

<b>Report title</b>	<b>Corporate Management Committee – Outcome of Staff Appeal</b>
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<b>Department</b>	Law and Governance
<b>Exempt?</b>	No

**Purpose of report:**

- **For information**

**Synopsis of report:**

**To report the outcome of a recent staff appeal considered by the Standards and Audit Committee**

**1. Context and background of report**

- 1.1 The Council's Salary Grading Appeals Procedure, last reviewed in 2015, contains the provision for the outcome of Appeals to the Standards and Audit Committee on Salary Gradings to be reported to the Corporate Management Committee.

**2. Report and, where applicable, options considered and recommended**

- 2.1 On 15 March 2024, the Standards and Audit Committee met to consider an appeal by an employee regarding the grading of their post.
- 2.2 The report and its content were confidential as they identified individuals.
- 2.3 The Standards and Audit Committee determined the matter in accordance with the procedure as set out in the agenda papers and had due regard to the advice provided by both the Head of HR and OD and the Corporate Head of Law and Governance, acting as Secretary to the Committee.
- 2.4 Both the appellant and Assistant Chief Executive (Place) presented their cases and there was an opportunity for each to ask questions of each other and the panel to do so also.
- 2.5 After careful consideration, the Panel determined that the appeal should be rejected.
- 2.6 The Panel considered a number of areas for further work arising from the issues discussed as part of the appeal, such as review of the staffing establishment within the department in question and the resource capacity.
- 2.7 Work is already underway to address these points, through several workstreams. These include:
- The Council-wide review of its staffing establishment which forms a key workstream as part of the the current savings and efficiencies process;
  - The Service Review programme which currently includes a review of this service area; and

- Work being undertaken within Community Services to review staffing and capacity following a number of recent staff changes.
- 2.8 Any outputs from this work requiring Member approval will be taken through the relevant Service Committee for consideration. In addition, the first two workstreams form inter-dependent workstreams within the non-statutory Best Value Notice programme, which has its own Member reporting lines as set out in the Programme Charter
- 3. Policy framework implications**
- 3.1 The Council's procedure for dealing with Salary Grading Appeals was in place at the time the employee made application for their post to be re-graded.
- 3.2 The procedure for dealing with Salary Gradings was reviewed and approved by Corporate Management Committee in 2019. A new form was also approved, subject to consultation with Unison. This was subsequently revised and agreed by HR and Unison.
- 3.3 Employee appeals in relation to dismissal and grievances including salary gradings are heard by a Sub-Committee of the Standards and Audit Committee, comprising three Members and one member in reserve.
- 4. Resource implications/Value for Money (where applicable)**
- 4.1 None identified.
- 5. Legal implications**
- 5.1 The Council, in its capacity as an employer, will deal with situations where an employee may be dismissed or raise a grievance, including whether the grade allocated to the post they hold accurately reflects the range of duties they undertake. In first instances such decisions are taken by officers. It is good employment law practice that an employer has in place an appeal mechanism for dealing with such matters. The Council has adopted the approach that the Standards and Audit Committee (and Sub-Committee) will be the body which considers such appeals.
- 5.2 In this case an employee submitted a request that their post be regraded because they believed that the duties they undertook had changed to such a degree that the current grade of the post did not accurately reflect the duties they undertook. The application was duly considered by officers and the application was rejected. The employee exercised their right to appeal against that decision and the matter was considered by the Committee.
- 6. Equality implications**
- 6.1 None identified
- 7. Environmental/Sustainability/Biodiversity implications**
- 7.1 None Identified.
- 8. Risk implications**

8.1 Ensuring a proper process exists for the hearing of staff grading appeals reduces the risk of challenge to the Council via employment tribunal and provides staff with reassurance that there is a consistent, robust approach to dealing with such matters.

**9. Other implications (where applicable)**

9.1 None Identified.

**10. Background papers**

Exempt papers held on file 63.13.32 used in preparation of the Standards and Audit Committee agenda.

**11. Appendices**

None.