagree with the match and evidence to support their case using the matching review form.

"The second panel operates in the same way as the first and follows the (matching) procedure, including having available/ contactable job advisers or representatives. The second panel can:

- Confirm the same match;
- Confirm a match to a different profile;
- Or, exceptionally, refer the job for local evaluation.

"The postholder has no right of appeal beyond the second panel if their complaint is about the matching outcome.

"In the event that the postholder can demonstrate the process was misapplied, they may pursue a local grievance about the process, but not against the matching or pay banding decision. Where a grievance is upheld, a potential remedy may be a reference to a new matching panel."

*[NHS Job Evaluation Handbook [2<sup>nd</sup> edition] p58-9, section 8, para. 7]*

In relation to **local evaluation**, the *NHS Job Evaluation Handbook* [2<sup>nd</sup> edition, October 2004] says:

"If the postholder is dissatisfied about the outcome of the local evaluation, they may request a review. In order to trigger this request, the postholder must provide details of where they disagree with the initial evaluation.

"A panel comprising a majority of members different from the first panel will re-evaluate the post. It is for the postholder to decide whether to use the original questionnaire or resubmit a second questionnaire, subject to the validation process (job analysis).

"The panel will confirm their evaluation decision. The postholder has no right of appeal beyond this second evaluation. If the postholder believes the process was incorrect, they may pursue this through the local grievance procedure. They may not pursue a grievance about the outcome of the grading decision."

*[NHS Job Evaluation Handbook [2<sup>nd</sup> edition] p62, section 9, para. 2.6-2.8]*