

NATIONAL JOINT COUNCIL FOR
LOCAL GOVERNMENT SERVICES

JOB EVALUATION TECHNICAL NOTES

JULY 2017

NJC FOR LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME

GUIDANCE ON USING TECHNICAL NOTES

The National Joint Council's Job Evaluation Technical Working Group (JETWG) advises local implementers of the NJC scheme and produces Technical Notes on common issues emerging.

These Technical Notes provide guidance for users of the paper based NJC scheme and its computerised version operated by PILAT under licence to the NJC. Gauge is the common name for the computerised NJC scheme taken from the software it runs on.

Although JETWG produced the Technical Notes to help implementers of the NJC scheme, the contents of many relate to good job evaluation practice and are not scheme specific. An asterisk against a Technical Note indicates its contents will have general application for whichever JE scheme is in use.

JETWG drew up the Technical Notes as issues emerged and so they do not follow the sequence for implementing job evaluation. Therefore, the table listing the Technical Notes below also indicates the order to use them when carrying out a job evaluation exercise.

JETWG has reviewed all Technical Notes issued before 2012 (Quality Assurance + TNs 1-10) as part of its wider review of the NJC Job Evaluation Scheme guidance. JETWG has also given the first Note it issued – the Advisory Note on Quality Assurance - a Technical Note number and a clearer name. JETWG has also decided that Technical Note 6 should be withdrawn because the issues it addressed no longer apply.

The NJC Job Evaluation Technical Notes form part of the NJC Green Book and have the status of Part 4 advice.

June 2017

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* indicates this Technical Note is not NJC JES specific and can be read across to the implementation of other JE schemes

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 1: DRAWING UP LOCAL CONVENTIONS

1. What are local conventions?

- 1.1 *'Local conventions'* is the term given to the local interpretations of the wording of a job evaluation scheme, which are usually written down so that they can be applied consistently across all evaluations.
- 1.2 In the computerised web Gauge version of the NJC JES, the equivalent local interpretations are called *'Local Help Text'*.

2. Where do local conventions come from?

- 2.1 Any job evaluation scheme is a set of rules (factors; factor definitions; factor level definitions; scoring and weighting) according to which jobs are assessed and measured by the evaluation panel or committee. Because the Local Government NJC Job Evaluation Scheme, like many modern job evaluation schemes, has to apply to a wide range of different types of jobs, the factor and factor level definitions have to be written in generalised language, which can apply equally to a variety of jobs.
- 2.2 The evaluation panel or committee interprets the generalised wording in relation to their own jobs and thus refines and extends the job evaluation scheme rules. A particular evaluation committee, for example, may agree the following rule interpretations, extensions and refinements:
 - interpreting factor level definitions in relation to their own jobs and organisation (eg. by agreeing the financial parameters for 'considerable', 'large', 'very large' and 'extremely large' sums of money under the Responsibility for Financial Resources factor)
 - refining factor level definitions to clarify how they should apply to jobs (eg. by agreeing that 'broad area of activity' is to be interpreted as a sub-division of a service because that fits the particular authority's organisational structure)
 - drawing equivalencies between job evaluation scheme factor level definitions and job features not obviously catered for (eg. by agreeing that jobs requiring HND qualifications should normally be considered as matching the Knowledge level 5 guidance note; or that sitting on small chairs (as for classroom assistants) should be treated as 'working in an awkward position' under the Physical Demands factor)
- 2.3 In order to ensure that these interpretations, refinements and extensions to the job evaluation rules are applied consistently, they are usually recorded.

3. Forms of local convention

- 3.1 Local conventions can take a number of forms, although they are not always distinct in practice:

- (i) *'Extended wording'* conventions. These effectively extend the wording of the factor level definition to explain the interpretation adopted:

eg. Working Conditions: Level 2 - 'some exposure to disagreeable, unpleasant or hazardous.....people related behaviour' includes exposure to casual abuse, abuse directed at the local authority and abuse directed at the jobholder.

eg. Responsibility for People: 'well being' is to be interpreted as including intellectual and educational well being, as well as the forms of well being listed in the factor definition.

- (ii) Including examples of job features:

eg. Working Conditions: Level 2 - 'some exposure to disagreeable, unpleasant or hazardous.....people related behaviour' includes daily or more frequent exposure to casual abuse.

eg. Responsibility for People – level 2 covers jobs involving providing a service direct to members of the public, but where there is no direct assessment of needs

(iii) Including examples of job types:

eg. Responsibility for People – level 2 covers jobs involving providing a service direct to members of the public, but where there is no direct assessment of needs eg. library counter service, public convenience cleaner, public building maintenance worker

3.2 All three forms are acceptable, as long as any references to specific jobs are inclusive rather than exclusive (so that they do not restrict the factor level in question to the job examples given and do not restrict the jobs in question to that level) and that job examples include both male-dominated and female-dominated jobs, wherever practicable. Many sets of local conventions combine more than one form of local convention.

3.3 Where the level definitions allow for more than one way of getting to each level, for example, the Responsibility for Physical Resources, Interpersonal Skills factors, then a matrix format for local conventions may be helpful, as it allows evaluators to check consistency across the different demands covered by the same factor, as for example, in the attached table at **Appendix 1**.

3.4 Evaluators would fill in the remaining matrix boxes and add to guidance, in accordance with their own decisions.

4. How do we develop local conventions?

Step 1: Complete detailed evaluation rationale sheets for the first jobs evaluated, explaining exactly why each job was scored at a particular level. After around 10 jobs have been evaluated, undertake a consistency check on the evaluation scores and rationales.

Step 2: Identify any points where it was necessary to reach agreement on how wording should be interpreted. Record the agreed interpretations as draft local conventions.

Step 3: Identify any evaluation patterns (eg. jobs with less than 10% exposure to unpleasant conditions have all been scored at level 1 on Environmental Conditions) and record these also as draft local conventions.

Step 4: Modify and/or extend local conventions as benchmark evaluations proceed. Keep records of agreed local conventions, either on a copy of the NJC JE scheme, or as a separate document. Review and confirm local conventions at the end of the benchmark exercise.

4.1 Although local conventions are best developed during an initial benchmark exercise, there is nothing to stop them being added to at a later stage of the evaluations, if, for example, a new situation occurs and interpretation is required. However, if the new convention is likely to impact on other jobs, this may mean reviewing some or all of the foregoing evaluations.

5. Developing Local Help Text for the web Gauge system

5.1 There are two main ways of developing local help text for the web Gauge computerised version of the NJC JES:

(1) Carry out a conventional benchmark set of evaluations using the paper-based version of the JES, develop local conventions as described above, then insert these as local Help Text into the computerised system. This approach has a number of advantages, for instance:

a. The benchmark jobs can also be used to test that the web Gauge system is delivering the same outcomes as the paper-based version;

- b. The steering group or evaluation panel that evaluated the benchmark sample of jobs will have developed useful skills when it comes to validating or quality assuring the web Gauge outcomes.
- (2) Carry out a first set of benchmark evaluations (a 'test' sample of jobs) using the web Gauge system, develop local Help Text and test this on a second benchmark set of jobs, modifying as necessary. Using more than one facilitator for the benchmark evaluations can help raise areas where there could be differences of interpretation of questions and additional agreed advice may be needed.
- 5.2 As with conventional local conventions, local Help Text can be added to or amended during subsequent evaluations, but this may mean re-working some, or all, previous evaluations.
- 5.3 Within the web Gauge version, there is a standard Help Text report that can be reviewed and printed for all 13 factors within the NJC scheme. Should any re-working of evaluations be required, the web version now includes an Evaluation history that records all previous evaluations (the system will, however, only recognise the latest version, with previous versions being kept for 'audit' purposes).
- 6. Conclusions**
- 6.1 All JE experience confirms that it is worth investing time and effort in the initial benchmark evaluations, to provide robust local conventions or Help Text and thus ensure maximum consistency of non-benchmark evaluations.
- 6.2 Local conventions and Help Text are always important but particularly so where there is more than one job evaluation panel or committee, or facilitator, to ensure consistency within evaluations and over time.

APPENDIX 1

EXAMPLE MATRIX OF NATIONAL / LOCAL CONVENTIONS FOR PHYSICAL RESOURCES FACTOR

Level	Information	Equipment	Buildings / External Locations	Maintenance	Personal Possessions	Stocks / Supplies / Procurement	Policy / Advice
1	Limited handling/ processing	Low value equipment e.g. computer terminal, PC, other office equipment	Limited security e.g. occasional key holder	Limited e.g. <i>adding toner, paper for office equipment, as necessary</i>	Limited – frequency and/or value e.g. <i>occasionally collect client pension</i>	Limited ordering e.g. <i>office stationery from central stores</i>	
2	Regular handling/ processing e.g. word processing, data input, updating client records	Careful use of expensive equipment e.g. minibus, transit van	Regular key holder for building, opening up or closing buildings with keys; building cleaning	Regular day to day maintenance e.g. <i>adding toner, paper, unblocking jams e.g. dedicated photocopier operator e.g. adding chemicals, checking school swimming pool</i>	Regular e.g. <i>collecting pensions, shopping for clients every week</i>	Regular ordering e.g. <i>catering food supplies</i>	Regularly provide advice on established procedures e.g. <i>estates dept. first point of contact</i>
3	Regular handling/ processing of considerable amounts of information e.g. input of electoral register data	Careful use of very expensive equipment e.g. refuse lorry driver, JCB operator e.g. <i>mainframe computer, in-house printing equipment</i>	Security roles (as main job feature e.g. security guard); cleaning of range of premises e.g. <i>peripatetic cleaner</i>	Maintenance & repair of range of equipment/ buildings e.g. <i>directly employed office equipment repair engineer e.g. maintenance of premises e.g. school caretaker</i>		Ordering range of supplies e.g. <i>central office and stationery supplies</i>	Interpretation of policies & procedures on resources e.g. <i>estates manager</i>

4	Adapt... significant information systems e.g. <i>IT programmer or systems analyst</i>	Adapt wide range of equipment	Security of range of high value physical resources e.g. <i>buildings security manager</i>	Adapt wide range of buildings/ construction works		Wide range of equipment & supplies e.g. <i>central office procurement</i>	Interpretation of external regulations etc. Shared development of policies
5	Adapt...large-scale info systems e.g. <i>personnel/payroll system</i>	Adapt wide and high value range of equipment	Security of wide & very high value physical resources	Adapt wide and high value range of buildings/ constructions		Wide, high value range of equipment, supplies e.g. <i>central IT procurement</i>	Major development of policies with a significant impact across the service
6	Very major responsibility e.g. <i>information systems manager</i>	Very major responsibility for equipment e.g. <i>IT & communications manager</i>	Very major responsibility for buildings/ external locations e.g. <i>estates manager</i>	<i>Very major responsibility for maintenance, adaptation of buildings, construction works e.g. head of maintenance</i>		Very major responsibility for procurement and deployment e.g. <i>information systems manager</i>	Very major development of policies with a major impact across services

NOTE: Normal type statements are from factor level definitions and national guidance notes: *statements in italics are examples only of possible local conventions of different types.*

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 2: THE PRINCIPLES OF THE NJC JES

1. The Technical Working Group's Remit

The remit of the joint Technical Working Group (TWG) commissioned by the then negotiating groups was to:

- Design and develop a job evaluation scheme to cover all the jobs within the proposed NJC remit;
- Ensure that the scheme complied with equal value principles and practices.
- Adopt the proposed Agreement principles of jointness, openness and equality

2. Principles

In designing the scheme to comply with equal value principles and practices, the principles followed by the TWG were that:

- (1) All aspects of the scheme should be developed on the basis of *understanding of local government jobs and their demands*. This led to:
 - a. Development and testing of the factor plan, initially using already available job descriptions and other information, but subsequently through pilot testing of the scheme on questionnaires completed by jobholders for 150 jobs from a number of local authorities, using trained joint test evaluation panels.
 - b.
 - c. Design of the scheme scoring and weighting systems on the basis of agreed principles, developed during the design process, rather than from any preconceived ideas about outcomes or reliance on statistical techniques, which might carry risk of re-incorporating historical discrimination.
- (2) All *significant features of all jobs* within the NJC remit should be *fairly measured* by the scheme. This is reflected in:
 - a. The relatively large number of factors, each intended to measure a discrete job demand
 - b. Inclusion of factors such as Interpersonal Skills, Physical Skills, Emotional Demand and Responsibility for People to ensure that features of jobs, which might have been undervalued in the past, were fairly measured
 - c. The agreed minimum weighting of factors at 5% of total points (Effort and Working Conditions factors) to ensure that every factor could impact on outcomes
- (3) Adoption of the *principle of equality* throughout, unless there was clear justification for moving away from this. This can be seen in:
 - a. The aim of having equal steps in demand between factor levels and then equal points steps to reflect this;
 - b. Similar factors being developed in parallel to each other, for example, Responsibility, Effort factors each with the same number of levels and the same weighting.
- (4) Agreement that all aspects of the scheme should be '*open*' and '*transparent*'. This led to:
 - a. Publication of the factors, factor levels, scoring and weighting of the scheme, and a user guide on implementation, as the recommended model for carrying out grading reviews, in Part 4 of the Single Status Agreement

- b. Development of a Job Description Questionnaire asking for detailed factual information about jobs, so that the information base for each evaluation would be clear.
- (5) Adoption of the principle of *joint working* and recommendation that this should also be followed for implementation. This resulted in:
 - a. Joint working by the Technical Working Group in developing the scheme and by those involved in testing the factor plan
 - b. Inclusion of the principle of jointness in the user guide on implementation
 - c. Joint presentations and training on the scheme, wherever possible

3. External Verification

The Equal Opportunities Commission (EOC) were consulted regularly during the development of the scheme and made helpful comments, which were followed, particularly on implementation issues. The Commission for Racial Equality (CRE) were also consulted but declined to comment.

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 3: THE ROLE OF BENCHMARK JOBS IN IMPLEMENTING JOB EVALUATION

1. What are Benchmark Jobs in Job Evaluation?

- 1.1 The terms 'benchmarks', 'benchmarking' and 'benchmark jobs' have different meanings in different contexts. In some contexts, for example, 'benchmarking' involves making comparisons with other organisations.
- 1.2 However, in the context of modern job evaluation, the term 'benchmark jobs' simply refers to a representative sample of jobs. This sample can be used:
 1. As the basis on which to design and develop a job evaluation system, and/or
 2. As the framework for implementing an already developed job evaluation scheme, in either paper-based or computerised form.
 3. As the basis for a tool for evaluating similar jobs as part of the alignment process.
 4. As the basis for job profiles for particular job groups (social worker, school support, public health profiles have been developed at date of publication).
- 1.3 A national benchmark sample of around 150 jobs from a number of local authorities was used in developing and testing the local government NJC JES.
- 1.4 However, from the perspective of local authorities implementing this, or any other, previously developed scheme, it is the second of the above uses that is relevant. This Technical Note, therefore, concentrates on selecting benchmark jobs to be used as a framework for implementation of the NJC JES.

2. The Role of Benchmark Jobs in Implementing Job Evaluation

- 2.1 In the context of implementing the local government NJC JES, the function of the benchmark sample is to provide a set of jobs for which there has been:
 - Full analysis of the jobs – through completion of Job Description Questionnaires (JDQs); job analysis interviews; line manager checks – as agreed locally.
 - Evaluation of the jobs under the individual JES factor headings, with detailed records of outcomes and reasons
 - Thorough consistency checking, both during and after the benchmark evaluations, within and across job groups.
 - A full Gauge interview with jobholder, line manager and, if agreed, TU representative present, where the Gauge system is used.
- 2.2 The benchmark sample can then be used to:
 - Develop local conventions (see Technical Note 4).
 - Develop Gauge local help text (see below)
 - Test, and, if necessary modify in the light of experience, the procedures used for collecting and analysing job information, evaluating jobs and consistency checking
 - Provide a framework against which all subsequent evaluations can be checked for consistency (see Technical Note 14).
 - Provide a framework for undertaking factor comparisons or matching for non-benchmark jobs [see Technical Note 4, Options for Dealing with Non-Benchmark jobs]
 - Allow for initial work on developing grading and pay structures.

3. Benchmarks and the Computerised Gauge Version of the NJC JES

- 3.1 The foregoing applies equally whether a local authority is using the paper-based version of the NJC JES or the computerised Gauge version. With the Gauge version, the benchmark sample allows for

the development of the computer version of local conventions, which are known as local help screens (to distinguish them from national help screens, which are based on the national guidance notes).

- 3.2 An option is for half or all of the benchmark sample of jobs to be evaluated using the paper-based scheme, even when it is intended to use the Gauge system, as this facilitates the development of local help screens and provides a group of experienced evaluators, who are then well placed to act as moderation or quality assurance panel members in order to validate the Gauge outcomes. Once the local conventions have been developed, user organisations should apply the Gauge system or the paper-based version but not both.
- 3.3 If converting to web Gauge, an archive version of existing evaluations can be created and used as benchmarks for the development of a new live database.

4. What is a Job?

- 4.1 A useful precursor to selecting a benchmark sample is undertake a job audit to identify all discrete job roles within the population to which the job evaluation scheme is to be applied. This has been found to be a worthwhile investment of resource but may not be an easy task, as job titles may prove misleading, if, for example, different jobs have the same title (eg. secretary in different departments) and / or essentially the same job is found with different job titles (eg. senior cashier, cashier team leader).
- 4.2 Features of a discrete job role include:
- An identified set of job duties and responsibilities
 - The same or similar job description(s) (e.g. because the job descriptions were written at different times)
 - Acknowledgement by jobholders and line manager(s) that the jobholders carry out essentially the same job
 - And any limited variations will evaluate the same or very similarly
- 4.3 The last is obviously a 'chicken and egg' situation, but is sometimes a helpful guide when considering apparently differing sets of job duties (for example, Home Carers carrying out similar duties for different client groups).

5. How Many Benchmark Jobs?

- 5.1 Commonly asked questions are how many benchmark jobs should be selected; should the figure be a percentage of the number of jobs; and should it be a percentage of the number of employees?
- 5.2 There are no right answers to these questions and no fixed rules. An acceptable number of benchmark jobs is not usually related to the number of employees – the proportion is generally much higher for a small organisation than for a large one. Nor is it directly related to the number of jobs. More useful indicators are:
- What number will provide a genuinely representative sample (see below)?
 - What number is realistically feasible within an acceptable timescale (eg. 6 months) and resources?
- 5.3 The figure might be as low 50 for a small district council with a limited number of employees, and possibly even lower for a single function 'arms length' organisation, for example, but is more usually between 50 and 150 and possibly up to 200 for larger local authorities, depending on the range of services provided. A sample of more than 200 benchmarks is likely to prove unmanageable. Unitary and metropolitan authorities may find that they need a benchmark sample towards the top of this range, because they provide a full range of services, even though the number of employees may be small by comparison with a large county council.

6. Who Should Select the Benchmark Sample?

- 6.1 The joint steering group at a relatively early stage in its existence usually makes the selection formally. The decision may be based on the advice of a smaller joint secretarial or ad hoc group. The technical work on numbers of jobs is usually carried out within the HR function.

7. Selecting the Sample

- 7.1 Indicators of a genuinely representative sample are that it includes:
- Most commonly occurring jobs (eg. refuse collector; social worker; accountant; home carer)
 - Preferably stable jobs, that is jobs which are not subject to current or proposed re-organisation and not undergoing radical change for other reasons
 - Jobs from each service/department, including small services / departments, or equivalent organisational units e.g. schools
 - Jobs from different occupational groups/families
 - Jobs from each level of the organisational hierarchy and from most, if not all, pre-job evaluation grades
 - Emerging jobs e.g. public health
 - Jobs reflecting the range of factors and factor levels from the job evaluation scheme
 - Examples of male-dominated jobs, female-dominated jobs and 'mixed' in gender jobs
 - Examples of exclusively part-time jobs (eg. school crossing patrol; cleaner) and/or of jobs with non-standard working patterns.
 - Jobs with significant ethnic minority representation, if relevant.
- 7.2 If space within the sample allows, then it is useful to include some 'unusual' jobs to test the extremes of the scheme (one authority included a Miller, another, a Conservator of Roman Remains, each reflecting local features).

8. Making the Selection

- 8.1 Again, there is no right answer, but the process is easier with a comprehensive list of jobs and information on the composition of the workforce in terms of gender, race, age and, where relevant, the other protected characteristics under the Equality Act 2010¹, and typical working patterns (to pick up part-time employees or shiftworkers, those on zero hours contracts) of each, as this allows the selectors to check that their criteria have been met.
- 8.2 A department / grade matrix of jobs is also a useful tool to check that the sample includes jobs from across the organisation (and also allows examples of jobs, which occur in more than one department, to be selected from departments which would otherwise be under-represented in the sample).
- 8.3 Experience shows that lists drawn up separately by employer and staff sides generally contain many of the same suggested benchmark jobs and can usually be combined up to an agreed number, as long as checks are made that agreed criteria have been met.
- 8.4 The exercise of selecting benchmark jobs provides a good early indicator of how well joint working and partnership are working.

9. Identifying Benchmark Jobholders

- 9.1 Once the benchmark jobs have been selected, it is then necessary to identify one or more jobholders for each benchmark job. These jobholders will be required to complete the Job Description Questionnaire and / or participate in a Gauge interview. They should be as representative as possible of the requirements of the benchmark job, that is, they should not be new to the job, nor be star performers, but they should have undertaken competently the full range of job duties (ideally minimum 6 months' experience). Wherever possible, they should also be typical of the job profile in terms of gender, race, age and, where relevant, the other protected characteristics under the Equality Act 2010.

¹ The protected characteristics under the Equality Act 2010 are: age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 9.2 Where the benchmark job has only one jobholder, then obviously this employee will have to complete the JDQ and be interviewed. Where there is more than one jobholder, an identification procedure is needed to select one or more individuals to complete questionnaires. For small groups of benchmark jobholders, this should involve the jobholders.
- 9.3 For large groups of jobholders, especially those with scattered bases, it may be difficult in practice to involve all jobholders in the identification procedure. In some organisations a percentage is agreed depending on the size of the group. This can lead to employees with virtually identical versions of the job completing JDQs and being interviewed. It may be more useful, in conjunction with local managers and TU representatives, to identify a sample on the basis of possible variations in the job, in terms, for example, of client groups or different geographical areas. It would be good practice for other jobholders in the job group to be able to comment on the draft JDQ or post-interview Gauge overview, wherever practicable.
- 9.4 Whatever procedure is agreed, it should be followed consistently. Benchmark jobholders should be fully briefed, preferably both orally and in writing, on what is required of them.

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 4: OPTIONS FOR DEALING WITH NON-BENCHMARK JOBS

1. Introduction

- 1.1 Local authorities using the Local Government NJC JES have been recommended to select and evaluate a benchmark sample of jobs, in order to develop local conventions and test their evaluation procedures (for advice on selecting benchmark jobs, see Technical Note No. 3; for advice on drawing up local conventions see Technical Note No. 1).
- 1.2 The question then arises as to how to deal with the remaining jobs. Do they, for example, all need to be individually evaluated? Or can some form of further sampling take place? Can non-benchmark jobs be compared with and 'slotted' against benchmark jobs? This is an increasingly important issue in the light of developing case law.
- 1.3 In practice, only a small district council could feasibly ask all its employees to complete Job Description Questionnaires (JDQs) or to participate in job interviews with Gauge facilitators. For most local authorities, some form of simplified system for dealing with non-benchmark jobs is inevitable if the exercise is to be completed within a reasonable timescale and costs.
- 1.4 Dealing with non-benchmark jobs is an issue whatever job evaluation scheme is used, so this Technical Note applies equally to other schemes in use in the local government sector as to the Local Government Services NJC JES.

2. The Legal Position

- 2.1 The legal position is that a job is not covered by a job evaluation scheme, for the purposes of dealing with an equal pay claim, unless it has been through an analytical process (that is, a factor based JE scheme). The relevant case is *Bromley v Quick* in the Court of Appeal [1988 IRLR 249 CA].
- 2.2 In this case, the employer undertook a job evaluation exercise in which a benchmark sample of jobs was fully analysed and evaluated. The remaining jobs, including the applicant and some of the comparator jobs, were 'slotted' into the resulting rank order on a whole job basis. The Court of Appeal said that some of the jobs in question were not covered by the 'job evaluation study' defence provisions of the Equal Pay Act, because they had not been analysed and evaluated under the scheme.
- 2.3 This suggests that 'slotting' of non-benchmark jobs against benchmark jobs in the traditional sense of comparing the two on a whole job basis could leave an authority open to equal pay challenge.
- 2.4 However, the Decision does not necessarily imply that every individual job must be evaluated. In *Bromley v Quick*, Woolf LJ stated that there would be no objection to using benchmark jobs provided there was no material difference between the benchmark jobs and other jobs.
- 2.5 What might constitute a 'material difference' is not defined in the Decision, but the legal position was further clarified by the Employment Tribunal in the case of *Hartley & Others v Northumbria NHS Healthcare Trust: case no. 2507033/07, decision of 2 April 2009*. This Decision was not appealed and is regarded as authoritative on what will make a job family profile system in the local government sector acceptable.
- 2.6 The Tribunal was satisfied that the NHS matching process, which involves matching jobs locally to national benchmark profiles, was acceptable but dependent on two premises:
 - The national benchmark profiles were themselves derived from analytical evaluations of actual Health Service jobs
 - The matching process was conducted on a factor by factor (analytical) basis
- 2.7 Between them, these Decisions provide useful guidance on how to ensure that job matching or allocation procedures developed by local authorities for dealing with non-benchmark jobs are compliant with equal pay legislation.

3. Dealing with Different Categories of Jobs

Identical Jobs. Where it is agreed by all parties that a group of jobholders have an identical job, because they work to a common current benchmark job description that fully reflects the work undertaken, with no significant variations that could affect the evaluation of the job, then the job needs to be evaluated only once. This can be achieved in a number of ways:

- Selection of a representative jobholder to complete the Job Description Questionnaire (JDQ) or be interviewed by a Gauge facilitator with all other jobholders agreeing to be covered by the outcome.
- Selection of one or more jobholders to complete JDQs / participate in Gauge interviews, with the draft JDQ or provisional Gauge job overview being circulated to all jobholders as well as the line manager(s) for comment and agreement.
- Group completion of the JDQ or written documentation required for the Gauge process with either the Group or a member of the Group participating in the Gauge interview. This option really only works efficiently where there are small numbers of jobholders working together or from the same base (eg. accountants, environmental health officers) and they all accept that they are doing the same job.

Non-identical but Similar Jobs. Where a (large) group of jobholders works to a common job description, but there are some variations, which might affect the evaluation of the jobs, for example, different client group characteristics, different types of geographical area, Job Description Questionnaires should, with the agreement of individual jobholders, be completed and evaluated, or Gauge interviews undertaken, for a small cross section / sample of the group.

- 3.2 If, after consistency checking or moderation, all the sample jobs evaluate similarly and fall within the same proposed grade range or within a narrow range of JE scores, then one evaluation (agreed to be the most typical) should be applied to the whole group. If not, then decisions must be taken as to how to allocate the remaining jobs in the group to the varying sample evaluations. This may mean undertaking further sample evaluations to obtain a sufficiently reliable framework to allocate all other remaining jobs in the group.
- 3.3 When using Gauge, the sample Job Overview(s) can be circulated to other members of the group to check for any significant differences (see **Appendix 1**).
- 3.4 The process of identifying jobholders whose job versions can be treated as the same or similar is sometimes called 'clustering'. This is a standard job evaluation practice and only raises issues where an individual jobholder disagrees with the decision to make them part of a 'cluster', which may give rise to an appeal.

4. Use of Generic Job Descriptions and Templates

- 4.1 A number of local authorities have used generic job descriptions for groups of employees, in order to reduce the number of jobs to be separately evaluated, and, in some cases, to increase harmonisation for jobs and grades across departments / services.
- 4.2 This is a reasonable approach in order to expedite the job evaluation exercise, but carries a number of conditions for it to be compliant with equal pay legislative requirements.
- 4.3 For example, this practice complies with the requirement of the *Bromley v Quick Decision*, ONLY as long as the generic job description does not conceal significant (material) differences between those covered by it, which would affect the evaluation of different versions of the job, especially if these would result in a grade difference. Use of generic job descriptions is considered in more detail in Technical Note No. 8.
- 4.4 In a number of authorities, the generic job description approach has been further developed to deal with large numbers of varying jobs, for example, support jobs in schools. A sample of typical jobs have been identified and evaluated. From the job information and evaluation records, templates have been developed, against which all other jobs can be compared. Only those that do not match any of the templates need to be individually evaluated.

- 4.5 This approach could be adopted for groups of, for example, clerical and secretarial jobs, which vary from department to department. As long as the templates include factor related information, fully reflect the job content and the job information used for comparing other jobs with the templates is reliable, then the legal requirements are likely to be met.
- 4.6 National profiles have been developed, using a sample of typical jobs, for a range of commonly occurring school support, social work and public health roles. These can be used by local authorities and schools as part of a generic approach to job evaluation, which satisfies legal requirements [see Appendix 3 for use of Gauge with national profiles].

5. Options for Dealing with the Remaining Non-Benchmark Jobs

- 5.1 The discussion so far has focussed on dealing with groups of identical or similar jobs. However, even when these have been allocated to grades or job clusters (see comment above) by reference to evaluated benchmark and / or generic jobs, most local authorities will still have

- 5.2 The options for dealing with these include:

Evaluating each remaining non-benchmark job individually. This ensures that, providing the JE process is properly carried out, every job has been analysed and evaluated under the JES factor headings. It is the obvious approach in a small organisation, for example, a small district council or housing or leisure association.

On the other hand, in a large organisation, such as a unitary authority, this may result in a need to carry out hundreds of non-benchmark evaluations, with extra resource and effort required to avoid risks of inconsistencies creeping into the process. In a large authority, the work involved may not be feasible within a reasonable timescale and cost.

Undertaking a factor comparison exercise for remaining non-benchmark jobs against benchmark evaluated jobs. This is a similar approach to that adopted in the 1987 Manual Worker job evaluation exercise, when jobs locally, which did not precisely match the national benchmarks, were compared with a selection of the nationally evaluated benchmarks on a factor-by-factor basis. Instead of using national benchmarks, remaining non-benchmark jobs are compared against an agreed selection of the local benchmark evaluations on the basis of information from a job description and / or short version of the Job Description Questionnaire. (Gauge has a facility to compare two jobs factor by factor.)

Separately, Gauge has a facility to enable factor level comparisons across a range of nationally developed role profiles (see **Appendix 2**).

This approach is likely to require a relatively large initial benchmark sample to provide sufficient suitable comparator evaluations, but should significantly reduce the overall workload compared to evaluating individually all non-benchmark jobs.

As long as the job comparison exercise is carried out on a factor-by-factor basis, this approach appears to meet the *Bromley v Quick* requirement for all distinct jobs to have been subject to factor analysis and evaluation.

To ensure compliance with legislation it is important to ensure that this process is robust, consistency checks take place and only the original benchmark jobs are used for factor comparison purposes [*Islington case*].

Undertaking a factor matching exercise for remaining non-benchmark jobs against evaluated benchmark jobs. A somewhat different approach to factor comparison has been adopted in the Health Service, under the Agenda for Change Agreement of 2004, where non-evaluated jobs are compared with the nearest single evaluated profile, selected from the set of benchmark profiles by a joint panel, on a factor-by-factor basis and those jobs, which do not match, are evaluated by reference to the scheme definitions. The matching exercise is based on job descriptions, rather than the lengthy job description questionnaire required for full evaluation, but with provision for obtaining additional information where required. (A form illustrating how the results might be recorded is at **Appendix 4**).

In the case of the Health Service, the evaluated benchmarks are national ones. Local authorities which have adopted similar profiling approaches, either of their own design or a commercial version, have used their own benchmark samples as the basis for profiles for matching purposes.

As with factor comparison, this type of approach requires a relatively large initial benchmark exercise to provide sufficient benchmark evaluations for matching purposes. It is likely to meet the legal requirement that all distinct jobs should have been subject to factor analysis and evaluation on the conditions set out in the *Hartley* Decision.

- 5.3 Some local authorities adopting a profiling approach (where individual jobs are matched or allocated to evaluated role profiles) have devised 'generic' job families which may differ from the traditional local government job families. 'Operational Services', 'Business Support' and 'Technical Services' are examples of generic job families in local authorities using this approach. Up to 12 job families are identified, depending on local circumstances.
- 5.4 The aim of a generic job family profile approach is to increase workforce flexibility for the future. However, the approach runs the risk of not being compliant with equality legislation if the profiles are not based on evaluations of actual jobs; and an ongoing risk that a claimant may be able to demonstrate that their actual job has not been subject to analysis and evaluation.
- 5.5 In order to minimise the number of generic job family profiles required, some local authorities have developed profiles round 'core' factors, omitting effort and working conditions factors and paying for these separately. In fact, the health service profiles allow for considerable variation in the NHS JES effort and working conditions, so there is no need to exclude these factors. And doing so may create a risk of challenge on the grounds that the payments system for these factors is indirectly discriminatory, because it appears to favour jobs traditionally carried out by one gender compared to the other or that the same JE scheme has not been applied to all jobs.

6. Right of Appeal

- 6.1 The ultimate safeguard for any of the above approaches to provide acceptable, fair and non-discriminatory outcomes is the right of an individual employee to appeal on the grounds that their version of the job is significantly different from the evaluated job against which they have been allocated to a grade. For more information on appeals see Technical Note 9.

APPENDIX 1 DEALING WITH NON-BENCHMARK JOBS USING GAUGE

1. General Principles

The general principles regarding the evaluation of non-benchmark jobs set out in Technical Note No. 4 apply to all users of the Local Government NJC JES. This note provides options for those authorities using the Gauge software.

2. Job Overview

Gauge users will know that one of the key features of the Gauge system is the Job Overview, which is produced at the end of each evaluation. This Job Overview is a play back of the way the various questions were answered during the evaluation process and provides a summary of the demands and responsibilities of the job. It also provides the rationale for the job score as that, too, is determined by the way in which the questions were answered.

The wording in the Job Overview is neither job- nor task-specific and it is quite possible for the evaluations of two very similar, but not identical, jobs to result in identical Job Overviews. If this occurs, the scores for the two jobs will also be identical for every factor. Slightly different Job Overviews can also result in the same factor scores, provided that the differences are relatively small.

3. Dealing with large groups of similar jobs

If one or more jobs are thought to be virtually the same as one of the benchmark jobs that have already been evaluated using Gauge, it is quite possible that the original Job Overview will be valid for some or all of these other jobs. After final moderation, a copy of the Job Overview should be sent to the jobholder(s) concerned with the request that they discuss the content with their line manager and agree whether or not it accurately describes their job.

If it is agreed that the Job Overview is broadly correct but differences exist in one or two specific factors, those factors can be re-evaluated using the re-evaluation facility within Gauge. The system will keep the original as well as the new evaluation score (an evaluation 'history').

If significant differences (those likely to justify 1 level or more difference on the relevant JES factor) exist in five or more factors, the original benchmark job is unlikely to be sufficiently similar to be used as the basis for the evaluation of the job concerned. Another benchmark job should be selected or the new job evaluated from scratch.

4. The 'Copy' facility in Gauge

The Gauge database has the facility to allow an exact copy of any existing evaluation to be made and added to the database as a 'new' evaluation. This facility should only be used in exceptional circumstances for example where there is a very similar job e.g., secretary, and minor variations in job demands. It should not be used to re-evaluate a job. The Evaluation History facility should be used (see below).

5. Re-evaluating the 'similar job' – Evaluation History

If a job is returned for the re-evaluation of one or two factors (as per 3 above) the first step is to use the 'evaluation history' facility within web Gauge. This facility keeps the original evaluation (that sits behind the original) and the system then recognises the 'latest' version. The audit or moderation panel can then always refer back to the 'original' version for audit purposes. The jobholder and line manager should then be invited to re-analyse the points of difference that has been identified and shown in the revised Job Overview.

The 're-evaluate' facility should be used, but applied only to those factors for which differences were identified. Within each factor, the first question for which a different answer would be more appropriate should be the starting point for the re-evaluation, thus ensuring as much consistency between evaluations as possible.

The result of the re-evaluation should then be submitted to the same audit or moderation process as all other jobs and the panel should have the right to look at the whole evaluation, not just those aspects that had changed (this should help ensure that scores are not allowed to 'grow' by the inclusion of 'advantageous' differences but the exclusion of 'disadvantageous' differences). Once approved, this new job and its Job Overview can be used as an additional 'benchmark' for other jobs.

APPENDIX 2

USING GAUGE SOFTWARE WITH NATIONALLY DEVELOPED ROLE PROFILES

1. Generic profiles

National profiles have been developed, using a sample of typical jobs, for a range of commonly occurring school support, social work and public health roles. These can be used by local authorities and schools as part of a generic approach to job evaluation, which satisfies legal requirements

Below we have described how the school support profiles can be used with the Gauge software, but the same approach could also be used with social work and public health profiles.

2. School support staff profiles

The School support staff profiles are available on the LGA's website; Pilat HR Solutions will also on request add these (and other nationally developed profiles) for new web Gauge users as well as for existing clients using the web Gauge system.

The school profiles were developed to ensure consistency, transparency and fairness in:

- Benchmarking school support staff who have not undergone job evaluation if the exercise has not started or is underway
- Checking job evaluation outcomes for school support staff if the pay and grading review has been completed, noting that this should be viewed in the wider context of the fair and consistent application of the NJC JES across whole organisations
- Helping schools who are reorganising educational provision or dealing with grading queries and appeals
- Assisting councils in developing roles that fit local circumstances to ensure that they are evaluated appropriately
- Illustrating career pathways for school support staff.

3. Developing roles that fit local circumstances

Pilat will set up for each client a separate Gauge site which will have the school support staff role profiles 'pre-loaded'. It seems likely that the evaluation comparison approach will be used by schools or councils in partnership with the unions and for example the Head Teacher or Business Manager within each school to enable them to develop profiles which suit local circumstances.

The steps in the evaluation process will be:

First, select a benchmark profile from the list of role profile job families e.g., Administration and Management. Within this family, there will be different levels of roles, e.g. four levels of Administration, four of Finance, three of Business Management, two of Examinations, and so on.

Second, once the role title has been selected, e.g., Administration 1, and you have selected 'create a job evaluation', the system will show, for the first factor, all of the different factor levels for each of the four roles within the Administration family.

Next, the evaluator will select the most appropriate 'level' descriptor for each of the remaining factors within the NJC's 13-factor scheme.

The chosen levels will form the basis for the Job Overview at the end of the evaluation and 'points' score for the role.

4. Initial review

We recommend that at the end of the evaluation of the role, the Job Overview is read and reviewed and if necessary re-evaluated using the re-evaluation facility within Gauge.

Should a new factor level be agreed, this can simply be requested and this will be included in a revised Job Overview.

5. Moderation

As with current job evaluations using the traditional one to one interview and question and answer method, the results from the generic 'read across' process should be subject to moderation by a joint moderation panel members of which have not previously been involved in evaluating the job.

This panel will review all evaluations both within each job family as well as across all job families, and consider the overall rank order of jobs within the organisation's hierarchy.

6. Obtaining the Web Gauge national profiles facility

Local parties wishing to use the web Gauge national profiles facility should contact Pilat, who will discuss the necessary arrangements to have their system suitably modified.

APPENDIX 3**PROFILE MATCHING FORM****JOB TITLE:** Admin Officer Home Care **PROFILE:** Admin Officer**JOB STATEMENT:** (up to 4 key elements)

<ol style="list-style-type: none"> 1. Updates home care client records; arranges home care assessment visits 2. Maintains home care staff records, including sickness, holidays, training, jury service 3. Compiles home care staff roster on instruction from manager; adjusts as necessary on day to day basis to take account of sickness and other absences 4. First point of call for home care clients, relatives, carers: answers or re-directs call 					
Factor	Relevant Job Information	Profile level	Job level	Match	JE score
1. Job Knowledge	Knowledge of procedures for range of task, some of which relatively complex and of operation of associated tools and equipment Range of admin tasks, some relatively complex e.g. home care rosters, staff records	3	3	M	60
2. Mental Skills	Judgement or creative skills; some need to interpret and solve straightforward problems Day to day problems; answers telephone calls, e-mails	2	2	M	26
3. Interpersonal & Communication Skills	Exchanging orally or in writing varied information with range of audiences, Communications, mainly by telephone, with home care staff, clients, relatives, carers, social workers, other agencies	3	3	M	39
4. Physical Skills	Dexterity, co-ordination or sensory skills with some demand for both precision and speed Keyboard skills for maintaining records integral to work	3	3	M	39
5. Initiative & Independence	Working from instructions, but making minor decisions using initiative; problems referred to supervisor / manager and little close supervision necessary beyond that provided by working arrangements and methods. Organises own tasks round telephone calls	2	2	M	26
6. Physical Demands	Some ongoing physical effort Sitting for long periods in constrained position at keyboard	1-2	2	M	20

7. Mental Demands	Lengthy periods of concentrated sensory attention Sensory attention for keyboard work, telephone calls (listening skills)	3	3	M	30
8. Emotional Demands	Regularly emotional demands Daily distressed, irate clients, relatives, carers when Home Carer is late; can transfer abusive calls to line manager	1-2	3	V	30
9. Responsibility for People	Providing information, advice, guidance on established internal procedures; integral part of job Administration for service to clients; answers telephone calls from clients	1-2	2	M	26
10. Responsibility for Supervision	Limited, or no, direct responsibility for supervision, direction or co-ordination of other employees Demonstrates duties to holiday relief	1-2	1	M	13
11. Responsibility for Financial Resources	Limited, or no, direct responsibility for financial resources; may occasionally handle small amounts of cash, processing cheques, invoices or equivalent None	1-2	1	M	13
12. Responsibility for Physical Resources	Handling and processing of manual or computerised information; care, accuracy, confidentiality and security important Updates home care admin records	2-3	2	M	26
13. Working Conditions	Minimal exposure to disagreeable, unpleasant or hazardous environmental working conditions or people related behaviour Office based; can transfer abusive calls to line manager	1	1	M	13
	Match to Admin Officer profile	Grade	?		361

NOTE M = job level matches profile level

V = job varies up or down compared to profile.

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:**TECHNICAL NOTE NO. 5: FACTORS & WEIGHTING OF THE LOCAL GOVERNMENT NJC JOB EVALUATION SCHEME****1. Introduction**

- 1.1 Questions are sometimes asked about why particular aspects of the Local Government NJC Job Evaluation Scheme are as they are, for example, why were these particular factors selected? What is the rationale for the weighting and scoring systems.
- 1.2 This Technical Note provides answers to the above questions. It thus amplifies section 2 (1)-(3) of the earlier technical note on the principles of the scheme.

2. The Factor Plan

- 2.1 Unlike later features of the NJC JES scheme design, which were worked on jointly by Technical Working Group members, the factor plan was based on lists of potential factors drawn up separately by Employer and Trade Union Sides. The two lists proved to be very similar and only required 'tidying up' and defining to provide the framework factor plan.
- 2.2 It was agreed that the factors should be representative of 4 standard groups of factors:
- (1) Knowledge and Skills
 - (2) Responsibilities
 - (3) Effort
 - (4) Environmental Demands
- 2.3 Other agreed principles of factor selection were:
- Factors should between them allow for the measurement of all significant features of all the local government jobs to be covered by the scheme
 - The broad factor groups should be broken down into a number of individual factors to ensure that all job features are fairly measured (equality principle) and to facilitate evaluation.
- 2.4 (continued on next page)

2.4 The justification for the inclusion of individual factors was as follows:

Factor	Justification for Inclusion
Job Knowledge	Occurs as a main factor in nearly all modern JE systems; measures the major 'input' to the job; defined in the NJC JES in relation to the actual job knowledge requirements rather than qualifications and experience, which have proved discriminatory in the past
Mental Skills	Occurs in some other JE systems as Problem Solving or Analytical/ Creative/ Innovation Skills; defined to include developmental and creative skills in relation to people as well as to e.g. policies, for equality reasons
Communication Skills	A standard factor in modern JE systems; defined in the NJC JES specifically to include caring skills to ensure fair assessment of jobs such as home carer, nursery nurse
Physical Skills	Included to ensure that the skill of jobs involving driving and/or keyboard work are fairly measured, as there is evidence that these are undervalued when measured under a Job Knowledge heading
Initiative and Independence	A standard JE factor, sometimes labelled Freedom to Act or Discretion; included to ensure that scope for decision making and exercising responsibilities is taken into account
Physical Demands	Commonly found in JE schemes covering manual jobs, less commonly in schemes covering non-manual jobs; defined to include stamina as well as strength-related job features
Mental Demands	Defined to measure demands for concentration, alertness and attention demands of the work
Emotional Demands	Not always recognised in JE schemes; defined to measure the effort demands arising from dealing with clients or others whose behaviour or circumstances cause distress
Responsibility for People	Adopted as a factor from the earlier local government manual worker JE scheme to measure the responsibilities of front-line, direct service providing jobs
Responsibility for Supervision etc of Other Employees	A traditional JE factor; measures managerial and supervisory responsibilities; defined in terms of the nature and demands of the responsibility, rather than through numbers or types of employees supervised or managed, as the latter have proved indirectly discriminatory
Responsibility for Financial Resources	Commonly found in JE schemes, although sometimes measured through an Impact factor: included as a separate factor distinct from other physical resources to avoid under-valuation of finance jobs; defined to cover all forms of financial resources, including e.g. accounts processing and income generation jobs
Responsibility for Physical Resources	Commonly found in modern JE schemes, sometimes covering financial as well as other forms of physical resources; defined to include information resources, as well as responsibilities for stocks, supplies, security, design and development of physical assets
Working Conditions	Commonly included in JE schemes covering manual jobs, less commonly in schemes covering non-manual employees; measures unavoidable and inevitable unpleasant conditions in line with good JE practice; defined to include people-related working conditions (e.g. body odours, verbal aggression) as well as environmental conditions (e.g. dust, fumes, extremes of temperature)

3. Factor Weighting

- 3.1 Factor weighting and scoring principles were agreed by the Technical Working Group, then tested on the jobs, which had been used in the development of the factor plan. The agreed principles were:
- Each factor should have a minimum 5% of scheme total points, in order to have potential impact on the JE outcomes
 - Overall weighting should reflect the implicit weighting arising from there being different numbers of levels identified for different factors; this gave most weighting to Knowledge and Initiative and Independence, followed by the Responsibility and Skills factors, then Effort and Working Conditions
 - Similar factors (e.g. the four Responsibility factors) should be similarly weighted in order to avoid incorporating bias in favour of particular types of jobs (e.g. managerial jobs compared to client related jobs)
 - Additional weighting should be applied to the Knowledge factor in recognition of it being a traditional determinant of pay levels
 - Scoring steps between factor levels should be equal to reflect the aim of equal steps in demand between levels (e.g. 10-20-30-40-50 rather than 6-14-24-36-50). The Technical Working Group was also concerned that there could be a perception that bias in favour of more senior posts may be introduced if scoring multiplies more rapidly at higher factor levels than at lower levels.
 - Scoring should reflect the fact that level 1 on each factor is defined as a small but positive amount, so no zero scores
- 3.2 For transparency, 1000 points were allocated amongst the factors in accordance with the above principles to give the NJC JES weighting. 3 'spare' points out of the 1000 were allocated to the top 3 levels of the Knowledge factor. They have no impact on outcomes.

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 7: SKILLS PATHWAYS AND CAREER GRADES & JOB EVALUATION

1. Introduction

- 1.1 Career Grades represent a basis for progression within or through a grade structure or hierarchy. They are generally associated with professions or careers within which the acquisition of competence and skills adds to the employee's potential to contribute to the organisation.
- 1.2 Career Grades have tended to occur historically in those areas where local authorities were major employers and training providers, for example, finance, highways engineering and planning, but in more recent times they have also been found in other areas, such as social work.
- 1.3 Job evaluation evaluates **jobs** and not individuals. Thus it is the knowledge and the skills required to do the job which is measured and not that which an individual employee may personally happen to have.
- 1.4 A career grade should be viewed as a series of jobs with different levels of job demands and responsibilities, requiring different knowledge and skill levels leading to different grades. These outcomes will form the basis of criteria for progression to higher levels of the career grade.
- 1.5 An example of how this would look is as follows:

Career Grade Levels	Title	Example Grade
1	Newly Qualified Social Worker	7
2	Qualified Social Worker	8
3	Senior Social Worker	9

- 1.6 Movement within a career grade will be based on the measurement of objective progression criteria linked to the evaluation at each level in the career grade scheme. Progression should be based on job requirements and not the personal attributes and achievements of the individual

2. Benefits of Career Grades

- 2.1 Career grades are one way to encourage recruitment and retention as they can help a potential employee see a career or personal development path which they might reasonably expect to progress along. They represent a commitment to the development of the individual if delivered. They may also be a useful means of breaking down occupational segregation and ensuring succession planning.

3. Training

- 3.1 Significant steps within career grades should be identified along with any training to progress. Access to training should be made available to all groups.
- 3.2 Any career grade scheme should set out openly what is expected of both the employer and the employee. It is essential that any grades/schemes are deliverable. In order to ensure that a career grade system works it is important to ensure there are realistic opportunities to progress to the higher level. Otherwise expectations are raised, which if not delivered, could lead to loss of motivation and morale.

4. General Equalities Considerations

- 4.1 Each level of the career grade must be individually evaluated to ensure it reflects increasing job demands. This may mean redesigning / recalibrating career grade systems to deliver the appropriate level of responsibility at each grade.
- 4.2 Each employee should be undertaking the actual work commensurate with their career grade level rather than just having the training to allow them to potentially undertake such work
- 4.3 Subject to a sustainable business case, career progression systems should be considered in all areas where work is done at a number of levels. This should be irrespective of the equality profile and available to both full time and part time workers
- 4.4 There should be fair and consistent application and management of career grades across the organisation

5. Monitoring

- 5.1 It is important that the establishment and application of career grades are closely and regularly monitored to maintain equality.
- 5.2. Check that career grades are open to all employees with the required entry skills and knowledge, irrespective of protected characteristics as defined by the Equality Act. If they are dominated by one gender for example there must be an objective reason for this.

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 8: GENERIC JOBS AND JOB DESCRIPTIONS

1. Introduction

- 1.1 Frequently asked questions in the context of carrying out single status grading and pay structure reviews relate to generic jobs and job descriptions. What are generic jobs? Can generic job descriptions be evaluated? How generic can they be?
- 1.2 This Technical Note examines the issues. It expands on **Technical Note No. 4: Options for Dealing with Non-Benchmark Jobs**, para. 4, but it is of wider application as both benchmark and non-benchmark jobs are capable of being generic.
- 1.3 Generic jobs and job descriptions should be distinguished from 'generic job families', which are sometimes developed in the context of profiling approaches to dealing with non-benchmark jobs (see Technical Note 4, Para 4). There is no necessary connection between generic job descriptions and generic job families. They may or may not go together and each can stand as a distinct approach.
- 1.4 As with a number of other Technical Notes in this series, generic jobs and job descriptions can be used in the context of any job evaluation scheme and are not specific to the Local Government Services NJC JES.

2. What are generic jobs?

- 2.1 Generic jobs are jobs which show some variations between them, but are treated the same, not only for grading purposes, but also in the work organisation context. Generic jobs may be introduced, for instance, where an organisation seeks to achieve greater flexibility across tasks considered to be of similar level, for example, a generic job family such as Clerical Officer Role to replace separate Clerk Typist, Clerk Word Processor Operator and Clerical Support Officer jobs.
- 2.2 Generic job descriptions are inevitably written in more generalised language than specific job descriptions, because they usually have to cover a wider range of activities. Sometimes they are extremely generalised, or alternatively include only information about the competencies required for the generic role. This may present a practical problem, when it comes to evaluation, but is not an argument of principle against generic jobs.
- 2.3 A generic job description should cover a job which can reasonably be expected to be carried out. If more tasks are included than could realistically be undertaken, this indicates that more than one generic job description is required. A generic job should be an actual not a hypothetical role.

3. Can generic jobs be evaluated? What is the legal position?

- 3.1 As long as sufficient job information is available, generic jobs can be evaluated in the same way as other jobs. There is nothing in law, which requires small variations in jobs to be evaluated separately [see *Bromley v Quick* [1988 IRLR 249 CA]].
- 3.2 Evaluation problems only occur if different versions of the generic job would evaluate significantly differently. This could be a serious problem, if some versions of the generic job are significantly more demanding than others in terms of the job evaluation system being applied and the less demanding version of the job is evaluated. In this situation, those undertaking the more demanding versions of the generic job could have grounds for appeal or for an equal pay claim to an Employment Tribunal.
- 3.3 If the more demanding version of the job were evaluated, then others in a lower grade might be able to claim that they carry out work of equal value to those undertaking the less demanding versions of the generic job. Both these situations were identified by the Employment Tribunal in the case of *Brennan v Sunderland*.

- 3.4 The other problem, which can occur if jobs are too generic, is that an individual jobholder may be able to argue that their version of the job is significantly different from that which was evaluated and that they are thus not covered by that evaluation. There have been a number of equal pay claims based on this type of situation.
- 3.5 Such problems can be avoided by undertaking sample evaluations across the range of variations covered by the generic job (see below).
- 4. We already have generic jobs. How do we proceed?**
 - 4.1 The first step is for the Job Evaluation Steering Group to agree a small sample of the generic jobholders to cover the range of variations within the group. The size of the sample will obviously depend on the number of generic jobholders and the degree of variation in their versions of the job. Where the generic job is relatively homogenous, then a small sample may suffice, even with large numbers of jobholders.
 - 4.2 The second step is to collect the detailed job information necessary for evaluation purposes for the sample job versions, either by means of the Job Description Questionnaire or through use of the Gauge system. The sample can then be evaluated, preferably by the same evaluation panel, or using the same web Gauge job analyst. The evaluation results should then be consistency checked in the usual way.
 - 4.3 The third step is to review the evaluation results. Where the sample jobs evaluate the same or very similarly, then it is reasonable to treat the whole group as a single generic job for job evaluation purposes. Where some of the sample evaluate significantly differently from others (such as could result in their falling into a different grade), then it will be necessary to identify two or more different generic jobs and to determine a means for allocating members of the original generic group to the appropriate evaluated job. This may require further sampling and/or a procedure for matching other examples of the job to one of the evaluated sample. This can be done using either paper-based or web Gauge versions of the NJC JES.
- 5. We only have specific jobs at present, but we think there is scope for generic job evaluations. How do we proceed?**
 - 5.1 Some local authorities, faced with evaluating multiple versions of jobs such as Clerical Assistant, Departmental Administrator, Personal Assistant have sought to introduce generic evaluations to reduce the evaluation workload, rather than for reasons of work or organisational flexibility. Other local authorities have identified commonality from individual evaluations and subsequently created generic evaluations from these.
 - 5.2 The additional preliminary step in this situation is to identify those jobholders whose jobs may be treated generically for evaluation purposes. This is not always easy, especially where different job titles are in use across the potential generic job group, so needs close involvement from relevant managers and union / relevant employee representatives with HR and / or evaluation project team members. It will be helpful if existing up-to date job descriptions and organisation charts, if available, are collected centrally and / or job summaries are drawn up to assist in identifying the initial sample for evaluation.
 - 5.3 The steps as above can then be followed. It may be necessary to agree a somewhat larger sample for evaluation than where generic jobs are already established, in order to ensure that all significant variations are covered and there is credibility for the exercise.
 - 5.4 Where all or most of the sample evaluate the same or very similarly, then the remaining jobs can be allocated to the generic evaluation. It is possible at this stage to draw up a generic job description to match the evaluation and cover the range of job duties, but this is not essential in the job evaluation context.

- 5.5 Where there are significant differences in the evaluations of the jobs thought to be generic, then it will be necessary to sub-divide the original group into a number of different jobs and to undertake further sample evaluations and / or develop a matching procedure (see Technical Note 4) to allocate the remaining group members to an evaluated job.
- 5.6 In the situation where there have not previously been generic jobs or job descriptions, it is important to evaluate the sample of jobs before drawing up the generic job descriptions. To attempt to do this the other way round is to court disaster, as there is then no way of ensuring that the most useful job descriptions are developed or that all the possible job variations are adequately catered for. This can lead to grievances, appeals or challenges to Employment Tribunal.
- 5.7 Once the generic jobs have been evaluated and consistency checked against other evaluations, a factor comparison or factor matching exercise can be carried out to allocate the remaining job versions to the appropriate generic evaluation. This should be done on an analytical basis to minimise the risk of subsequent appeals or legal challenges [see Technical Note 4]. An analytical procedure will also help prevent under-grading of jobs, as it is based on job demands rather than tasks. It will thus avoid the situation where a job is allocated to a lower grade profile on the grounds that it does not include 1 or 2 of the higher grade profile activities, when factor analysis shows that the job demands best match the higher grade profile.
- 6. Appeals in relation to generic evaluations**
- 6.1 The underlying protection for employees in relation to generic evaluations is that they should be able to appeal on the grounds that their version of the job is significantly different from the one, which was evaluated and to which they have been allocated, and should either be allocated to a different generic job evaluation or be separately evaluated (see Tech Note 9 'Appeals').

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 9: APPEALS AND REVIEWS

1. Introduction

- 1.1 Part 4.1 Para 6 of the National Agreement, refers to a model appeals procedure for use in relation to evaluations using the Local Government NJC JES. The model procedure provides a nationally agreed framework for local appeals, but needs amplifying to suit the needs of each Local Authority. The model procedure is attached to this Technical Note as Annex 1.
- 1.2 **The local detailed procedure should be discussed and agreed jointly.** This Technical Note discusses some of the procedural issues in relation to appeals in the context of job evaluation.

2. Appeal Procedures

- 2.1 It is standard job evaluation practice to allow **appeals against an initial evaluation exercise**, in order to correct any errors by allowing an employee to argue that their job was incorrectly evaluated or that the information provided was inadequate.
- 2.2 It is also standard practice to allow **re-evaluation jobs** which have changed significantly since the initial evaluation and any subsequent appeals from that re evaluation, to keep the evaluations up-to-date.
- 2.3 Appeals are usually time limited, for example, to within 3 months of the publication of the job evaluation results.
- 2.4 If there is disagreement between the job holder and line manager over the content of the job, the appeal should proceed with the job holders and line managers comments included.
- 2.5 An appeal about the outcome of a job evaluation exercise should not be confused with an appeal about the appeals process itself i.e. that the appeal has not been dealt with fairly. This should be resolved through the grievance procedure.
- 2.6 It is good job evaluation practice, and minimises risks of subsequent challenge, to provide for ongoing maintenance of the system to ensure that all evaluations remain accurate and up-to-date, without relying on individual employees appealing or requesting a re-evaluation of their jobs. This can be done by, for example:
- Re-evaluating all jobs in departments or sections subject to re-organisation or re-structuring
 - Re-evaluating all jobs over time on a rolling programme.

Technical Note 10 'Mainstreaming Job Evaluation' gives more detailed information about ongoing maintenance.

- 2.6 All of the above apply whether the paper-based or computerised (web GAUGE™) version of the NJC JES was used for the initial evaluations.

4. Grounds for Appeal

- 4.1 Part 4 of the National Agreement lists as the grounds for appeal against initial evaluation as:

- The scheme has been wrongly applied e.g. factor levels have been wrongly allocated, the evaluation panel has failed to follow guidance etc.
- The job description questionnaire did not provide complete information
- It is believed that an equivalent job is more highly graded and paid

The last of these was included to allow equal value issues to be resolved internally without immediate recourse to an Employment Tribunal.

Where generic jobs have evaluated or a profiling approach adopted (see Technical Notes 4 and 8) an additional ground for appeal would be that:

- The job has been wrongly matched or clustered(i.e where similar jobs are grouped together and evaluated as one job together)

This provides a right for an individual employee to appeal on the grounds that their job is significantly different from the evaluated job/profile against which they have been matched or clustered. It builds in a safeguard to ensure that a generic or profiling approach delivers acceptable, fair and non-discriminatory outcomes.

4.2 If using the Gauge computerised version, ‘the grounds for re-evaluations and appeals remain as set out in the Green Book. However, in practice use of the computerised version should significantly diminish the scope for appeals. There may still be scope for appeal on the grounds where the jobholder disagrees with the content of the job overview produced by the Web GAUGE™ system

5. Appeals – When?

5.1 It is sometimes suggested that appeals against the initial grading review evaluations should take place after completion of the evaluations and consistency checking, but before publication of grading and pay structure proposals. A variation is to allow appeals after the grade boundaries have been drawn, but before pay scales have been attached to the proposed grades.

5.2 The arguments for these options are:

- They are the purest options in that employees are appealing about the evaluations rather than the pay outcomes
- They allow the outcomes of appeals to be taken into account in costing the pay structure proposals.

5.3 The arguments against are:

- They may increase the number of appeals
- They are likely to delay the publication of pay structure proposals
- It may be necessary to allow a further round of appeals once the pay structure proposals are published

5.4 For these latter reasons most organisations allow initial appeals against evaluation from the date of publication of the grading and pay structure proposals.

Technical Note 10 ‘Mainstreaming Job Evaluation’ provides more information on the arguments for each option.

6. Appeal Stages – Issues for Consideration

6.1 There is no one perfect appeal procedure. However, what is essential to all appeals procedures and is required by Part 4 of the Agreement is that all appeals panel members are fully trained in the use of the scheme and in the avoidance of bias.

6.3 Some issues for consideration in developing an appropriate appeals procedure are:

a. Informal Appeal/Review

The model appeals procedure includes provision for an informal review of the job evaluation outcome. This allows for:

- Errors of scoring, obvious evaluation errors or obvious errors of allocation to the wrong benchmark job to be corrected on the spot.
- Potential appeals arising from lack of understanding or misunderstanding of the scheme or outcome to be resolved through provision of the required information without resort to a formal appeal.
- Advice to be provided on the scope for appeal, which may assist the potential appellant to decide whether it is worthwhile going through the formal appeal procedure

The informal procedure should not preclude a job from going through the formal appeals procedure, but is aimed at reducing the number of unnecessary or inappropriate appeals.

It will be necessary to agree locally exactly how the informal stage should take place, for example:

- What are the timescales for this informal stage? The model procedure says the discussion should take place 'as soon as possible' and it should obviously not be a cause of significant delay to those appeals which go forward to the formal procedure.
- What should be put in writing at this stage?
- When will the employee be notified of the outcome - on the day, or in writing immediately afterwards?

b. The Formal Appeal Procedure

- If the appeal is regarded as a request to review and check the initial evaluation, then there should really only be need for a one-step formal appeal hearing, at which the appellant's case is set out and a final determination made.
- If there is to be a higher level appeal, then it is important that the higher level appeal panel members are also fully trained in the job evaluation system and that they ensure that their appeal decisions are consistent with other evaluations.
- The model procedure allows for the provincial council to be involved in second stage appeals, where this agreed locally. However, where councils in the region have adopted different local conventions, the relevant local conventions would need to be used by the regional appeal panel.

Information to be Provided for Formal Appeal

- It is good practice to have agreed forms for appeals and, if separate, requests for re-evaluation.
- A request for re-evaluation form should require the employee to identify the changes to the job which have lead to the request. It will need to be agreed locally whether or not the employee should be asked to specify to which JE factors s/he considers the changes to be relevant, and whether or not there should be a section for the line manager's comments. If it is agreed that the appellant should specify relevant factors, then the Authority will need to ensure that information about the scheme is available to all employees, including those who do not have access to computerised information.
- The appeal form usually requires the appellant to specify the grounds for appeal and to provide further details of the appeal. It will need to be agreed locally whether or not the appellant is required to identify those factors s/he considers to be affected by the appeal. This is often considered helpful as it focuses the minds of both the appellant and the appeal panel.

c. Timescales for Appeals

- It is in the interests of all parties to set timescales for each stage of the appeal process, but these should be realistic.
- For the appeals from an initial evaluation exercise, capacity to deal with them within an agreed timescale will obviously depend on the numbers of appeals received, which may be difficult to forecast. Assuming that every effort has been made to keep appeals to a minimum, it would be reasonable to provide for appeals to be submitted within 3 months of publication and to be dealt with within, say, 6 months of submission. However, it may be necessary to provide for completion date to be amended if numbers of appeals exceed expectations.
- For appeals against evaluations of new or re-evaluations of changed jobs, it should be possible to set firm timescales. Where a two stage appeals procedure is agreed, then there

should be a timescale for each stage of the procedure. The model procedure says that the 'NJC recommends that appeals should be dealt with within 3 months of being submitted'.

- Provision should be made to vary the appeal deadline in certain cases to ensure that those on holiday or maternity/parental leave or long term sick are not disadvantaged

d. Composition of the Appeals Panel

- For a one-stage formal appeal procedure, the model procedure provides for it to be carried out by a different panel from that which undertook the original evaluation in order to provide an objective second look at the initial evaluation.
- A second stage panel, if adopted, should also be different from either the original panel or the initial formal appeal panel.

e. Size and membership of the appeal panel

If the first formal stage appeal panel is regarded as an evaluation review panel, then it is likely to be of the same size and style of membership as an initial evaluation panel. Otherwise, appeal panels are generally smaller, rather than larger, than initial evaluation panels. They may include for example:

- A more senior member of HR/Personnel than was the case for initial panels
- A head of department
- A senior trade union convenor or Regional Officer instead of or in addition to local trade union representation

The appeal panel should be as balanced as far as practicably possible in terms of protected characteristics as defined by the Equality Act.

Schools should adopt the model procedure if they are not covered by local authority job evaluation procedures

f. Chairing of the Appeal Panel?

If the appeal panel is regarded as an evaluation review panel, then chairing system is likely to be as for the original evaluation panel, although the model procedure allows for the panel to be chaired by a person not previously involved in the process and agreed jointly.

It is important that, whoever chairs the panel, they and other panel members are trained and experienced in applying the Local Government NJC JES. They should also be trained in equality issues.

g. Appeal Record Keeping

Whatever procedures are used for appeals, it is important that careful records are kept of any changes to the initial factor evaluations and the reasons for them. This provides the basis for informing the appellant of the outcome, but also provides information in case of subsequent query or external challenge. Web Gauge provides a full audit history of decisions made by the appeal panel

h. Monitoring

Appeals, like all other aspects of job evaluation, should be monitored and reported on at agreed intervals, for example, annually. Data should be maintained by age, disability, gender, race and by other protected characteristics where possible. Monitoring information can be requested on the appeal form for example the number of appeals:

- submitted (distinguishing single and group appeals)
- resolved at the informal discussion stage and the outcomes
- resolved at the formal appeal hearing and the outcomes
- resolved at the second appeal stage, where relevant, and the outcome.

ANNEX 1**Local Government Single Status Job Evaluation Scheme - Grading Appeals****Model Procedure**

- 1 An employee who wishes to appeal against the grading of his/her job must submit the claim in writing to management setting out the grounds for the application.
- 2 As a first step, the appeal should be discussed with the employee, a representative of management and her/his union representative as soon as possible. A representative of the department responsible for maintaining the JE scheme for the authority should also be present.
- 3 If the appeal is not settled and/or withdrawn, the first stage of the formal appeal must commence within a timescale agreed at local level.
- 4 The appeal will be heard by a joint panel at authority level. The panel will consist of representatives from the recognised trade unions and management and/or elected members. An independent person may be appointed to chair the panel.
- 5 The decision of the joint panel is final.
- 6 The local parties may agree to a further appeals mechanism to apply in exceptional cases where the panel fails to reach agreement. This may involve the provincial/associated council.
- 7 The NJC recommends that appeals should be dealt with within three months of being submitted.
- 8 Nothing in this procedure shall prejudice the legal rights of the employee and the employer.

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 10: MAINSTREAMING JOB EVALUATION

1. Introduction

- 1.1 This Technical Note covers a number of issues that arise towards the end of and immediately following a major job evaluation exercise, for example:

- Final consistency checking
- Equality checking the results
- Publishing the job evaluation results
- Dealing with jobs which have changed over the course of the exercise
- Dealing with new and changed jobs after the initial JE exercise
- Ongoing monitoring and maintenance

- 1.2 Each of the above is considered separately in the following paragraphs. Although each is a discrete topic, there are links between these, which are cross-referenced. Cross-references are also provided to relevant other Technical Notes.

- 1.3 Regular job and pay audits should be carried out.

- 1.4 This Technical Note accompanies the Local Government NJC JES, but it relates to the use of any job evaluation system.

2. Final consistency checking

- 2.1 Regular technical consistency checks should have been carried out through the job evaluation exercise [see Technical Note 14 Consistency Checking of JE Outcomes, which is available with other Technical Notes in this series on the Local Government Association's website at: http://www.local.gov.uk/web/guest/workforce-local-government/-/journal_content/56/10180/3702152/ARTICLE]

- 2.2 At the end of any job evaluation exercise, it is essential to undertake additional checks in order to be able to respond to the inevitable queries from employees and line managers and to ensure the credibility of the outcomes. There are a number of possible 'approaches, for example:

(1) Job Type Checks: compare the evaluations for similar jobs or jobs in the same family. This requires a restatement of job title so instead of Senior Planning Officer and Principal Planning Officer use Planning Officer Senior and Planning Officer Principal respectively, so that when job titles are sorted in alphabetical order, the job group scores fall together and can easily be compared. Better still use job family type codes, which allow for easy sorting. Investigate any apparent anomalies (eg. Principal Planning Officer assessed at lower level for Knowledge than Planning Officer). Any evaluation or information errors should be rectified, or reasons for the difference recorded, if not already on the evaluation record sheet, for future reference.

(2) Checks against the organisation structure: compare the evaluation outcomes with organisational charts or other information on a department-by-department or section-by-section basis, ensuring the organisational chart is accurate and up to date. Coding of jobs to indicate sections/departments also facilitates this type of check. Any apparent anomalies (e.g. lowest tier job from section organisational structure being assessed at a higher level for Initiative and Independence than jobs higher in the section organisational structure) should be investigated as above.

(3) Existing Hierarchy Comparisons: compare the rank order of total evaluated scores with the current hierarchy of jobs. The purpose of this check is NOT to restore jobs to their current position in the hierarchy, but to be able to explain why particular jobs have changed their relative position either upwards (e.g. historical under-valuation of

type of work; job has grown over time) or downwards (e.g. current grading incorporates historical labour market payment, which may or may not still be relevant, reduction in job responsibilities over time). Only where there is no rational explanation for the change of relative position should queries be raised over the evaluation and/or job information.

- 2.3 For some or all of the above checks, it may be helpful to involve others with knowledge of the relevant jobs or sections of the organisation, for example, line managers and TU reps from the relevant work areas. This should be on a strictly confidential 'need to know' basis until publication of finalised results has been agreed.
- 2.4 Although such checks may appear very time consuming at a point when there is pressure to produce finalised results for pay modelling, experience indicates that the investment is worthwhile. This stage is important because inaccuracies in data subsequently used for pay modelling may lead to flaws in the resulting grading and pay proposals. More seriously in practice, obvious inconsistencies or errors in outcomes will lead to loss of credibility in the exercise and equal pay risks.

3. Equality checking the results

- 3.1 The Equality and Human Rights Commission (EHRC) [EHRC: Equal Pay Audit Kit: Checklist 4: Grading and Equal Pay: available on the EHRC website: www.equalityhumanrights.com] recommends that changes to the position of jobs in the organisational hierarchy should be checked by gender (plus ethnicity and other protected characteristics). This can be done by flagging male and female-dominated jobs respectively in the evaluation results spreadsheet or by introducing additional columns for gender, ethnicity and any other protected characteristic of concern.
- 3.2 The general expectation is that any moves of female-dominated jobs should be upwards relative to other jobs. If there are relative downward movements of female-dominated jobs in the JE rank order, then the results should be re-checked to ensure that they are correct and to identify the source of the relative movement.
- 3.3 Such an analysis of relative movements by gender and other characteristics is also a useful starting point for an Equality Impact Assessment (EqIA). See Green Book Part 4.11.

4. Publishing the job evaluation results

- 4.1 The question is often asked whether after final consistency checks the, job evaluation results should be published in advance of the new grading and pay structure proposals or as part of the proposed pay package. There is no one right answer to this question. Agreement needs to be reached locally, taking into account the advantages and disadvantages of each in the light of local circumstances.
- 4.2 The disadvantages of publishing the JE results in advance of the grading and pay structure proposals can be stated as follows:
 - (a) More employees are likely to appeal, because they do not know whether their pay will change and small differences in points between jobs may appear of greater significance than they in fact are.
 - (b) There may be delays, sometimes of many months, in publishing the pay proposals, while appeals are resolved.
- 4.3 The advantages are as follows:
 - (1) It allows appeals to be based on the evaluation outcomes alone, uninfluenced by matters of pay, so this is the purer approach.
 - (2) It allows appeals to be resolved before the grading and pay structure proposals are published and thus to be taken into account in the overall costings.
- 4.4 However, in practice, most but by no means all organisations reject advance publication of JE results and only publish them as part of the overall package. The arguments for this are that it reduces the

number of appeals to those who are adversely affected by the grading and pay structure proposals and those who have genuine concerns over the evaluation of their posts.

5. Jobs that have changed over the course of the exercise

5.1 It is inevitable that some jobs will have changed significantly over the course of the job evaluation exercise. The longer the exercise has taken, the more jobs are likely to have changed. Provision needs to be made for dealing with such changes. There are a number of options:

(1) Maintain the previous arrangements for grading appeals and re-grading during the evaluation exercise. This allows for recognition of job changes, but eliminates the need for a completely new evaluation. However, maintaining previous re-grading systems may reduce the incentive on the parties to complete the evaluation exercise as efficiently as possible.

(2) Cease the previous grading appeals system at the commencement of the exercise, but re-evaluate jobs as they change, so that all evaluations are up-to-date at the end of the exercise when the new salary structure is implemented. The common difficulty with this option is keeping up to date with changes.

(3) Cease the previous arrangements for grading appeals, but record all changes to jobs and effective dates. These jobs can then be subject to a new evaluation either immediately before or immediately after the new grading and pay structures are implemented. The evaluation of the changed job, whenever it is carried out, should be treated as an initial evaluation, so that the jobholder(s) has/have the right of appeal if they are unhappy with the outcomes.

(4) Give holders of changed jobs the opportunity to appeal the evaluation of the previous version of the job and get it updated through the appeals process, once the job evaluation results have been published. The problem with this option is that appeals are often regarded as a rather negative process and, if there are many, they may question the credibility of the exercise. Strictly speaking, also, a request for a re-evaluation of a changed job is not an appeal and the affected jobholders may feel that they have lost their right of appeal.

Of the above options, (3) is the one generally regarded as least unsatisfactory and most commonly adopted.

6. Dealing with new and changed jobs after the initial JE exercise

6.1 Use of any job evaluation system should not cease after the initial exercise is complete and the results implemented through new grading and pay structures. One of the recognised advantages of a job evaluation system is that it provides a mechanism for dealing with new and changed jobs for as long as the scheme applies within the organisation.

6.2 Using the scheme to update the grading of jobs is important in order to avoid equal pay claims, where jobholders can argue that their new or changed job has not been evaluated under the JES.

6.3 It is standard JE practice to agree a procedure for 'desk-top' (or paper) evaluations, preferably by a small joint team of experienced evaluators, of proposed and new jobs on the basis of written job descriptions alone. This allows for a provisional evaluation score and thus grading and pay rate for the proposed job for the purposes of advertisement and recruitment.

6.4 It is recommended practice for all new jobs to be automatically put through the full evaluation process (review of job description, completion of questionnaire, Gauge interview) after a suitable 'bedding down' period for the new job, usually after 6 to 12 months

6.5 Where significant changes are proposed to jobs, for instance, as part of a re-structuring or job redesign process, then a similar procedure can be adopted – initial 'desk-top' evaluation of the changed job followed by a full evaluation after a suitable time elapse.

6.6 Even where a full evaluation of a new or changed job has been undertaken after the agreed time period, this should be treated as an initial evaluation. If a jobholder is unhappy with the outcome, s/he

should have a right of appeal in the same way as other employees whose jobs were evaluated as part of the initial exercise [see Technical Note No. 9: *Appeals*]

7. Ongoing monitoring and maintenance

- 7.1 In order to avoid any challenges to out-dated evaluations, the Equality and Human Rights Commission recommends that organisations carry out ongoing monitoring and maintenance for their job evaluation schemes [EHRC: Equal Pay in Practice Checklist 19].
- 7.2 Apart from the initial monitoring by gender ethnicity or other characteristics of relative job movements up and down the organisational rank order, there should be ongoing monitoring of evaluation outcomes for new and changed jobs by gender and of the submission and outcomes of appeals. This is in addition to any regular job and pay audits as stated in paragraph 1.3. Any disparities should be investigated to check whether procedures need to be changed.
- 7.3 In order to avoid grading anomalies, whether gender-based or not, developing over time, it is recommended that organisations carry out regular reviews of evaluations, either as re-structuring exercises are carried out, or systematically, on department by department basis. Remember, those whose jobs increase in overall demand are likely to request a re-evaluation; but those whose jobs decrease in demand terms are unlikely to request any sort of review.
- 7.4 Organisations should also jointly review the local application of the scheme periodically (ideally every 5 to 10 years) to ensure that procedures remain appropriate. Any changes to procedure should be by joint agreement Local conventions should also be reviewed to ensure these remain relevant.
- 7.5 In order to maintain the scheme, it is essential to retain relevant expertise, in particular to have a team of trained job analysts/ facilitators, an evaluation/ validation panel and appeals panel. If there is a need to retrain evaluators or provide refresher training, the LGA holds a list of Consultants who could be called upon to do this.

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 11: JOB INFORMATION FOR JOB EVALUATION

1. Introduction

- 1.1 The quality of the job information used for job evaluation is crucial to the outcomes. 'Garbage in, garbage out' is a phrase sometimes used in this context and contains more than an element of truth. While evaluation panel members and Gauge facilitators are likely to pick up on gross omissions or inaccuracies, they are much less likely to identify less obvious defects and these can have a significant impact on evaluations.
- 1.2 This Technical Note amplifies the relevant section(s) of the Local Government Services NJC JES User Guide [Green Book, Part 4.1]. Like previous Technical Notes in the series, this Note is directed at users of the NJC JES, but, because it relates to job evaluation implementation procedures, it is equally applicable to users of other schemes.
- 1.3 The Technical Note covers information for both paper-based evaluation and computerised job evaluation, using the Gauge software system. It represents best practice, taking into account relevant Employment and Appeal Tribunal Decisions. Local authorities may wish to review their practice in the light of what follows and ensure that there has not been any diminution over time in the quality of the job information used for evaluation (and matching) purposes.

2. Job Information for Evaluation in the Context of UK Equal Pay Legislation

- 2.1 UK equal pay legislation, now embodied in the Equality Act 2010, chapter 3, Equality of Terms, applies where 'a person (A) is employed on work that is equal to the work that a comparator of the opposite sex (B) does' [s.64(1)(a)]. 'Work' has been interpreted by Employment Tribunals and members of the ACAS Panel of Independent Experts appointed to look at questions of equal value as relating to what the jobholders actually do.
- 2.2 So, if the job information used for job evaluation does not accurately describe the work actually done by the jobholder, there is a risk that an Employment Tribunal would consider that the work (of either claimant or comparator in an equal pay case) had not been evaluated and that the job evaluation scheme did not therefore provide a defence to the claim. Tribunals generally consider the issue in relation to a Decision of the Employment Appeals Tribunal (EAT) in the case of *Eaton Ltd v Nuttall*, which said that the 'work rated as equivalent provisions of the equal pay legislation can only apply to a valid evaluation study – that is, a study satisfying the test of being *thorough in analysis and capable of impartial application*' (our italics) [[1977] IRLR 71 EAT].
- 2.3 For example, in the case of *Brennan & Others v Sunderland City Council*, the Employment Tribunal was critical of the fact that profiles were drawn up and evaluated which did not reflect what certain groups of Environmental Services employees were actually required to do [Case 2503297/06, para. 326]. This contributed to the Tribunal's Decision that the Respondent's job evaluation scheme was not a valid study for the purposes of the equal pay legislation and that its outcomes were unsuitable to be relied on
- 2.4 The EHRC Equality Act 2010 Statutory Code of Practice on Equal Pay includes a summary of its recommended 5-step procedure for carrying out an equal pay audit (also set out in the local government context in NJC 'Green Book' Part 4.10 guidance on equal pay audits.). The steps are more fully described in the EHRC Equal Pay Audit Toolkit and in NJC 'Green Book' Part 4.9 guidance on pay and grading reviews. The EPA toolkit includes a checklist on Implementing Job Evaluation Recommended good practice in relation to job information for job evaluation includes:

- Involvement of jobholders in drawing up information for job evaluation purposes;
- Use of trained job analysts to assist jobholders to provide the information required;

- Job description documents which follow the headings of the relevant JE factor plan.

- 2.5 The EHRC recommendations are derived from case law. For example, in the case of *Thomson v Diageo*, the Employment Tribunal expressed concern that the claimant's job had been evaluated on the basis of a 'role profile', which was based on competencies rather than on the factors of the company's job evaluation scheme as the previous job descriptions had been [S/200453/01, Decision of 17/06/03, p.8, l.2040]. This contributed to the Tribunal's Decision that the exercise did not constitute a valid job evaluation study. The ET Decision was confirmed on appeal.
- 2.6 Employment tribunals have accepted that job descriptions may be sufficient where jobs are being matched or allocated to similar previously evaluated jobs, which have been the subject of a full evaluation on the basis of detailed factor-based information. For instance, in the case of *Hartley & Others v Northumbria Healthcare NHS Foundation Trust*, the Employment Tribunal was satisfied that the NHS Agenda for Change matching procedure, using job descriptions supplemented by additional information from jobholders and line managers, was a sufficiently rigorous process to comply with legislative requirements. This was on the basis that the national profiles to which jobs were being matched were based on evaluations of jobs from fully completed Job Analysis Questionnaires [Decision of April 2009: para 635-646].
- 2.7 Again, in the case of *Nicholls & Others v Coventry City Council*, an Employment Tribunal found that the 1988 Local Government Manual Worker JES local matching procedure using primarily job descriptions did not detract from it being an analytical and therefore valid job evaluation study for the purposes of 'work rated as equivalent' claims. This was because the jobs being matched on the basis of job descriptions were generally very similar to the agreed national profiles and there was provision for local evaluation where they were not [Case no.1301472/06, para 147-150].

3. Sources of Job Information for Job Evaluation

- 3.1 Sources of job information for job evaluation include:

- (1) Job Information Questionnaires
- (2) Job Analyst Interviews with Jobholders and Line Managers
- (3) Job Descriptions
- (4) Person Specifications
- (5) Organisation Charts
- (6) Evaluation/ moderation panel queries of jobholders/ line managers

- 3.2 All of the above are also relevant where the Gauge computerised version of the NJC JES is used.

- 3.3 For matching to a generic profile, which is itself based on a full factor-based evaluation of a benchmark job, it is not essential to use a Job Information Questionnaire or to have trained job analysts involved in the information gathering process, but all the other listed sources are relevant.

4. Job Information Questionnaires

- 4.1 Using job information questionnaires to collect job information for evaluation purposes is the recommended approach, as they involve jobholders in completing them and line managers in agreeing their content, and can be designed to collate information under each of the scheme factor headings, so facilitating the evaluation process. The perceived disadvantage is the time and resource taken to complete them, but this should be outweighed by the reduction in risk associated with not having consistent accurate information.
- 4.2 The Local Government Services NJC JES includes its own specific Job Description Questionnaire [Link.]. This should be used as it provides a standard format which delivers information needed to cover all the scheme's factor headings and allows a proper comparison of different jobs.

- 4.3 However, it is not mandatory. Some local authorities have developed their own Job Information Questionnaires. As long as these are factor-based, they should also meet the EHRC best practice requirements.
- 4.4 Some Gauge user local authorities have developed pre-interview Questionnaires in order to prepare jobholders for the Gauge interview. This has a number of advantages compared to going unprepared into a Gauge interview:
- Jobholders and line managers have an opportunity to start thinking about their jobs under the factor headings which will form the basis of the Gauge interview;
 - Gauge facilitators have a document they can use to compare with jobholder answers to the Gauge questions and also to assist them in formulating supplementary questions;
 - Gauge moderation panel members have a document against which they can check the Gauge evaluation on a factor by factor basis, to supplement any job information entered into the Gauge comments boxes, and to identify queries;
 - Appeal panel members also have a document allowing them to identify the job information used at the time of the evaluation.

An example of a pre-interview questionnaire prepared by Pilat for GaugeTM users is attached as an appendix. If adopted, it is sensible to make completion of the questionnaire obligatory, so that the information can be used at subsequent stages of the evaluation process and as part of the evaluation audit trail.

5. Interviews with Jobholders, Line Managers

- 5.1 Job analyst interviews with jobholders to check the completeness and accuracy of the information on a draft Job Information Questionnaire for the paper-based version of the scheme are recommended good practice. They help ensure a uniformly high quality of information for evaluation and to reduce the number of queries raised. They are undoubtedly time and resource consuming, but organisations with a large number of jobs to evaluate are likely to find the investment worthwhile.
- 5.2 Use of facilitators is an integral part of the Gauge process, in order to operate the software, and also to assist jobholders and line managers in understanding the questions and answer options and to test the information supplied. Good practice for use of Gauge is to hold the interview with jobholder and line manager with the job analyst.
- 5.3 Where used, job analysts and evaluators should be trained in the general principles of job evaluation, the job evaluation scheme and in equality issues and the avoidance of bias. Gauge facilitators obviously also need training in how to operate the Gauge software and an understanding of how the Gauge question trees work.

6. Job Descriptions and Person Specifications

- 6.1 Job descriptions and person specifications can be a useful starting point for jobholders completing questionnaires and can provide supplementary information for evaluation panels and Gauge facilitators. However, job descriptions and person specifications created for recruitment purposes or employment contracts are unlikely to provide sufficient relevant information for job evaluation, especially in relation to the effort factors of the scheme. They may distort the operation of the scheme because they are rarely in a common format and are produced over many years. Older job descriptions are unlikely to reflect changes to jobs which have taken place in the intervening period.
- 6.2 Up to date job descriptions and person specifications can provide a satisfactory basis for matching jobs to previously evaluated roles, as long as there is some means of supplementing the information in relation to factors where there is insufficient information. It is good HR practice to review job descriptions on a regular basis.

7. Organisation Charts

- 7.1 Organisation charts can be very useful to evaluators and Gauge facilitators in locating a job in its job family and organisational structure. The disadvantage of using them is that there may be a tendency to evaluate the job according to its present position in the organisational hierarchy. They may also give a limited picture of organisational relationships. It is a matter of judgement as to whether the advantages outweigh the disadvantages or vice versa.
- 7.2 However, if it is agreed to use organisation charts, then all jobs should be treated in the same way, that is, an organisation chart should be available for every job to be evaluated, either as part of the Job Information Questionnaire, or as a separate document.

8. Evaluation/ Moderation Panel Queries of Jobholders / Line Managers

- 8.1 Even when all best practice requirements in relation to collection of job information are fulfilled, there may still be some occasions when evaluation or moderation panel members need additional information, often on quite specific points which will determine whether the job is one level or the next, in order to finalise an evaluation. The poorer the quality of the original job information, the more frequently such queries are likely to arise. It is important that such queries are resolved; otherwise the quality of the job evaluation outcomes may be adversely affected.
- 8.2 Most job evaluation user organisations develop a procedure for dealing with job information queries, for example, by collecting contact telephone numbers and/or email addresses. E-mail is particularly appropriate, as it provides a mechanism for both the question framed by the panel members and the jobholder/ line manager answer to be recorded.

9. Recording Job Information for Job Evaluation

- 9.1 All job information used for evaluating a job should be recorded, in case of subsequent query, appeal or external challenge. If this is not done, it may be difficult to substantiate the JE outcome.
- 9.2 In addition to the basic job description questionnaire and job description/ person specification information, information obtained during the course of the collation and evaluation process can be recorded in a number of ways, for example:
- Interview notes of job analysts or facilitators;
 - Use of comments boxes in Gauge system – these are an often under-utilised but effective way of recording job information supplied during interview by jobholder or line manager and not elsewhere recorded;
 - E-mail records of queries and answers.
- 9.3 Some local authorities have developed systems for recording all job information and evaluation documents in one electronic filing system, using pdfs for any manuscript or non-electronic documents. Such systems have been found to greatly facilitate dealing with queries and identifying evaluation anomalies.

10 Other Good Practice Points in relation to the Collection of Job Information for Evaluation

- 10.1 All employees whose jobs are to be evaluated should be advised in advance and given an explanation of the job evaluation process. Job holders must be involved in completing the Job Information Questionnaire and should be encouraged to provide all relevant information. This may be on a group or clustered basis for large population jobs.
- 10.2 The job holder should be provided with an opportunity to look through the questionnaire prior to any interview where the Job Information Questionnaire (JQ) will be discussed. This will allow those involved to

understand the order of questions and when to provide information that is relevant. Arrangements may need to be made to accommodate the needs or preferences of disabled job holders in completing the JQ e.g. provision of a larger print or audio materials.

- 10.3 Interviews in a standard format, following the JQ, help to maintain consistency and ensure that all aspects of the job are captured. This will expedite the evaluation stage of the process. The information given to interviewers must be recorded in a clear and concise manner on the JQ (unexplained abbreviations should be avoided). Job holders should not be made to feel pressured or rushed to get through the interview. There will be a responsibility on interviewers to adopt a professional and bias-free approach. Training will be required for those unfamiliar with interviewing techniques. Interpretation or translation facilities should be provided as appropriate.
- 10.4 Where job holders do not work during all normal office hours e.g. part-timers, shift workers etc, interviews need to be arranged at times and places suitable to them.
- 10.5 The completed JQ should be signed by the job holder and the line manager. Disagreement over the content of the job is best resolved at interview but if this is unsuccessful, the job should not be evaluated until the matter is settled (see section 11 below).
- 10.6 It is good practice to retain job evaluation information for longer than normally required by law, in case of any subsequent legal challenge, which may occur many years after the original evaluations.

11. Dealing with Disagreements in Relation to Job Information for Evaluation

- 11.1 This is an often anticipated problem, but one which actually occurs relatively rarely. However, a job should not be evaluated until the job information documents are agreed and signed off by jobholders and line managers, so it is important that all employees are clear about how any disagreements will be resolved.
- 11.2 The first step where there appears to be disagreement is to identify its source. Is the problem over what the jobholder actually does or is it over the way agreed duties and responsibilities are being described?
- 11.3 In the first situation, which should be very rare indeed, the problem is not directly related to job evaluation, but concerns the jobholder's role. Such disagreements should be referred into the local authority's grievance procedure and resolved before any further steps are taken along the job evaluation route.
- 11.4 The second, slightly more common, situation, where there is disagreement over how job duties and responsibilities should be described, is best resolved with the assistance of someone who is familiar with the job evaluation scheme and procedures, for instance, a job analyst or facilitator, or job evaluation pool member (not someone who will subsequently evaluate the job). Jobholder and line manager should be reminded that what is required is factual information which can be evidenced or tested and that examples of what is done are more useful than value judgements, which will be ignored by the evaluators.

12. Specific Equality Points in Relation to Collection of Job Information for Evaluation

- 12.1 Job titles, on job descriptions and JQs, should not identify the gender of the job holder. Nor should the gender of the job holder be identified in the content of the JQ. In particular, personal pronouns (his/her, he/she) should not be used; instead the descriptions used should simply refer to the "job holder".
- 12.2 Gender-bias can creep in the use of language used to describe jobs, e.g. there is a tendency to describe jobs typically done by men in a more technical or complex way. This tendency needs to be noted and avoided in completing the JQ. The JQ answers should not contain interpretation, analysis or assumptions about how information given will fit the scheme.
- 12.3 Care should also be taken to ensure that aspects of jobs typically done by women are not omitted or under-described. Nor should features which typically characterise men's jobs be over-emphasised.

Job Evaluation Scheme
Job Questionnaire
Confidential

We kindly ask that each Job Holder fills in this questionnaire prior to a Job Evaluation Interview being carried out. The purpose of filling in the form is twofold: first, to familiarise you with the factor headings that will be used during the interview; second, to get you to think about the subject headings prior to the interview.

You are strongly encouraged to fill in this form (or return it) as we believe that it will help you to prepare for interview and make you feel more comfortable about the process. The information may also be used to assist both the interview and moderation processes.

Job Title	
Department	
Location/Tel No	
Name of jobholder being interviewed	
Name of Line Manager	

<i>For office use only</i>	
Gauge reference	
Post reference	
Date of JE interview	
Job analyst	
Trade union rep	

INTRODUCTION

This questionnaire will help you with the job evaluation process.

Before your meeting with a job analyst, it is very important for you to fill in the questionnaire and give as many details of your job as possible.

The aim of the questionnaire is to make you think about all aspects of your job. It may help you if you refer to your recent job description and person specification. Preparation beforehand will make the interview quicker and easier.

How does job evaluation work?

- You, your Line Manager and a Job Analyst (interviewer) will meet to discuss the content of your job using a number of factor headings. A Trade Union representative may attend the interview at your request.
- Software called 'web Gauge', which is produced by Pilat HR Solutions, will be used.
- Gauge works interactively with questions and answers being shown on the screen.
- The job evaluation scheme has 13 factors or criteria that are used to measure job demands. These give the necessary information to review your job (the factor definitions and examples of the questions you may be asked are set out below).
- The system is highly efficient, no irrelevant questions are asked.
- Your job is evaluated on what is discussed at the interview. This questionnaire is used to help you prepare for interview and is not part of evaluation.
- When the evaluation is finished, a "Job Overview", which plays back the way you answered the questions, will be produced for you and your line manager to "sign off".
- Job overviews will only be issued once all the interviews and the moderation process have been completed.

Remember that job evaluation will assess the *job* that you do, not *you* as an individual.

GENERAL QUESTIONS

Can you please describe in one or two sentences the purpose of your job?

What are the main tasks/duties/ responsibilities of your job? It may be helpful to look at your job description.

Roughly, what percentage of your time do you spend on each?

	Main tasks/duties/responsibilities	% of time
1		
2		
3		
4		
5		

Are there any tasks/duties, which you do only occasionally, or at a certain time of the year? For example payroll deadline is monthly. If yes, please list them and say how often you do them.

Occasional Tasks	How often do you do them?

1. Knowledge

This measures the literacy and numeracy skills required to do the job, the amount of knowledge you need to do the job and the qualifications you must have.

a) In your job, which of the organisation's procedures and working practices do you need to know about? For example, cash handling procedure, pupil behavioural management procedures, and Council legal procedures. Please give example(s).

b) Do you need any specialist knowledge to do your job? For example information legislation, technology, financial, hr. If you do please give example(s).

c) Are any formal qualifications relevant to your job e.g., NVQ 3 for teaching assistants. If you do please give example(s).

Guidance notes for Knowledge Factor (Factor 1)

When providing examples to demonstrate your response, please consider the following questions:

- Types of knowledge can include:
 - literacy - reading and writing documents,
 - numeracy - ability to undertake calculations,
 - tools and equipment - office machines, cleaning equipment, computers, and vehicles,
 - practical and procedural - knowledge of instruments, admin systems, technical and specialist - practical, procedural, theoretical and conceptual knowledge.
- Are you required to have knowledge of the practices and procedures within your own area? Does this knowledge need to extend beyond the area within which you work? Do you need to be aware that procedures exist and then follow them, or do you need to know these procedures without looking them up?

2. Mental Skills

This measures what analytical, problem solving and judgment skills you need to do the job. It also looks at creativity and development skills, design, handling people, developing policies and procedures and planning and strategy.

a)	Do you need any analytical, problem solving, judgmental and creative skills to do your job? For example dealing with customer enquiries, deciding which option to take in certain situations, analysing figures. If yes please give example(s).
b)	In your job, do you need to plan ahead or organise for the future? If yes, please give examples and how far ahead you need to plan.

Guidance notes for Analytical Skills Factor (Factor 2)

When providing examples to demonstrate your response. Please consider the following questions:

- Are you regularly faced with problems or situations that you must resolve personally?
 - Do you have to create any strategies or plans for future implementation?
 - How far ahead do you have to plan?
- Do you regularly have to make decisions or recommendations to resolve problems?

3. Interpersonal and Communication Skills

This factor looks at the context, complexity and nature of the subject matter to be communicated; and the context, form, process and potential difficulty of the actual interaction with the recipient(s).

a)	Do you need to have good persuasive skills to do your job?
If yes, please give examples	
b)	Do you need to have good interpersonal skills to do your job? (e.g., skills for identifying and responding to client or pupil needs)
If yes, please give examples	
c)	Do you ever have to produce reports or letters which are particularly sensitive to prepare?
How often do you need to do this?	
If yes, please give examples	

Guidance notes for Interpersonal and Communication Skills Factor (Factor 3)

When providing examples to demonstrate your response, please consider the following questions:

- Do you ever have to give or explain complicated information, instructions or procedures to other people, either within or external to the organisation?
- Are you normally given guidance on how best to communicate any complex information?
- Do you have any face-to-face contact with people outside your work team as an essential part of the job?
- Do you have to produce any written information as part of the job?

4. Physical Skills

This measures the physical skills required to do the job.

Which physical skills do you need to carry out your job? Tick all that apply and give examples:		
Skill	✓	Example
Keyboard	<input type="checkbox"/>	
Using a mouse or equivalent	<input type="checkbox"/>	
Driving	<input type="checkbox"/>	
Other activities (hand tools or equipment)	<input type="checkbox"/>	

Guidance notes for Physical Skills Factor (Factor 4)

When providing examples to demonstrate your response, please consider the following questions:

- What type of tools and equipment do you use? Please provide examples.
- Are your keyboard skills greater than those simply required for emails and memos? If so, please provide examples.
- Are both precision and speed required within your keyboard skills?
- Is driving an essential requirement of your job? Would someone who could not drive undertake the full range of duties and the normal workload of the job?

5. Initiatives and Independence

This factor looks at how independent you have to be within your job. Are there guidance procedures to follow; is there help and advice available if difficult or unusual situations arise?

Initiatives and Independence			
a) Are all the day to day activities, tasks and duties of the job undertaken in accordance with policies and procedures laid down by others?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
b) Is your work done from instructions which explain how all the main tasks are carried out?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
c) Are you free to organise your workload and decide priorities within the working day?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
d) In your job are you expected to deal with any unexpected or unanticipated problems or situations?	Yes	<input type="checkbox"/>	No <input type="checkbox"/>
Please give some examples			

Guidance notes for Initiative and Independence Factor (Factor 5)

When providing examples to demonstrate your response, please consider the following questions:

- Do you follow instructions which define your tasks (please note: they do not need to be in writing)?
- Are you also free to vary the order in which you undertake allocated tasks?
- Are all the main tasks, activities and duties of the post covered by recognized, laid down procedures?
- Are you free to organise your own workload and determine priorities?
- Are you expected to resolve serious problems or make major decisions without consulting your line manager?
- Are you expected to deal with unexpected or unanticipated problems or situations that would arise or would they normally be referred to your supervisor or line manager?
- Do you work to recognised guidelines, such as professional standards, regulations and legislation?

6. Physical Demands

The next few questions are to establish the normal 'Physical Demands' which are placed on anyone doing this job.

Describe the greatest physical effort you need to do your job during a typical working day.	% of time (for what proportion of your total working time is this physical demand actually placed on you?)
For example	
Standing/walking (e.g., school crossing patroller would say 100% of time)	
Lifting	
Carrying	
Digging	
Sitting in a constrained position	
Other (see list below)	

Guidance notes for Physical Demands Factor (Factor 6)

When providing examples to demonstrate your response, please consider the following questions:

- What level of physical demand places the greatest physical effort on you during the course of your job?
- Do you have to lift or carry items, push or pull items, stand or walk for great lengths of time, or do you work in constrained positions? Examples could include digging, vacuuming, cleaning windows, bending, stretching and crouching.

7. Mental Demands

This looks at the degree and frequency of your concentration, alertness and attention to detail required by your job.

a) Do you need to use mental attention as part of your job? Please note: mental attention can cover areas such as concentration, alertness and awareness.	For what period?
If yes, please give examples and the period you require this mental attention at any one time.	
b) Do you need to use sensory attention as part of your job? Please note: sensory attention is attention to the senses as in watching, looking, listening, touching or smelling.	For what period?
If yes, please give examples and the period you require this sensory attention at any one time.	

Guidance notes for Mental Demands Factor (Factor 7)

When providing examples to demonstrate your response, please consider the following questions:

- What level of mental attention is required to ensure that all of the tasks and duties of that job are carried out?
- What mental attention does your job require? Examples include carrying out calculations, checking documents for correctness, processing invoices, accounts, creating technical drawings, preparation of reports and interpretation of complex documents.
- How long do these periods of concentration last for?
- Are you interrupted during the course of your job? If so, how often and do the interruptions stop you from completing your task?
- Give details of what sensory attention your job requires, i.e. attention of the senses, eyes, ears, smell, as in watching, looking, listening, touching and smelling.
- Give details of any work-related pressures, e.g. task-based targets, predictable deadline, unpredictable deadlines, conflicting demands or unavoidable interruptions.

8. Emotional Demands

Emotional demand is about the circumstances of the service users you deal with regularly, not the way they behave towards you.

Does your job involve contact (in person or by telephone) with people who by their circumstances or behaviour (for example homelessness, mentally ill, terminally ill) cause you emotional stress or upset? People can include the public, elected members, service users (including school pupils) or other employees of the organisation, but not your immediate work colleagues.		
Yes	<input type="checkbox"/>	If Yes, give examples(s)
No	<input type="checkbox"/>	
These people – who are they?	Cause of emotional stress or upset	Frequency of stress (daily/monthly/etc)

Guidance notes for Emotional Demands Factor (Factor 8)

When providing examples to demonstrate your response, please consider the following questions:

- Could someone doing this job experience emotional demand or upset because of the circumstances or behaviour of the people you come into contact with?
- Is this emotional demand an integral feature of your job (i.e. does it occur at least twice a year)? What is the frequency (i.e. daily, weekly, monthly)?

9. Responsibility for People – Well Being

This factor measures any job responsibilities which have a DIRECT (hands on) impact on the well-being of individual, or groups of, people.

<p>a) Are any people reliant i.e., personally dependent on you for their care, education or social welfare provided?</p> <p>If yes, please give examples</p>
<p>b) Is it your responsibility to assess the needs of service users or to assess levels of service provision?</p> <p>If yes, please give examples</p>
<p>c) Is it your responsibility to personally implement or enforce any statutory regulations where the Local Authority is the enforcing agency (e.g., environmental or public health)?</p> <p>If yes, please give examples</p>

Guidance notes for People – Well Being, Factor (Factor 9)

When providing examples to demonstrate your response, please consider the following questions:

- Do you support the activities of other staff in delivering good customer care?
- Do you regularly meet with service users on a face-to-face basis?
- Are you personally responsible for assessing the needs of service users with more complex needs?
- Do you represent the organisation at meetings with partner agencies or more formal meetings with service users?
- Do you take major decisions on service provision and activity with regard to 'regulatory issues'?

10. Responsibility for Supervision/Direction/Coordination of Employees

This factor measures the DIRECT (hands on) responsibility of the jobholder for the supervision, co-ordination or management of employees, or others in an equivalent position.

a) Do you manage or supervise other employees? The “supervision or management” of people includes responsibility for work planning and allocation, for checking and evaluating the work done by these people and for their training, development and guidance...	
Yes <input type="checkbox"/> If Yes, what numbers are involved?	No <input type="checkbox"/>
Are you responsible for more than one distinct area of activity?	Please provide examples
In how many different workplaces are these people normally based?	One, two or three or more, provide details
b) Does your job involve the demonstration of duties, giving advice, or the training of other employees, students and trainees?	
Yes <input type="checkbox"/> If Yes, how often do you do this? Give example(s)	No <input type="checkbox"/>
Duties / Advice / Training	Frequency

Guidance notes for Supervision/Direction/Coordination of other Organisation employees (Factor 10)

When providing examples to demonstrate your response, please consider the following questions:

- Does your job involve management or supervision of the organisation’s employees or people in an equivalent position?
- If yes, is this permanent or in the absence of others?
- Are you responsible for allocating and/or checking work of others? If so, for how many do you have this responsibility for?

11. Responsibility for Financial Resources

This factor measures the DIRECT (hands on) responsibility of the jobholder for financial resources, including budgets, accounting for expenditure or the administration of invoices etc.

a) Do you have any responsibility for financial resources? For example, cash, vouchers, cheques, budgets, income, financial planning.	
Yes <input type="checkbox"/>	If Yes, please describe
No <input type="checkbox"/>	
b) What is the annual total financial resource/budget for which you are personally responsible? For example budgets, staffing costs, invoices, receipts, petty cash. Is this responsibility shared?	
Name of resource/budget	Amount

Guidance notes for Responsibility for Financial Resources Factor (Factor 11)

When providing examples to demonstrate your response, please consider the following questions:

- Do you have direct responsibility for financial resources, income generation or expenditure budgets? If so, how big is the target or budget, or total of targets/budgets?
- Do you play a role in budget setting? If so, what is the role? What is the total value of the budget(s) concerned?
- Does the work involve accounting for expenditure, income, and money in the form of cash, cheques, direct debits, invoices or any other equivalent? If so, what are the total amounts involved?

12. Responsibility for Physical and Information Resources

This factor measures the DIRECT (hands on) responsibility of the jobholder for physical resources, including information systems, equipment or tools, buildings, supplies or stocks, and personal possessions of others.

a) Are you responsible for any physical resources, as shown below?	
Yes <input type="checkbox"/>	No <input type="checkbox"/>
If Yes, please tick which two of the following for which you have the most responsibility:	
Information or information systems (producing or processing information)	<input type="checkbox"/>
Equipment or tools	<input type="checkbox"/>
Building or premises	<input type="checkbox"/>
Supplies and/or stocks	<input type="checkbox"/>
Personal possessions of others	<input type="checkbox"/>
Explain the nature of this responsibility, for example is it security, maintenance, repair, procurement, adaptation or design of any of the items above?	

Guidance notes for Responsibility for Physical, and Information Resources (Factor 12)

When providing examples to demonstrate your response, please consider the following questions:

- Do you have responsibility for information systems (manual or computerised), equipment and tools, buildings and external locations, stocks and supplies or personal possessions of others, planning of purchasing and development of physical resources, adaptation, design or development of any physical resources, adaptation, design or development of any physical resources?
- From the point above, which two resources do you have the most responsibility for and why? What is the value of these resources?
- If you have responsibility for equipment or tools, does this include maintenance or day to day general use?

Policy and Advisory Responsibilities

a) Are you responsible for the development of policies and supporting procedures and/or practices?

Yes ☐ If Yes, please give examples

No

☐

b) Are you responsible for giving advice and/or guidance on the application of policy, external regulations and/or legislation?

Yes ☐ If Yes, please give examples

No

☐

13. Working Conditions

This factor measures any exposure to unpleasant working conditions, for example dirt, dust, heat and cold.

a) Do you work outdoors? If so, are you exposed to the weather?

Yes

☐

No

☐

Can you estimate the percentage of time you spend outdoors?

b) Are you exposed to any unpleasant working conditions? For example dirt, dust, heat, cold, fumes, physical abuse

c) Are you exposed to verbal abuse from service users or members of the public?

Yes

☐

No

☐

If yes, please state from whom and for how long at any one time:

From Whom	Duration

Guidance notes for Responsibility for Working Conditions Factor (Factor 13)

When providing examples to demonstrate your response, please consider the following questions:

- Do your working conditions differ from a normal “office working” environment? If so, how do they differ?
- Can the working conditions be described as unpleasant or a hazardous situation?
- Do you wear any form of protective clothing?
- Are you subject to verbal abuse from members of the public or other external contacts? If so, what is the frequency and how long do these outbursts last for?

Is there any information about your job you wish to add – please complete the box below.

Thank you for filling in the questionnaire. Please sign and return it immediately to your HR Adviser or bring it with you when you come for your interview.

Job Holder

Signed:

Line Manager

Signed:

Date:

Date:

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME: TECHNICAL NOTE NO. 12: EVALUATING KNOWLEDGE AND SKILLS

1. WHY A TECHNICAL NOTE ON KNOWLEDGE?

- 1.1 Knowledge is the most heavily weighted factor in the Local Government Services National Joint Council (NJC) Job Evaluation Scheme (JES) at 16.3% of the total available points; together the Knowledge and Skills factors represent 38.4% of total. There are also observed relationships between Knowledge assessments and those under other factors, for example, Mental Skills (6.8%) and Initiative and Independence (10.4%) and to a lesser extent with Interpersonal Skills (6.8%) and Responsibility factors (6.8% each). So it is important to get the Knowledge evaluation right.
- 1.2 Knowledge is potentially a more difficult factor to apply, because it encompasses all the features of the job, compared to some other factors which are more specific, for instance, Physical Skills, Responsibility for Finance.
- 1.3 Some factors in the Local Government Services NJC JES allow for considerable discretion in the development of local conventions, for example, Responsibility for Financial Resources (financial parameters for different size of local authority), Working Conditions. This is much less the case for the Knowledge factor, where the expectation is that jobs with the same knowledge requirements should be evaluated at the same level in any user organisation, with variations only in relation to genuinely marginal jobs.
- 1.4 The above statements are true for most other JE systems, including those in use in the local government sector (for example, Hay, GLPC). So, while this Technical Note is directed specifically at the Local Government Services NJC JES, many of its messages apply in general terms to other evaluation systems.

2. DISTINGUISHING KNOWLEDGE FROM SKILLS

- 2.1 The NJC JES has separate factors for Knowledge and a number of skills (Mental Skills, Interpersonal and Communication Skills, Physical Skills) primarily to ensure that all aspects of knowledge and skills are fairly taken into account when assessing a job. This is especially important where skill requirements are relatively high compared to formal knowledge requirements and may be undervalued in a system which focuses on conventional knowledge under a single factor heading. This is thought to have been a source in the past of discrimination against jobs typically carried out by women, for example, care jobs, where interpersonal skills in particular may be high relative to job knowledge.
- 2.2 The reverse is also true in that high levels of knowledge requirements are not necessarily associated with high skill requirements, so it is helpful to be able to analyse the different elements separately.
- 2.3 When analysing job information and evaluating jobs, it is important to ensure that different aspects of knowledge and skills are measured under the correct NJC JES factor, in order to avoid double counting. It is helpful to remember that skills are primarily acquired through practical training (e.g. demonstration, role play, group work) and practice (to improve speed, accuracy, efficacy), while knowledge is a mental database providing the basis for thinking and reasoning and has to be learned cerebrally.

For example:

- Driving requires learned knowledge (Highway Code, controls for manoeuvres), and considerable physical skills (co-ordination of eyes, hands and feet) requiring extended practice for competence.
- Copy typing or word processing also requires learned knowledge (how to operate equipment, standards required), and considerable physical skills (co-ordination of eyes, hands, individual fingers and, for audio-typing, feet) to achieve the desired standards of speed and accuracy.
- Counselling (in its formal sense) requires knowledge of appropriate techniques for eliciting information from distressed clients, and extensive practice in their application.

2.4 As can be seen from the examples above, the distinction between knowledge and the various skills factors does not preclude the requirements of a particular activity (driving, copy typing, counselling) being measured under more than one of the Knowledge and Skills factors, but it is important to be clear, and record, which elements are being measured under which factor.

3. THE ROLE OF QUALIFICATIONS (ACADEMIC AND PROFESSIONAL) AND EXPERIENCE IN DETERMINING KNOWLEDGE LEVELS

3.1 **Actual Knowledge v Entry Requirements.** It needs to be emphasised that the NJC JES Knowledge factor measures the actual knowledge requirements of the job, not the qualifications specified for entry. For some jobs, entry qualifications do represent most of the knowledge required, for example, a job specifying chartered accountancy qualifications and experience of local government finance. For others, entry qualifications may understate the knowledge required, for example, clerical posts for which the recruitment requirement is a number of GCSEs whereas the actual knowledge needed includes a range of clerical and administrative procedures, which must be learned on the job.

3.2 **Indicative Qualifications.** Nevertheless, with caution, qualifications can provide a useful indicator of the level of knowledge required. Where qualifications are a statutory or regulatory requirement for a role, they should be the starting point for the assessment of the Knowledge level (e.g. in jobs requiring qualified social workers, public health roles).

3.3 Although the National Qualifications Framework (NQF) did not exist in its current form when the NJC JES was being developed in the mid-1990s, it transpires that the 8 Knowledge factor levels broadly line up with the 8 NQF levels, so the latter can be used as helpful indicators of the types and levels of qualifications which would deliver the knowledge required at each factor level.

<http://www.answers.com/topic/national-qualifications-framework#Framework.5B1.5D>

From February 2012, the National Qualifications Framework was replaced by the Qualifications and Credit Framework (QCF), in order to recognise time spent on recognised training programmes and to link in with the European framework. However, there is no material change between the NQF and QCF levels and from a job evaluation perspective the NQF provides greater detail and clarity, so is used here.

3.4 There is no requirement that an individual jobholder hold the indicative qualification (except where a qualification is a statutory or regulatory requirement). It is the job which is being evaluated, not any individual jobholder. The job evaluation convention is that if a jobholder is undertaking all the job duties to the required standards, s/he is deemed to have acquired the level of knowledge through an alternative means.

3.5 The appropriate indicative qualification is that currently stipulated. Experienced jobholders may be qualified to a lower level, as required previously, but are deemed to hold the current knowledge requirements achieved through a combination of qualification plus experience. If, for example, a line manager would now specify graduate-equivalent qualifications for recruitment to an

engineering position, but the current jobholder has an HND qualification plus several years of relevant experience, then the indicative qualification level is a degree.

- 3.6 **‘Essential’ and ‘Desirable’ Qualifications.** Indicative qualifications are often included in person specifications as ‘essential’ qualifications for recruitment purposes (although, except in cases of statutory or regulatory requirements, it should always be made clear that the same level of knowledge acquired through alternative means is acceptable). When ‘desirable’ qualifications are included on the person specification, enquiries may be necessary to ascertain whether they are there to:

- ☐ Help employers to sift potential candidates to those best qualified, or
- ☐ Indicate required qualifications but which candidates are not expected to have and for which training will be provided in post.

If the first is the case, then these qualifications should not be taken into account in determining an indicative level, but in the second case they should be.

- 3.7 **‘Professional’ Qualifications.** Care should be taken in relation to ‘professional’ qualifications as the term is often used rather loosely, with ‘profession’ sometimes being treated as synonymous with ‘occupation’. Some ‘professions’ are self-styled; others have more than one level of certification for their qualifications. In the context of job evaluation, ‘professional’ usually means ‘chartered professional’ and indicates a post-graduate equivalent level of knowledge, but it is sensible to check local usage and where appropriate include a local convention explaining it.
- 3.8 **Registration.** Some occupational groups, for example, social workers, occupational therapists, public health specialists, lawyers) require registration with the Health and Care Professions Council (HCPC) or other professional body as a condition of practice and also evidence of continuing professional development (CPD). Such registration is important, because it provides guarantees of quality of practice, but it is not directly related to any particular level of Knowledge. However, the training and/or qualifications required for registration are likely to be indicative of the level of knowledge required for the job.
- 3.9 **Experience** is not directly measured on the NJC JES because it does not of itself say anything about the type or level of knowledge required for the job. But experience can be a means of acquiring knowledge, especially procedural and organisational knowledge, or additional knowledge on top of a qualification. Other things being equal, a job genuinely requiring longer experience to reach required standards is likely to have a higher knowledge level than a job requiring shorter experience.
- 3.10 **Experience and Discrimination.** Specific years of experience, especially when rigorously applied, may contravene equality legislation in respect of age and gender. On the other hand, there is nothing wrong with stating that particular levels of knowledge are typically acquired through some, moderate, considerable or extensive value acquired through experience in relevant types of work.
- 3.11 It is important to remember that not all experience delivers additional knowledge. Simply doing a job for a number of years may make the jobholder more proficient at carrying out the job duties, but does not always result in additional knowledge. It should be possible to identify and record any additional knowledge acquired through experience, if it is to be taken into account in the evaluation of the job.

4. LEVEL BY LEVEL GUIDE TO THE STEPS IN KNOWLEDGE UNDER THE NJC JES

- 4.1 This technical section should be read in conjunction with the guidance notes contained in the paper-based version of the NJC JES, which apply equally to the **GAUGE™** computerised version of the scheme. Specific points in relation to the **GAUGE™** version of the Knowledge factor are included as relevant.

The Difference between Levels 1 and 2

- 4.2 The main difference between levels 1 and 2 is the **range of procedures** of which knowledge is required, although this may also impact on the range of 'associated equipment and procedures'. At level 1, the procedures for which knowledge is required are limited in number, so the most of the relevant activities will be repeated frequently, probably at least daily and initial training will therefore normally be over days or a short number of weeks. At level 2 there is a sufficient range of procedures to mean that not all will be applied on a daily basis and initial training is likely to last over a number of weeks or months before full competence is achieved.
- 4.3 A secondary difference between levels 1 and 2 relates to the level of literacy and numeracy skills required. At level 1, these are likely to be primarily required, for example, for recording time or tasks completed or usage of materials, but numeracy skills could also include measuring out chemicals or other materials to be used, as long as no calculations are required.
- 4.4 At level 2, literacy and numeracy skills include recording information in relation to services provided to others and straightforward calculations. Job evaluation is always a best fit exercise, so it is unlikely that more than straightforward record keeping would take the job to level 2, if the procedural and equipment-related knowledge requirements fit squarely into level 1 and gives the following overview. It should be noted that GAUGE™ defaults to level 1 in these circumstances.

Knowledge 1 - The jobholder needs knowledge of the Organisation's relevant procedures or practices plus additional practical knowledge in order to do this job. These relate to a limited number of similar tasks. He/she also needs to know how to operate equipment or tools and it could take up to an hour of full-time, off-the-job training to train someone to use all the software packages, equipment and/or tools required.

- 4.5 The difference between levels 1 and 2 Knowledge requirements are reflected in the indicative/equivalent qualifications of NVQ1 and 2 respectively, although there is no requirement for jobholders to hold these qualifications. However, if NVQ2 or an equivalent qualification is a requirement of the post (either on entry or within a reasonable timescale with appropriate training and assessment), then level 2 is likely to be the starting point for evaluation.

The Difference between Levels 2 and 3

- 4.6 The main difference between levels 2 and 3 is the **complexity of at least some of the procedures**, for example, where the procedure for a particular situation includes a number of options, with the jobholder requiring sufficient understanding to be able to choose between the options, or where procedures need to be followed alongside each other rather than sequentially. It is not necessary for all the job procedures to be 'relatively complex', in this sense, for the job to be assessed at level 3, but the use of 'at least some' implies that more than two of the procedures are 'relatively complex'. It should be possible to list them. The 'complexity' of the tasks is also the key distinguishing feature in GAUGE™ (Q106) and produces the following overview.

Knowledge 3 - The jobholder needs knowledge of the Organisation's relevant procedures or practices plus additional clerical knowledge in order to do this job. These relate to a range of different tasks, some of which are relatively complex. He/she requires detailed knowledge of some of the policies covering his/her service's area of responsibility.

- 4.7 A secondary difference between levels 2 and 3 relates to the level of literacy and numeracy skills. At level 2 the literacy and numeracy skills are 'basic'; at level 3, the skills include spelling, grammar and punctuation; and understanding of percentages and decimals.
- 4.8 Again, the assessment is a best fit exercise, so a job where most of the procedural knowledge is relatively complex is not debarred from level 3 if, for example, knowledge of decimals is not required, as long as the rest of the information fits the definition. On the other hand, a job requiring sound spelling, grammar and punctuation, for example, for typing from audio tapes, is likely to be at level 3, as this is a key job requirement and is normally associated with knowledge of relatively complex activities, such as how to operate audio-typing equipment and use appropriate formats.
- 4.9 The difference between levels 2 and 3 Knowledge requirements are reflected in the indicative qualifications of NVQ2 and 3 respectively, although there is no requirement for jobholders to hold these qualifications. However, if NVQ3 or an equivalent NQF level 3 qualification, such as City & Guilds level 3, is a requirement of the post (either on entry or within a reasonable timescale with appropriate training and assessment), then level 3 is likely to be the starting point for evaluation.

The Difference between Levels 3 and 4

- 4.10 The main difference between levels 3 and 4 is that, while the knowledge requirements remain practical and procedural level 4 requires **greater breadth and depth of knowledge** across the relevant technical or specialist area than at level 3. This is likely to be commensurate with the additional knowledge required, for example, to provide specialist advice to, or supervise, jobs requiring Knowledge at level 3, or to be able to undertake without detailed advice or supervision a range of technical or specialist activities delegated by professionally qualified staff, for instance, in fields such as accountancy, law, librarianship, architecture, planning, environmental health, social work, education.
- 4.11 The additional breadth and/or depth of knowledge may be acquired through additional on- or off- the-job training or through experience (probably equivalent to years rather than months) over the range of activities in the specialist or technical area or some combination of these.
- 4.12 At level 4 GAUGE™ introduces the concept of knowledge of practices and procedures across a 'whole specialist area' at Q116, defined to reflect the occupational bodies of knowledge which are primarily relevant at level 5 and above. Most level 4 jobs are likely to answer No to this question, but 'Yes, detailed knowledge' (of policies and procedures of own service area of responsibility) at Q124 gives a level 4.
- 4.13 GAUGE™ example:

Knowledge 4 - The jobholder needs knowledge of the Organisation's relevant procedures or practices plus additional clerical knowledge in order to do this job. These relate to a range of different tasks, some of which are relatively complex. He/she needs to know all the available practices and procedures across a whole specialist area. He/she also needs outline knowledge of the policies or procedures relating to at least one other service.

- 4.14 The difference between levels 3 and 4 Knowledge requirements are reflected in the indicative NQF qualifications at levels 3 and 4 respectively. NQF level 4 qualifications are perhaps less well known and understood than those at lower or higher levels, but they are at professional diploma, certificate or awards at level 4 and include Advanced City & Guilds (licentiate).
- 4.15 The alternative level definition at level 4 relates to 'an equivalent level of organisational, procedural and policy knowledge'. This is still likely to be primarily practical and procedural knowledge, for example, knowledge of administration systems and practices in related to local democratic services.

The Difference between Levels 4 and 5

- 4.16 The main difference between levels 4 and 5 is that requirements at level 5 include **theoretical knowledge**, which should be read to include conceptual knowledge and understanding of relevant legislation or statutory provisions.
- 4.17 Theoretical knowledge requires genuine understanding of concepts (e.g. scientific principles; research based principles; legal frameworks), not just knowledge that they exist or of the procedures derived from them, but sufficiently detailed knowledge for the jobholder to be able to use them to influence practice – to be able to 'work from first principles'.
- 4.18 Because of its nature, theoretical knowledge usually, but not always, needs to be acquired 'off the job', most commonly through academic education to, at minimum, foundation degree level or equivalent. This could be through full-time study, but could also be through part-time study, including Open University courses, or through short courses designed specifically to provide theoretical underpinning to otherwise practical and procedural knowledge. Theoretical knowledge can also be acquired through working with a more qualified jobholder, where there is a declared intent to transfer the required theoretical knowledge.
- 4.19 The difference between levels 4 and 5 Knowledge requirements are reflected in the indicative NQF qualifications at levels 4 and 5 respectively. NQF level 5 qualifications include HNC, HND and foundation degree qualifications plus professional diploma, certificate or awards at level 5. There is no absolute requirement for jobholders to hold any of these qualifications, but some evidence of relevant learning, study or work towards such a qualification of direct relevance to the job duties is likely to be required on entry to the post or within a reasonable timescale thereafter. It is common practice for jobs designed for newly qualified professionals to also be assessed at level 5 for the duration of a (formal or informal) probationary period.
- 4.20 The alternative level definition at level 5 relates to 'an equivalent level of organisational, procedural and policy knowledge'. This is still likely to require understanding of relevant theory, concepts and legislation, for example, understanding of electoral law and its application to relevant local policies and procedures.
- 4.21 The typical GAUGE™ route to level 5 would be through the 'technical' or 'procedural' option at Q128 to Q129, where the 'detailed understanding' (of relevant legislation) option takes the job to Q130, relating to the concepts and principles of the relevant specialist area. Having answered 'Yes in detail' here, the job goes to Q131, and then answers No and then No again to Q117, giving level 5.

4.22 GAUGE™ example

Knowledge 5 - The jobholder needs knowledge of the Organisation's relevant procedures or practices plus additional professional knowledge in order to do this job. He/she also needs a detailed understanding of the relevant legislation related to his/her area of work plus a detailed understanding of the underlying concepts and principles of the specialist area within which this job operates. The level of knowledge required is such that it could not be gained just from extended experience or training in relevant areas of work.

- 4.23 However, it is also possible to build up to level 5 from level 4, if the answer to Q116 on knowledge of practices and procedures across a specialist area (but no theoretical knowledge) is Yes and the job also requires detailed knowledge of procedures for more than one other service at Q125.

GAUGE™ example

Knowledge 5 - The jobholder needs knowledge of the Organisation's relevant procedures or practices plus additional clerical knowledge in order to do this job. These relate to a range of different tasks, some of which are relatively complex. He/she needs to know all the available practices and procedures across a whole specialist area. There is also a need for detailed knowledge of the policies and procedures relating to more than one other service.

The Difference between Levels 5 and 6

- 4.24 The main difference between levels 5 and 6 is that the latter requires '**advanced theoretical knowledge across a specialist area**'. This indicates in-depth knowledge of theory, concepts and relevant legislation/ statutory provision across an occupational area ('whole specialist area' in **GAUGE™**), which is necessary for the jobholder to be able to apply the knowledge to the specific job duties.
- 4.25 In GAUGE™ from the 'professional' route at Q128 you get to Q129, which asks for detailed understanding of relevant legislation. If you answer 'detailed' this takes you to Q130. The latter asks for understanding of a specialist area, and if you select 'detailed', this takes you to Q131. Q131 asks for advanced knowledge and takes you back to Q118 which asks for advanced level across a 'whole specialist area' and a 'yes', give you a 6.
- 4.26 GAUGE™ example:
Knowledge 6 - The jobholder needs knowledge of the Organisation's relevant procedures or practices plus additional professional knowledge in order to do this job. He/she also needs a detailed understanding of the relevant legislation related to his/her area of work plus a detailed understanding of the underlying concepts and principles of the specialist area within which this job operates at an advanced level. This level of theoretical knowledge is required across a whole specialist area. Extended previous formal training, to graduate or professional qualification level, plus experience in the application of this knowledge to the specific requirements of the job should provide a sufficient depth of knowledge to start doing it.
- 4.27 It is unlikely that all the level 6 Knowledge could be acquired on the job; it would normally require formal off- the-job training plus experience of the specific type of work, for example, training and experience to chartered professional level in traditional occupational areas such as accountancy, human resources, law, social work, engineering and modern equivalents, for instance, taxation, planning, environmental health, IT.
- 4.28 Alternatively, the knowledge acquisition could be through study to graduate equivalent level plus some combination of on- and off-the-job training in the specialist field.

- 4.29 The difference between levels 5 and 6 Knowledge requirements are reflected in the indicative NQF qualifications at levels 5 and 6 respectively. NQF level 6 qualifications are at a level equivalent to Bachelor's degrees with honours, graduate certificates and graduate diplomas.
- 4.30 The alternative level definition at level 6 relates to 'an equivalent level of organisational, procedural and policy knowledge'. This is still likely to require knowledge acquired by training to graduate level plus specialist on- and off-the-job training and experience across a relevant area, for example, democratic services, local government policy development.

The Difference between Levels 6 and 7

- 4.31 The step between levels 6 and 7 often reflects the addition of **managerial knowledge and breadth of knowledge across the specialist area**, in order, for example, to co-ordinate provision across service areas.
- 4.32 Such additional knowledge may be acquired through short or longer courses, for example, in management techniques, and experience across the specialist area.
- 4.33 However, it is also possible (and increasingly the case) for level 7 Knowledge to reflect high level in-depth specialist knowledge in a particular field where this is a requirement of the job, for instance, in advanced/consultant social work roles, public health specialist roles. In such a case the additional knowledge is likely to be acquired through some form of formal training, which may be reflected in a Master's level qualification or equivalent post-graduate, post-chartership professional certification.
- 4.34 The difference between levels 6 and 7 Knowledge requirements are reflected in the indicative NQF qualifications at levels 6 and 7 respectively. NQF level 7 qualifications are at a level equivalent to Master's degrees, postgraduate certificates and postgraduate diplomas.
- 4.35 The key question in GAUGE™ is Q121, the graduate or professional qualification, plus experience in the application of knowledge, which if 'sufficient' gives up to a 6 and if 'not sufficient', as would apply to many managerial and high-level specialist roles, gives a 7.

4.35 GAUGE™ example:

Knowledge 7 - The jobholder needs knowledge of the Organisation's relevant procedures or practices plus additional professional knowledge in order to do this job. He/she also needs a detailed understanding of the relevant legislation related to his/her area of work plus a detailed understanding of the underlying concepts and principles of the specialist area within which this job operates at an advanced level. This level of theoretical knowledge is required across a whole specialist area. Even extended previous formal training to graduate or professional qualification level, plus experience in the application of this knowledge to the specific requirements of the job would not provide a sufficient depth of knowledge to start doing it.

The Difference Between Levels 7 and 8

- 4.36 The step between levels 7 and 8 usually reflects **additional breadth of knowledge required**, for example, by a head of service co-ordinating with other service heads. Such additional knowledge is generally acquired through experience at a senior position.
- 4.37 However, it is also possible for level 8 Knowledge to reflect very high level in-depth specialist knowledge in a particular field, where this is a requirement of the job, for instance, in public health consultant and equivalent roles. In such a case, the additional knowledge is likely to have been acquired through formal training and study to Doctorate level or equivalent.
- 4.38 The difference between levels 7 and 8 Knowledge requirements are reflected in the indicative NQF qualifications at levels 7 and 8 respectively. NQF level 8 qualifications recognise leading experts or

practitioners in a particular field. Learning at this level involves the development of new and creative approaches that extend or redefine existing knowledge or professional practice. This level is equivalent to Doctorate level qualifications.

4.39 The level 8 in **GAUGE™** is achieved from Q123 and requires detailed knowledge of ‘all the organisational policies of these other specialists areas’ and comes from the level 7 achieved in Q122 (knowledge of practices and procedures of other specialist areas). This is what might be called the managerial route.

4.40 GAUGE™ example:

Knowledge 8 - The jobholder needs knowledge of the Organisation’s relevant procedures or practices plus additional professional knowledge in order to do this job. He/she also needs a detailed understanding of the relevant legislation related to his/her area of work plus a detailed understanding of the underlying concepts and principles of the specialist area within which this job operates at an advanced level. This level of theoretical knowledge is required across a whole specialist area. The jobholder also requires detailed knowledge of the associated organisational policies, practices and procedures in his/her specialist area and detailed knowledge of the practices and procedures of other specialist areas. He/she also needs detailed knowledge of all the organisational policies of those other specialist areas.

4.41 However, level 8 could also be achieved by the highest level specialist roles answering No to Q122 but then specifying that extensive experience is required at Q127.

GAUGE™ example:

Knowledge 8 - The jobholder needs knowledge of the Organisation’s relevant procedures or practices plus additional professional knowledge in order to do this job. He/she also needs a detailed understanding of the relevant legislation related to his/her area of work plus a detailed understanding of the underlying concepts and principles of the specialist area within which this job operates at an advanced level. This level of theoretical knowledge is required across a whole specialist area. The jobholder also requires detailed knowledge of the associated organisational policies, practices and procedures in his/her specialist area. Even extended previous formal training, to graduate or professional qualification level, plus 5 years’ experience in relevant areas of work would not provide a sufficient depth of knowledge to start doing this job.

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:**TECHNICAL NOTE NO. 13: IMPLICATIONS OF MERGERS, SHARED SERVICE ARRANGEMENTS AND OTHER RE-CONFIGURATIONS IN THE LOCAL GOVERNMENT SECTOR****1. INTRODUCTION**

- 1.1 This Technical Note examines the implications for job evaluation of the various forms of bringing together or re-configuring of local authorities, which impact on the structure of one or more organisations.
- 1.2 This includes the introduction of shared services arrangements of all types, including:
- relatively informal arrangements where one council provides services to another (under which employees from one council may or may not be seconded to the other council)
 - formal arrangements for one council to provide services to another, under which employees from one council may TUPE transfer into another, or be seconded to the other.
 - shared service(s) managed by joint committees of councillors (e.g. through a s.101¹ committee)
 - the establishment of a joint venture company or another distinct legal entity, including 'arms length' bodies, to provide the services for the participating councils (and others) under which employees from the participating councils TUPE to the new legal entity or are seconded to it.
- 1.3 This Technical Note uses the term 're-configuration' to cover all types of structural re-organisation.
- 1.4 For the purposes of this Technical Note, which deals with job evaluation, grading and pay issues, all such re-configurations can usefully be divided into two groups:
- 1) Where employees working in the re-configured service are employed by two or more separate employers, for example, in informal shared service arrangements through to employees in an 'arms length' organisations working alongside council employees;
 - 2) Where the employees of the re-configured service or function are employed by a single employer, for example, where employees from more than one organisation are transferred under TUPE or similar arrangements into one organisation (whether 'arms length' or otherwise) or where employees from one or more organisations are transferred to work alongside employees already employed in another organisation.
- 1.5 Although prepared under the auspices of the Local Government Services NJC JES Technical Working Group, the guidance in this Technical Note clearly applies whatever job evaluation scheme(s) are in use.

2. THE LEGAL POSITION

- 2.1 The legal position in relation to job evaluation and equal pay issues depends primarily on who is the employer of the employees in the shared service/re-configured organisation, as that affects who is a valid comparator for the purposes of an equal pay claim under the Equality Act 2010. Therefore, the main legal issues are set out below with reference to the two categories identified in section 1 above i.e. 1) where the employees are employed by two or more separate employers or 2) where the employees are employed by the same employer. It does not cover all of the issues, but summarises the main ones.

(1) Employees employed by two or more separate organizations

Where employees are employed by two separate organisations, the starting point is that, subject to some exceptions, an employee in one organisation cannot bring an equal pay claim using a comparator employed in the other organisation, even if they are based in the same place and are managed together, whether under secondment arrangements or otherwise. This is because the equal pay provisions of the Equality Act 2010 apply where the employee and her male comparator (or vice versa) are in the “same employment”, and the first stage of the definition of “same employment” under the Act is that the employees are employed by the same employer.

However, the first stage of the definition of “same employment” also includes the situation where employees are employed by associated employers. Associated employers are defined as two separate companies, where one has direct or indirect control over the other, or where a third person has direct or indirect control over both. A ‘company’ in the equal pay context has been found to include Limited Liability Partnerships². Therefore, in a situation where a council sets up an ‘arms length’ body over which it retains indirect or indirect control, employees in those two organisations may be able to bring an equal pay claim using a comparator in the other. The question of the degree of any control a body has over the other though will be a question of fact, and as it is crucial to the test of whether two employers are associated, legal advice should be taken when looking at this issue.

In addition, under European legislation³ it may be possible to make comparisons across employers where there is a ‘single source’ that is responsible for, and capable of addressing, the inequality in pay.

Therefore, to summarise, for situations where employees in the reconfigured service are employed by more than one employer, it is not usually possible to take equal pay claims across two separate employers, unless the employers are associated, or there is a ‘single source’ responsible for pay (which probably does not apply in the local government sector).

However, even if cross-employer claims are not possible, in such circumstances, it will still be necessary to consider and decide on issues such as which of the employers will employ any new recruits and how to work with existing arrangements. There may be grievances if employees discover that colleagues are higher graded or paid. There will not usually be legal redress for this through equal pay legislation, but consideration will need to be given as to how such issues are to be handled.

(2) Employees employed by the same employer

Where employees are employed by the same employer (or associated employers or where there is a ‘single source’), employees will then be able to bring an equal pay claim using an employee in the same employer as a comparator, provided they can satisfy the second part of the “same employment” test under the Equality Act 2010. That is that the claimant and comparator are employed at the same “establishment”, or if at different establishments, ones at which common terms and conditions apply.

This is a complex issue, and information on it is available in the Equality and Human Rights Commission’s Code of Practice on Equal Pay [see: http://www.equalityhumanrights.com/uploaded_files/EqualityAct/equalpa_ycode.pdf]. However, employees working together in a re-configured service will normally be based in the same place so will, without getting into any complex analysis, be treated as being in the same “establishment”. Therefore, where there are differences in pay between employees who do work of the same value, the prospect of equal pay claims arises. However, in such cases, if the difference in pay is due to a material factor that is not the difference in sex, the employer may have a valid defence to the claim. When considering re-configured service arrangements, the reason for differences in pay will in many cases be because employees transferred into the employer

under TUPE, and the employer cannot reduce employees' pay, because of the protections afforded under TUPE. Therefore, there is a non-sex based reason for the difference in pay, and in such cases the tribunals have found TUPE to be a valid defence to an equal pay claim, for some time after the transfer⁴.

However, the 'TUPE defence' will not apply to new recruits to the organisation who do not transfer in under TUPE. Nor will it apply where a TUPE-transferred employee voluntarily chooses to take up a different post in the organisation on a different rate of pay, or, where under an employer restructuring (of a type that is permitted under TUPE), transferred employees are moved to new posts and different terms and conditions.

3. TIMING

- 3.1 **It is good employee relations practice for a re-configured organisation to assess at an early stage its situation in relation to job evaluation, grading and pay.** As indicated above, issues normally start arising when a new employing organisation wishes to recruit employees, who are not then subject to the protection arrangements of existing employees, or it plans to restructure some or all of the relevant functions.
- 3.2 Designing a common job structure and implementing job evaluation is a major exercise for any organisation, and in particular for a new organisation, where concerns arising from uncertainty may be heightened. For this reason, it is not an exercise which should be rushed. Time should be taken at the design and planning stages of the exercise to ensure that the proposed new structure is suitable for the organisation's future needs. Although there could be a transitional risk of equal pay claims, it is likely to be low and probably lower than the risk of claims arising from hasty implementation of a scheme. In the long run, it would be preferable to spend time at the planning stage ensuring that the new structure is 'fit for purpose' than to rush the exercise for this reason. However the process should not be unduly protracted.

4. JOBS AUDIT

- 4.1 The first step in introducing a new job structure is to conduct an audit of jobs in the re-configured organisation. This is an HR function, which should be carried out in partnership with recognised trade unions. It can be started before the vesting date of the new organisation and can then inform the development of the new job structure. It involves preparing a comprehensive list of job titles within the new organisation and gathering together relevant job descriptions. By comparing job descriptions for similar areas of work it will be possible to identify how many different job roles there are and how many share common job titles. Some roles will be common to all organisations (although their duties may vary) and they are likely to have common job titles. Other jobs may be the same or broadly similar but have different job titles. This is particularly true in administrative and clerical fields. In addition, it is likely there will be a number of 'one off' jobs.
- 4.2 Where jobs are the same or broadly similar but have different job titles, it will be necessary to rationalise job titles, at least for job evaluation purposes. This may appear to be a laborious task but is essential to the next steps in the process and a good investment of time for the future. A decision will need to be made as to whether this is the point at which to agree common job titles for all jobs in the new organisation, in consultation with employees and their trade union representatives.
- 4.3 It may be that some employees do not have job descriptions or their job descriptions are out of date. Any employees who are without a job description should be issued with an agreed one at this stage. Any out of date job descriptions should be brought up to date. It will not only assist and inform this stage of the exercise but also serve as preparation for the implementation of any 'new' job evaluation

exercise. Up to date and accurate job descriptions will also allow for more jobs to be matched to an already existing evaluation rather than having to be evaluated separately.

5. DESIGNING A COMMON JOB STRUCTURE

- 5.1 Having conducted a jobs audit, the next step, once the new organizational arrangements are in place, will be to design a common job structure. This entails consideration of how the organisation should be structured to meet its needs in the future. This could be quite different from the traditional jobs and structure which operated in the old organisation(s). In particular, re-configured organisations involved in workforce modernisation projects should consider the implications of such projects for the new organisation.
- 5.2 Designing a new job structure is a major exercise which will obviously need strategic direction from senior managers, will have to involve managers at all levels and should be undertaken in partnership with the relevant trade unions.

6. DECIDING THE NEXT STEP: IMPLEMENTING THE COMMON JOB STRUCTURE OR IMPLEMENTING JOB EVALUATION

- 6.1 The crucial decision at this stage is to agree the order in which the next steps in the exercise take place. There are two possible options:
- ☐ Implement a common job structure and then undertake job evaluation; or,
 - ☐ Evaluate the jobs that exist on merger, implement the new job structure and then re-evaluate new jobs in the structure as necessary.
- 6.2 Each approach has advantages and disadvantages. The advantage of the first approach is that it potentially saves time in not having to have two rounds of evaluations. However, implementing a new job structure is a major exercise and can be very time consuming and involved. It can also prove de-stabilising for employees. Further, until such time as the job evaluation scheme has been implemented, the organisation remains at risk of equal pay claims. Thus the advantage of the second approach is that the risk of equal pay claims is reduced to an absolute minimum. Note that those jobs which remain the same in the new structure will not need to be re-evaluated, unless a very long period of time has elapsed before the second round of evaluations. This approach also allows for job re-structuring (and any further evaluations) to be carried out in a phased programme. The second approach is therefore recommended.

7. CHOICE OF JOB EVALUATION SCHEME

- 7.1 An early decision is which job evaluation scheme to use for the re-configured organisation, and whether to use a paper-based or computerised version, such as Gauge. For a few jobs a paper-based scheme may be appropriate but for larger numbers of jobs a computerised scheme such as Gauge is more time and resource efficient. It may be tempting to think that, if both predecessor organisations to a new unitary authority, for example, have used the same JES, no further action is required. However, as the predecessor organisations will generally have different grading and pay structures, a review will be required. It is also the case that the JE schemes in use in the local government sector are not as centrally prescribed as, for instance, the Health Service Job Evaluation Scheme and give scope for local conventions (and Help Screens on Gauge), so it is unlikely that the same job would have been evaluated in exactly the same way in the predecessor organisations, even on the same job evaluation scheme. At minimum an audit of job evaluation outcomes will be required.
- 7.2 It is not sufficient to simply align jobs with a new pay structure on the basis of historic JE results or historic pay, without reviewing the JE outcomes. Such an approach risks the jobs being considered not

to have been properly evaluated under the same job evaluation scheme and not therefore covered by any JE defence to equal pay claims.

- 7.3 Where predecessor organisations have used different job evaluation schemes for their Single Status employees, it is possible for a jobholder covered by one scheme to claim equal pay with a job holder covered by a different job evaluation scheme. In such cases, the job evaluation schemes may not provide the employer with a defence. To avoid claims of this nature, the reconfigured organisation should introduce one scheme for all employees across the new organisation, with a single set of local conventions (or computerised JE local help screens). Depending on the circumstances, it may be appropriate to select one of the current schemes in operation or it may be appropriate to choose a different scheme. Either way, it is necessary to evaluate all jobs under the new scheme, including any that were previously evaluated.

8. FIRST PRACTICAL STEPS

- 8.1 At the outset of the exercise it would be appropriate to:

- a. *organise the logistics.*** for example, timescales, project management and resources for the introduction and evaluation of a common job structure for the merged organisation. This step should include a review of relevant HR and finance IT systems to ascertain what data they can provide and whether they are compatible.
- b. *develop a common terminology.*** A possible barrier to progress is use in the constituent organisations of the same term for different concepts (roles, policies, structures) and different terms for the same concept. As the meanings of words are important in the context of job evaluation, it may well be worth spending some time at the outset on clarifying and defining terms likely to be used frequently.
- c. *devise a communications strategy.*** Employees in the new organisation are likely to be particularly anxious about their positions. Therefore it is imperative to ensure good communications keeping employees informed of progress. Communications strategies can include use of cascade briefings, seminars and roadshows, newsletters, dedicated website location with reference documents and regular updates, and identified communicators.
- d. *develop a training strategy*** for all those who will actively participate in the exercise, including steering group members, evaluation panel members, Gauge facilitators and job analysts. Even if some participants have previously received training, this is likely to have been a long time ago. Training should be jointly provided and received and ideally will be extended as appropriate to line managers and TU representatives who may find themselves providing advice to employees/union members.

9. FURTHER GUIDANCE ON IMPLEMENTING THE JOB EVALUATION SCHEME

- 9.1 This Technical Note does not provide detailed guidance on implementation. Previous Technical Notes in this series, for example, on selecting benchmarks, dealing with multiple job groups, provide guidance on implementing job evaluation in accordance with best practice recommendations. All Technical Notes are available on the Local Government Association website as part of the NJC job evaluation documentation at <http://www.local.gov.uk/web/guest/workforce-local-government/-/journalcontent/56/10171/3702152/ARTICLE-TEMPLATE> These apply whether the new organisation is using the Gauge or paper-based version of the NJC JES and most are relevant to other schemes in use in the local government sector.
- 9.2 The EHRC Equal Pay Audit Toolkit provides useful checklists on whether the implementation of the job evaluation scheme is compliant with equal pay legislation and in accordance with good practice.

See: <http://www.equalityhumanrights.com/advice-and-guidance/tools-equal-pay/equal-pay-audit-toolkit/>

10. THE NEXT STEPS: GRADING AND PAY

10.1 In anticipation of completing the job evaluation exercise, consideration should be given, in partnership with trade unions, to:

- ☐ Communication of outcomes to employees;
- ☐ Appeal processes
- ☐ Designing a new grading and pay structure;
- ☐ Harmonising terms and conditions (contractual and non-contractual); and,
- ☐ Negotiating and implementing pay protection arrangements as necessary. The constituent organizations may find they have differing pay protection arrangements, so these need to be reviewed at an early stage and checked to ensure that they meet current legal requirements.

10.2 Each of these stages is likely to give rise to equality issues and therefore it is recommended the organisation takes specialist legal and pay structure advice at appropriate points in the exercise.

10.3 It is also good practice to undertake an Equality Impact Assessment on the proposed new grading and pay structure, including the job evaluation exercise and outcomes, before implementation and regular equal pay audits thereafter.

11. FURTHER GUIDANCE ON GRADING AND PAY

11.1. Further joint guidance is set out in the following sections of the NJC Green Book:

- ☐ Part 4.9 Pay and Grading Reviews
- ☐ Part 4.10 Equal Pay Audits
- ☐ Part 4.11 Equality Impact Assessments
- ☐ Information about the Green Book is at <http://www.local.gov.uk/web/guest/workforce-local-government/-/journalcontent/56/10171/3700149/ARTICLE-TEMPLATE>

11.2 The EHRC's Equal Pay Audit toolkit is a guide on carrying out an equal pay audit. It also gives advice on good equal pay practice, on conducting [equality impact assessments](#) and provides guidance on actions arising from the audit that may need to be taken to eliminate any [pay gaps](#).

See: <http://www.equalityhumanrights.com/advice-and-guidance/tools-equal-pay/equal-pay-audit-toolkit/carrying-out-an-equal-pay-audit/>

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO.14: CONSISTENCY CHECKING OF JE OUTCOMES

(formerly issued as Quality Assurance NJC circular dated 14Apr03)

1. Introduction

- 1.1.1 The NJC's Job Evaluation Technical Working Group (JETWG) has drawn together some advice on broad principles for undertaking consistency checks on the outcomes of evaluations throughout the job evaluation process. This technical note is intended to help authorities achieve fair and consistent implementation of the scheme. The advice deals with the specifics of the NJC scheme, both paper based and computerised web-based, and the ways in which both individual outcomes and the range and spread of results can be subjected to systematic checks. The advice covers all stages from the pilot or benchmark exercise through to completion and provides the necessary information and assistance to quality assure on a systematic basis. This technical note takes into account the range of jobs covered will vary between authorities.

2. Principles

- 2.1 Moderation is the term often used for the consistency checks which need to be carried out for all job evaluation exercises (on any scheme and whether paper-based or computerised) to quality assure the exercise and to identify any factor assessments or jobs which appear 'out of place'.
- 2.2 This does not mean that any jobs identified through consistency checking or moderation are necessarily wrongly evaluated, but that further investigation is required to see why they have been evaluated in the way they have.
- 2.3 'Consistency checking / moderation should be carried out:
- After the benchmark or pilot exercise: at this stage it is also a check on how the local conventions are operating: and
 - At regular intervals during the remaining evaluations (depending on how high the level of consistency is: can be spaced out further once good consistency is established): and
 - When all evaluations have been completed and before publication of any results
- 2.4 Consistency checking should be carried out by a Joint representative panel that has been trained in the application of the NJC scheme and equality issues.
- 2.5 'Consistency' / moderation can be done by a series of 'spot checks', but is best carried out systematically. The following sections describe and explain a series of systematic checks:
1. Usage of factor levels
 2. Distribution of evaluations
 3. Specific factor checks
 4. Checks for double counting
 5. Overall range of total weighted scores
 6. Specific checks of total weighted scores
 7. Correlations Job Family Checks
 8. Vertical and Horizontal Organisational Checks

3. Usage of factor levels

- 3.1 The NJC JES factor levels were developed to represent discrete levels of demands over the range of local government jobs. Over a representative sample of jobs, therefore, all factor levels may be used, although not necessarily to the same degree. Where this is not the case, there should be an obvious explanation.

- 3.2 In particular, it is indicative of either a misunderstanding of the system by evaluators or an unrepresentative job sample, if intermediate factor levels between the top and bottom have not been used.
- 3.3 Level 1 factor level outcomes may be used less than other levels, but there should be some jobs at this level in a representative sample of local authority jobs, with the possible exception of the Physical Skills factor.
- 3.4 There may be explanations for the instances where the highest factor levels have not been used, usually depending on the range of jobs within the scope of the exercise, for example:

Knowledge: level 8; Mental Skills: level 6; Responsibility factors: level 6: these levels were designed primarily for the most senior professional managerial jobs showing greater breadth of knowledge requirements and responsibilities than for practitioners. So, if the exercise excludes professional managerial jobs, then these levels may not be used, but note that some jobs not traditionally regarded as managerial may show similar features, e.g. Public Health Consultant

Initiative and Independence: level 8: in contrast to other NJC JES factors, the Initiative and Independence factor is relatively hierarchical, that is, one would normally expect a managerial job to be assessed at a higher level than the subordinate jobs. Use of the higher levels, therefore, depends on the range of jobs to be evaluated. Where senior managerial jobs are excluded from the NJC JES evaluation exercise, few if any jobs would be expected to score at level 8.

Physical Demands: level 5; Working Conditions: level 5: these levels were intended to apply to the most physically demanding tasks in local government, for example, refuse collection, manual grave digging, possibly sewerage operations. So, if the exercise does not cover these or similar groups, then these levels may not be used.

Emotional Demands: level 5: this level was intended to apply to the most emotionally demanding jobs in local government, for example, Child and Family Social Workers, Approved Mental Health Social Workers. So, if the exercise does not cover these or similar jobs, then these levels may not be used, for instance, in a district council.

4. Distribution of factor level evaluations

- 4.1 Factor level distributions can be checked using an excel spreadsheet of results, or using the web Gauge system reports system, then by visual inspection or by creating a histogram of the results. This permits a comparison of local outcomes against the patterns one would expect to see.
- 4.2 The following observations (see 3.3 below) on expected factor level distributions using the NJC JES apply where all jobs evaluated are distinct from each other. If samples have been taken of several versions of a large population job to check whether they evaluate similarly (e.g. Home Carer), then the distributions may be skewed as a result. The range of jobs employed by an individual local authority may also affect distributions eg, the absence of Social Care jobs, as is in a District Council, will affect the distributions within the Emotional Demands factor.
- 4.3 The quality and reliability of a statistical analysis of factor level distributions also depends on having a relatively large data sample. For a pilot or benchmark evaluation exercise, caution must be exercised because the distributions may be affected by the range and nature of jobs in the sample of jobs selected.

Knowledge, Initiative and Independence, for these factors a relatively normal distribution is to be expected, that is with the largest numbers of jobs evaluated at the middle levels, tailing off towards the lowest and highest levels.

Responsibility for Supervision, Responsibility for Financial Resources, Physical Demands, Emotional Demands, and Working Conditions: for these factors, a 'skewed' distribution is anticipated, with the largest numbers of jobs evaluated at the lowest level, tapering gradually towards the highest levels. This is generally true of most Responsibility and Effort factors.

Skills factors, Responsibility for People – well-being, Responsibility for Physical Resources and Information, Mental Demands: a skewed distribution is to be expected, with the base of the 'pyramid' and the bulk of jobs at levels 2 and 3 tailing off towards the higher levels, but with relatively few jobs at level 1.

5. Specific factor checks

- 5.1 The quality assurance of any job evaluation scheme outcomes requires specific factor checks. These are best made using the level assessments for each factor, as in 2 above, so that the rank order of levels and list of job titles can be scanned for issues to be checked against the scheme and agreed local conventions/help text:

Knowledge: check that standard qualified professional/practitioner jobs from all occupational groups are assessed at the same level, either level 5 or 6, depending on the impact of local conventions, and that there is justification for jobs scored above or below this level.

Mental Skills: some jobs exist for their ability to apply knowledge using analytical and/or developmental skills and these jobs should have been assessed towards the higher levels on this factor, even if they do not score particularly highly in some other areas. This category of jobs includes policy, research, statistical and some finance jobs. For other jobs, the factor is more hierarchical and manager and supervisor jobs normally score at least one level higher than those they manage or supervise, on account of their greater problem solving, decision-making and probably planning and organisational skills.

Communication Skills: check that all jobs assessed above level 3 meet the local conventions for 'developed' skills at level 4 and 'highly developed' skills at level 5. This is with regard to, for example, caring, training, advisory, guiding, persuasive and negotiating skills.

Physical Skills: level 5: this was included by the scheme designers for jobs requiring exceptional levels of physical dexterity and co-ordination and is rarely used, for example, for conservators of Roman pottery finds. Any job assessed at this level should be checked.

Initiative & Independence: this is a mostly hierarchical factor, so supervisor and manager jobs should normally be assessed at least one level higher than the jobs of those they supervise or manage. Any jobs that do not fit this pattern should be checked.

Physical Demands: administrative and managerial jobs should normally have been assessed at level 1. Most of the jobs at level 3 and above are likely to be manual jobs. Jobs involving sitting in a fixed constrained position for prolonged periods of time (e.g. data input, word processing) or standing for prolonged periods of time (e.g. crossing patrols) should be at level 2.

Mental Demands: this is not a hierarchical factor. It covers three distinct aspects of mental demands – sensory attention; mental concentration; and work pressures such as those incurred by deadlines and interruptions. It is useful to check the evaluation for each of these aspects separately. This can be done, if evaluators have indicated the selected letter option on their rationale sheets. Computerised job evaluation system users should check for specific correlations across the three options identified within moderated job overviews. For example, jobs requiring prolonged periods of concentration are unlikely to be subject to high incidences of interruptions.

Emotional Demands: jobs at level 3 and above are normally client-related jobs – not necessarily in social services – could be housing or similar. Jobs at level 3 and below that are subject to behaviour and/or circumstances that is not measured as 'significant' or 'intense' by the JE scheme should be more mixed and could include investigatory or inspecting jobs from any department or area. Any exceptions to these patterns should be investigated.

Responsibility for People - Well-being: jobs assessed at level 3 and above either will have client/pupil-related responsibilities (including policy and/or advisory responsibilities for the group in question) or will be involved in the implementation of statutory regulations. Other public facing and/or service providing jobs are likely to be assessed at level 2. Local authority office-based support jobs with little or no contact with members of the public would normally be at level 1. Answering telephone queries from members of the public should only take this latter group to level 2 if this is a significant feature of the job.

Responsibility for Supervision: this is the second predominantly hierarchical factor in the NJC JES. Manager and supervisor jobs should normally be assessed at a higher level than the jobs they manage or supervise.

Responsibility for Financial Resources: it is important that jobs, which do have responsibilities for finance but do not obviously match the words of the level definitions, have been correctly assessed (e.g. income generation, policy and advisory jobs). It is necessary to develop local conventions/help text for web Gauge to ensure that such jobs are correctly measured. This can be done retrospectively as a result of 'consistency checking' or moderation of web Gauge results at the benchmarking stage.

Responsibility for Physical and Information Resources: very many jobs should have been assessed at level 2, on account of the wide range of options available at this level. Few jobs are likely to have been assessed at level 1. Jobs assessed at level 3 and above should have clear and obvious resource responsibility, either as their primary function (e.g. maintenance and estates jobs, transport and highways jobs, information systems jobs); or as a distinct secondary function (e.g. finance job with distinct responsibilities for an information system).

Working Conditions: as with Physical Demands, administrative and managerial jobs should normally have been assessed at level 1 and many of the jobs at level 3 and above are likely to be manual jobs. However, front line service provision jobs, where the work involves going out into the community, to homes or on site visits or inspections, should have been assessed above level 1. Jobs that are primarily outdoors jobs should be at level 3 or above.

6. Double Counting Checks

- 6.1 Double counting occurs where a single job feature is measured under more than one factor from the same factor family, for example, under more than one Responsibility factor or more than one Knowledge and Skills factor. It is to be avoided because it advantages jobs with double counted features compared with those where this has not happened. It is NOT double counting to assess the same job feature under different factor families, for instance, under a Knowledge and Skills factor and then under a Responsibility or Effort factor, as these are regarded as distinct input and output measures, which should be evaluated separately.
- 6.2 So, it is RIGHT, for example, to assess skills for motivating staff under the Interpersonal and Communication Skills factor and the responsibility for staff management under the Responsibility for Supervision factor. It is WRONG to evaluate responsibility for asset management under both the Responsibility for Financial Resources and Responsibility for Physical and Information Resources factors.
- 6.3 Double counting should be checked for as part of overall consistency checking. Once individual factor checks have been completed, it is sensible to check the main factor families, especially Responsibilities, for jobs which have scored highly on all relevant factors. In a few jobs, this may turn out to be justifiable, for example, a social services manager with responsibilities for the service delivered to users, for care budgets, staffing and procurement of either premises or IT systems. In others, the repeated high scores on all Responsibility factors may be indicative of double counting and should be reviewed.
- 6.4 It is also unlikely in practice that any job will have scored highly **on all** the Knowledge and Skill factors, or **on all** the Effort and Working Conditions factors. Any instances of this should be checked and queries raised where necessary.
- 6.5 The reverse is also the case and will result in under-evaluation. No job should have been evaluated at level 1 on all factors. Any viable job will have scored above level 1 on at least one Knowledge and

Skills factor and at least one Responsibility factor and at least one of the Effort and Working Conditions factors.

7. Factor Correlations

7.1 There are no fixed factor relationships in the NJC JES, unlike, for example, the Hay scheme, where the Problem Solving score is calculated as a percentage of the Know How score. However, there are observed relationships, notably between the Knowledge and Mental Skills factors, where the latter can be described as the application of the former.

7.2 The observed relationships between Knowledge and Mental Skills and between Knowledge and Initiative and Independence can be set out as in the following tables:

Factor	Mental Skills						
Knowledge	Level	1	2	3	4	5	6
	8					✓	✓
	7				✓	✓	✓
	6				✓	✓	
	5			✓	✓		
	4		✓	✓			
	3		✓	✓			
	2	✓	✓				
	1	✓					

Factor	Initiative & Independence								
Knowledge	Level	1	2	3	4	5	6	7	8
	8						✓	✓	✓
	7				✓	✓	✓	✓	✓
	6				✓	✓			
	5			✓	✓				
	4			✓	✓				
	3		✓	✓					
	2	✓	✓	✓					
	1	✓							

7.3 If scores fall outside the ranges shown in the tables, it does not mean the evaluations are 'wrong', but that they should be carefully checked. A job with evaluations outside the ranges shown in the tables is likely to be an unusually structured job and the reasons for the outcomes should be clear from the job information.

7.4 The observed relationships described above apply across all jobs. With some other factors there are observed relationships which apply only to particular job types. For example, social care jobs which are assessed at relatively high levels on the Responsibility for People – Well-Being factor are also likely to score at comparable levels on the Interpersonal Skills and Emotional Demands factors. On the other hand, regulatory jobs such as Environmental Health Officer are also likely to be assessed relatively highly on the Responsibility for People – Well-Being factor, but the assessments are not necessarily so closely related on either the Interpersonal Skills or Emotional Demands factors.

7.5 Similarly, there is a range of manual jobs which score relatively highly on both the Physical Demands and Working Conditions factors, for example, service delivery jobs in waste and environmental maintenance, cemeteries and crematoria. On the other hand, some other jobs may score relatively

highly on one of these factors but not on the other, for example, Park Wardens on Working Conditions, Porter on Physical Effort.

8. Job Family Checks

- 8.1 A useful basis for further checks to be undertaken by job analysts and/or evaluation/review panels and/or the quality assurance panel is a comparison across related jobs from the same job family or organisational unit within the local authority. This process is made easier if either jobs are coded by the desired units, or by inserting alternative job titles with the job function first and the level second.

For example, Accountant Principal and Accountant Senior would be better than Principal and Senior Accountant, so that jobs can be easily be sorted by title. Alternatively, it will be necessary to use the filter function on excel.

- 8.2 It is then possible to identify those factors where the evaluation would be expected to be the same and those where there should be differences at different levels of the job family. Take the following example:

Job Title	K	MS	IS	PS	II	PD	MD	ED	RPWB	RS	RF	RPI	WC	Total
Payroll Assistant	2	2	2	2	2	2	3	1	1	2	3	2	2	
Payroll Assistant Senior	3	2	2	2	2	1	3	1	1	2	3	2	1	
Payroll Team Leader	4	2	3	2	3	1	3	1	1	3	3	2	1	
Payroll Supervisor	4	3	3	2	3	1	3	1	1	3	4	2	1	
Payroll Manager	5	4	5	2	3	1	3	1	1	4	5	2	1	

- 8.3 Once the jobs are sorted in this manner, it is possible to see that the factor levels generally bear a sensible relationship to each other. For example, note the increasing levels for the Knowledge and Responsibility for Supervision factors, the generally same scores for the Physical Effort and Working Conditions factors. However, there are some individual queries arising from diversions from the expected pattern. These are highlighted in the table. In some cases, for instance, Physical Skills, Mental Effort, the query is because all jobs have been scored the same and the question is whether this is correct.
- 8.4 There may be acceptable reasons for the queried assessments. For example, if the Payroll Assistants regularly shift paper payroll records, but no other members of the payroll department do, then this would explain the Physical Effort factor assessments, although this may sound unlikely. However, it would then be important to ensure that this was clear from the evaluation rationales.

9. Overall range of total weighted scores

- 9.1 As all jobs must be assessed at level 1 at least on each factor and no job is likely to score at the lowest level on all factors, the minimum possible total weighted score is just over 200 points. Taking into account that managerial and most professional jobs are likely to be assessed at level 1 or 2 on the Physical Skills, Physical Demands and Working Conditions factors, the maximum realistic score is not the theoretical 1,000, but more like 800 - 850 points.
- (a) A realistic range for the full spread of jobs is from around 220-240 to 750-800, with a slightly lower maximum if more senior managerial jobs are excluded from the exercise. The points range should emerge from a representative benchmark or pilot sample as well as from evaluation of all jobs.
 - (b) If a narrower range of scores has emerged or there is excessive 'bunching' of jobs in some parts of the overall range, then these should be investigated, taking into account the representativeness of the range of jobs evaluated.

10. Specific checks of total weighted scores

- 10.1 Analysing the overall rank order of total weighted scores by department or job family allows for additional checks, for example:

Manager Jobs: should normally score higher overall than the jobs they manage, even where the manager job is office based and the managed job is/are a front line service providing job(s). The manager job is likely to have scored at least one level higher than the job managed on most factors other than Effort and Environment.

Any exceptions should be investigated. If there are no problems over either information or evaluation, then this is indicative that the manager job is not what it appears from the job title.

As a fundamental principle, it is the job content being evaluated, not the job title.

Similar Jobs: where a sample of jobs with the same or a similar job title have been evaluated, then these should evaluate similarly, although not necessarily identically, but the range should normally be less than 50 points for genuinely similar jobs. Greater differences than this should be investigated. If there are no problems over either information or evaluation, then this is indicative of a misleading job title and suggests that there is more than one job within the group.

Same Organisational Level Jobs: although less exact than the above two checks, it is also worth checking jobs which are considered to be at similar levels in the organisational hierarchy, but in different departments. Other things being equal, these should come out with similar overall total weighted scores, albeit by potentially different routes in terms of which factors they score highly on. So, for example, third and fourth tier management jobs should each come out with similar total scores (say, within 50 points). Standard professional jobs should normally also have similar total weighted scores. Variations from these generalisations may be legitimate, but they should be explicable.

- 10.2 When all the preceding checks have been carried out and queries resolved, and only then, it is possible to compare the new job evaluated rank order with the historic rank order and grade structure. As most queries should have been dealt with, the starting point for this final check is that the new rank order is 'correct' in terms of the JE scheme used. Any differences with the previous rank order should however be explicable in terms of changes to jobs or the new way of assessing them. It is possible that a few further queries may arise at this stage, but it should be possible to understand why they were not picked up by any of the earlier checks.

SUMMARY CHECKLIST**1. Have all factor levels been used?**

- Have all the intermediate factor levels been used? If not, why not?
- Have all top levels been used for the Knowledge and Skills and Responsibility factors? If not, is this because some senior jobs have been excluded from the exercise? If not, have evaluations been unduly compressed?
- Have all the top levels been used for the Physical Effort and Working Conditions factors? If not, is this because the range of jobs to be evaluated does not include the most demanding manual jobs (e.g. Refuse Collectors, Sewerage Operatives, Gravediggers)? If not, have evaluations been unduly compressed?
- Have the top levels been used for the Emotional Effort factor? If not, is this because the range of jobs to be evaluated does not including the most emotionally demanding social care jobs (e.g. Child and Family Social Workers, Approved Mental Health Social Workers)? If not, have evaluations on this factor been unduly compressed?
- Have all bottom levels been used for at least some jobs? If not, have evaluators been unduly generous?

2. Are the distributions of factor level of assessments as would be expected with the NJC JES?

- Are the Knowledge and Initiative distributions normal, with the bulk of the jobs assessed at the middle levels and the numbers tapering towards both the bottom and top levels?
- Are the distributions for the Responsibility for Supervision, Responsibility for Financial Resources, Physical Demands and Emotional Demands 'pyramid' shaped, with the majority of jobs assessed at level 1 and decreasing numbers at each of the higher levels?
- Are the distributions for the Responsibility for People, Responsibility for Physical Resources, Mental Demands 'skewed', with some jobs at level 1, but the most jobs assessed at level 2 and decreasing numbers at each of the higher levels?

3. Have the factor rank orders been checked?

- Knowledge: are all the standard qualified professional/practitioner jobs at the same level, either 5 or 6, depending on local conventions? If not, is there clear justification for any variations?
- Mental Skills: are policy, research, advisory and statistician jobs assessed at relatively high levels on this factor?
- Communication Skills: do all the jobs assessed at level 4 meet the local convention for 'developed skills'? Do all the jobs assessed at level 5 meet the local convention for 'highly developed skills'?
- Physical Skills: have any jobs been assessed at level 5 on this factor? If so, can that be justified in terms of the level of precision required for the job?
- Initiative & Independence: have manager and supervisor jobs been assessed at a higher level than the jobs they manage or supervise?
- Physical Demands: are most of the jobs assessed at level 3 or above genuinely physical jobs (probably manual jobs)?
- Mental Demands: have separate checks been made on jobs assessed for sensory attention, mental concentration and work pressures; and have each of these aspects been consistently assessed?
- Emotional Demands: are the jobs assessed at level 3 and above client-related jobs?
- Responsibility for People: do all jobs assessed at level 3 or above have direct client-related responsibilities (including policy and/or advisory responsibilities)?
- Responsibility for Supervision: have manager and supervisor jobs been assessed at a higher level than the jobs they manage or supervise?
- Responsibility for Financial Resources: have jobs with clear financial responsibilities been correctly assessed on this factor, even if their responsibilities do not immediately match the level definitions (e.g. income generation jobs)?
- Responsibility for Physical Resources: do jobs assessed at level 3 or above have clear resource responsibilities as a primary or specified secondary feature?
- Working Conditions: have primarily outdoor jobs been assessed at level 3 or above (depending on any additional unpleasant features)? Have jobs involving making regular home or site visits been assessed at level 2 at least?

4. Is the overall range of total weighted scores between 220-240 and 750-800?

- If the highest total weighted score is less than 750, is this because the more senior managerial jobs have been excluded from the exercise? If not, have evaluators been too conservative in their assessments?
- If the lowest total weighted score is more than 250, is this because the authority does not employ jobs likely to fall at the bottom end of the range? If not, have the evaluators been too generous?
- Is there excessive bunching of scores in some parts of the overall range?

5. Have the total weighted scores been hierarchically analysed by department/section or job family?

- Do manager jobs score higher overall than the jobs they manage? If not, why not?
- Do colleague jobs score similarly to each other, or at least within a range of 50 points? If not, is this because there have been some inconsistent evaluations? If not, is this indicative that the jobs are actually significantly different from each other?

6. Do jobs at the same level in the organisation score similarly or within a range of around 50 points? If not, is there a clear explanation for this?

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

TECHNICAL NOTE NO. 15: MARKET SUPPLEMENTS

1. Introduction

- 1.1 The NJC recognises that financial pressures and pay restraint have impacted on the competitive position of public sector organisations as employers. Where organisations find it difficult to recruit to specific posts and / or retain employees in those posts, the payment of a market supplement to base salary may be necessary.²
- 1.2 Typically, a market supplement may be paid where the 'going rate' for a specific job or specialism is higher than that offered by the organisation and it has been unable to recruit / retain post-holders as a result. A market supplement, paid separately as an 'off-spine' payment, should not compromise the pay and grading structure. However, there are tensions between market pricing and job-evaluated grading and pay structures which call for a carefully managed approach to the use of market supplements. Management of the process for paying the market supplement and associated legal considerations are particularly important, as this note sets out.
- 1.3 The note expands on the Part 4.9 (para. 25) guidance on market supplements. It draws on current best practice in the public sector and covers:
 - Guiding principles for the payment of market supplements
 - Equal pay and equality impact assessment
 - Checks to ascertain whether the payment of a market supplement is warranted
 - Qualifying criteria for the payment of market supplements
 - Identifying the comparator market
 - Sources of market pay data
 - The amount of market supplement to be paid
 - Duration of the supplement and review arrangements
 - Payment of market supplements – employment contract provisions

2. Summary of the guiding principles for the payment of market supplements

- 2.1 This section outlines guiding principles for the payment of market supplements. Putting the principles into practice is discussed in subsequent sections.
 - Organisations should have a formal policy on the use of market supplements, if one is not already in place. Existing policies should be reviewed regularly and equality impact assessed to ensure they are up-to-date and fit for purpose. In line with their policy, organisations should devise a standard application form for the payment of a market supplement for use by managers across the organisation. This helps ensure that a consistent approach is taken in regard to the qualifying criteria for payment and the supporting evidence that will be required for the approval of applications. (An application form template is set out at Appendix 1)
 - Care must be taken to prevent the indiscriminate or uncontrolled use of market supplements which would jeopardise the integrity of the job-evaluated grading and pay structure, potentially expose the organisation to legal claims and undermine budgetary control and cost management.
 - Payment of market supplements should only be considered where it can be shown that the problem cannot be resolved by the use of the organisation's job evaluation and grading processes.
 - Market supplements should be paid as a separate and clearly identifiable addition to basic pay and should be paid to all in the relevant post.

² 'Market supplement' is used to cover a range of terms including 'market rate supplement', 'market forces supplement', 'market pay supplements', 'market factors payment' and 'labour market addition'.

- Market supplements should be time-limited payments. Prior to the expiry date, or if circumstances change (as discussed later), the payment of the supplement should be reviewed.
- Organisations will have different budgetary processes depending on their size and circumstances. In general, costs associated with market supplements should be included as part of annual budget preparations. The contractual conditions for the payment and withdrawal of market supplements should be clearly set out for recipients (and potential recipients), including notice provisions.
- The employment relations implications of paying market supplements must be considered at an early stage (before an application for payment is made). The payment of market supplements to some staff but not others can give rise to concerns about fairness. Having a transparent approach to the use of market supplements is essential.
- The NJC recommends that employers consult the recognised unions in respect of payments of market supplements. The union[s] should be informed when the payment of a market supplement for a specific post or group of posts has been authorised.

3. Equal pay and market supplements

- 3.1 Organisations must take care to ensure that the payment of market supplements does not expose them to potential equal pay claims.
- 3.2 The payment of a market supplement could result in a difference in the pay of men and women doing equal work. This would occur, for example, where a male and female employee do different jobs but their work is rated as equivalent under the job evaluation scheme used by the organisation. His post attracts the payment of a market supplement; her post does not (or vice versa). The female employee could claim that she is not receiving the supplement because she is a woman or (which is more likely) that the posts in receipt of market supplements are occupied mostly by men, while her post and the others doing the same job as her, are mostly occupied by women.
- 3.3 The employer has a defence against an equal pay claim where it can be shown that the difference in pay is explained by a 'material factor' that does not involve direct or unjustified indirect sex discrimination. The availability of a 'market forces' defence was affirmed by the European Court in *Enderby v Frenchay Health Authority and anor* 1994 ICR 112 ECJ.
- 3.4 Market supplements have been held to be a 'material factor' in some (but not all) cases (see below).
- 3.5 If the payment of a market supplement involves indirect discrimination, for example, where the practice is detrimental to a larger proportion of women than men, it must be objectively justifiable, that is, it must be a proportionate means of meeting a legitimate aim.
- 3.6 To provide a complete defence against an equal pay claim, the Equality and Human Rights Commission (EHRC) advise that 'market forces must account for all the difference in pay, and not just a part of it. If not, the courts will determine what proportion of the difference is accounted for by market forces' (EHRC *Equal Pay Checklist* 9).
- 3.7 Organisations can minimise the risk of equal pay (and other legal challenges) relating to market supplements by having systematic, clear, consistent and documented processes for dealing with market supplements at every stage, from proposal to review. The rationale and business need for market supplements for the specified post[s] must be evidenced. (The section on qualifying criteria gives examples of the type of evidence which should be provided by managers when applying for approval for the payment of a market supplement.)
- 3.8 The market forces defence has failed where there was a lack of transparency in the rationale for paying a market supplement, so that it could not be explained why a male employee received the payment, while a female employee doing equal work did not (*Barton v Investec Henderson Crosthwaite Securities Ltd*, 2003 ICR 1205, EAT).

- 3.9 It should also be noted that even where the employer's decision on pay is transparent, a market forces defence may not succeed where the 'going rate' for the applicable job[s] is tainted by sex discrimination due to social and / or economic factors impacting adversely on women (*North Yorkshire County Council v Ratcliffe and ors* 1995 ICR 833; *Newcastle upon Tyne Hospitals NHS Foundation Trust v Armstrong and ors* 2010 ICR 674, EAT).
- 3.10 In conducting equal pay audits, organisations should include the payment of market supplements.
- 3.11 Later sections give examples of hypothetical equal pay challenges and how to avoid them.
- 4. Equality impact assessment and monitoring**
- 4.1 An equality impact assessment should be undertaken by the organisation in respect of its proposed policy on market supplements. An existing policy should be impact assessed where significant changes are proposed or have been made since its inception, or where the policy has not been impact assessed previously.
- 4.2 The organisation should monitor the overall application of the policy to ensure that it is being applied in a consistent and non-discriminatory way. Monitoring should be undertaken by gender and protected characteristics for which the organisation holds the requisite data. It should include analysis (by service / department / job role) of the number of applications received, rejected and approved; amounts paid; and the outcomes of reviews. It is recommended that equality monitoring reports on market supplements (see below) are shared with the union[s].
- 4.3 The next section outlines the checks that should be made by management in order to determine whether the circumstances warrant the payment of a market supplement.
- 5. Checks to ascertain whether payment of a market supplement is warranted for a specific post or groups of posts / specialism**
- 5.1 The following checks should be carried out sequentially.
- 5.2 Firstly, organisations should check that the posts have been properly evaluated to reflect current job demands:
- Has good practice and NJC guidance been applied, including the NJC revised factor guidance (July 2013) and updated technical notes?
 - In the case of posts for which the NJC has produced job profiles, have evaluations been checked against the relevant NJC profiles?
 - Is there any other evidence (such as numerous grading appeals) which might indicate that posts have been incorrectly evaluated and graded?
 - Is there a case for re-evaluating the post[s]? Have there been any significant changes in the demands of the job[s] since the initial evaluation to the extent that a re-evaluation could lift the post into a higher grade?
- 5.3 If it is confirmed that the evaluation of the posts has been properly conducted, organisations should then investigate whether a factor (or factors) other than base pay is (are) the cause of the recruitment / retention difficulties in relation to these posts:
- If insufficient job applications have been received and / or applications are not of an acceptable standard, have other recruitment initiatives been tried and exhausted (for example, through different / targeted advertising)?
 - Do job descriptions and person specifications properly reflect the demands and requirements of the role?
 - Has the value of the total reward package and all employee benefits been promoted effectively to applicants / candidates?
 - Have opportunities for learning and development and career progression been highlighted in regard to these posts?
 - Could changes to working arrangements make the post[s] more attractive (such as flexible working options)?

- Could new career pathways or training relieve shortages in respect of specific occupational groups?
 - In regard to staff turnover, is there evidence from staff surveys, exit interviews or union representatives that unresolved and / or recurring workplace dissatisfaction could be significant contributory factors which need to be addressed?
- 5.4 If measures to address 'non-pay' factors (such as those listed above) have not succeeded or cannot be implemented for valid reasons, or if alternative measures are not practicable because the need to fill posts or retain staff is urgent and essential to maintain service delivery and standards, the final check is as follows:
- Is there clear evidence that competitor employers' pay is the main driver in attracting staff away from your organisation and / or deterring potential recruits?
- 5.5 In summary, where there is a real business need to recruit / retain staff in 'hard to fill' posts, if the problem cannot be resolved through the organisation's job evaluation / grading processes in the first instance; if it can be shown that 'non-pay' measures will not resolve the problem; and there is evidence that uncompetitive pay must be addressed to resolve it, it would be appropriate to make an application for approval to pay a market supplement.
- 5.6 As a result of carrying out these checks, most of the evidence required to meet the qualifying criteria for approval of a payment should have already been gathered. The qualifying criteria are discussed in the next section.
- 5.7 Each organisation will need to decide whose responsibility it is to gather evidence and submit applications and which managers (and at what level) are to be involved in approving applications and authorising payment. Typically, line managers are responsible for identifying the specific post[s] for which a market supplement is sought, making the comparison and gathering supporting evidence. Line managers are advised to seek assistance from HR, particularly on identifying the comparator market and obtaining relevant market data on comparator posts (see below). The organisation's policy must set out the process for approval, specifying the responsibilities of the officers involved (including HR) and the level of seniority required for making the final decision on authorising payments.

6. Qualifying criteria for the payment of market supplements

- 6.1 All applications for market rate supplements must demonstrate a clear rationale for their payment, supported by evidence.
- 6.2 The post or group of posts in question must be identified (post number[s]; title; grade / band) along with the number of post-holders (including current vacancies).
- 6.3 Recommended criteria for the approval of an application are as follows:
- i. Evidence of pay-related recruitment and / or retention difficulties (such as turnover rates in the specific posts or job group; responses to job advertisements or other recruitment initiatives; qualitative assessment of job applicants; details of other measures taken to boost recruitment and / or improve retention and the outcome).
 - ii. An explanation (with evidence) of the impact on service provision and delivery which would result from failure to recruit / retain the number, level and calibre of staff required.
 - iii. Clear evidence that the organisation's rates of pay for the defined post or group of posts falls below the required level in relation to the comparator market. (The 'required level' would need to be determined by the organisation at the time, taking account of relevant market data and the needs of the service.)

All three criteria should be met.

7. Identifying the comparator market and relevant market data

- 7.1 The comparator market will depend on the type and level of the specific posts or group of posts for which an application for a market supplement is to be made.

- 7.2 Account should be taken of:
- The employment sector – local authority (unitary / district / county); wider public sector; not-for-profit; private sector;
 - The geographic labour market – transnational, national, regional or local; (Where are recruits expected to come from and where are competitor employers located?)
 - The organisations considered to be the main competitors for the post[s] in question;
 - The size and resources of the organisation (number of staff employed; budget size; functions; population / client base served);
 - Other labour market factors such as high employment rates.
- 7.3 Great care needs to be taken in identifying (market) comparator posts. The wrong selection of comparators would defeat the purpose of the exercise – the organisation is unlikely to succeed in recruiting ‘the right person / people at the right price’. The cost implications of getting it wrong are significant because when a market supplement is introduced for a particular post, it will be paid not only to the new recruit[s] but to all existing staff in that post. It is also important to avoid potential equal pay challenges (see below) and to maintain a pay system which is transparent and fair.
- 7.4 In identifying comparator posts from market data, the posts should be the same, in terms of duties and responsibilities, or broadly similar in terms of the required knowledge, skills and responsibilities. Drawing on current examples of local authority practice, supporting evidence would include at least three or four examples of comparable jobs (in terms of the main duties, responsibilities, terms and conditions and total reward package). Some authorities require job descriptions and person specifications for comparable roles to be provided. (Job descriptions should never be relied upon on their own.)
- 7.5 The organisation could be exposed to equal pay challenges where, for example, the claimant (doing a job not attracting a market supplement) could show that the payment of market supplement paid to her comparator[s] was based on a mismatch with market data. In this scenario, the claimant would argue that the jobs identified from market survey data were not the same or comparable (in terms of job demands) with the internal post[s] (rated as equivalent to her post) for which the organisation sought recruits and pays a market supplement. If the job demands of the external posts used for the market comparison were found to be significantly less than those of her post the market forces defence would be undermined.
- 7.6 Equal pay issues could arise where starting salaries are at the discretion of managers and markets supplement are then also paid. Typically, new starters are placed on the bottom point of the appropriate grade for their (evaluated) post. Where managers have discretion to put new starters on a higher spinal column point (because, for example, in a hard-to-fill post, an incoming employee was on a higher salary with the previous employer), the subsequent application of a market supplement to all post-holders doing the same job in this grade could (on the face of it) give a ‘two-times advantage’ to the employee whose higher starting rate already reflected (to an extent) tight occupational labour market conditions. This could give rise to an equal pay challenge.
- 7.7 To defend such a claim the employer would need to show that the payment of the market supplement to a comparator already on that higher spinal column point was justified. The employer will therefore need to be able to show that the comparator’s rate of pay with the supplement was still in line with the ‘tight’ market conditions for that role. In some cases it may therefore be appropriate to pay a lower market supplement to those on a higher spinal point.
- 7.8 On pay, if the comparison includes elements of the reward package other than basic pay, this should be clearly identified. It is important that there is not a mismatch in comparing pay data.
- 7.9 The next section discusses sources of market pay data and issues to be considered when using salary surveys.

8. Sources of market pay data

- 8.1 In deciding which salary survey or pay benchmarking data to use, the following questions serve as a useful guide (adapted from the CIPD *Using Pay Surveys Checklist*, 2011):
- Who are the publishers of the survey? How, when and why do they produce the figures? (Is the sample size large enough; is it stable over time; are the figures up-to-date; have some companies inflated their pay data to keep it up to date; is the survey analysis objective?)
 - Are your competitor employers represented in the survey[s]? How can you be sure that you are matching like-for-like in terms of organisations? (While survey responses are usually anonymised, some include a list of participants.) Is the regional, national or occupational labour market most important in relation to the posts or specialisms in question? (This will vary depending on the job. Many current shortages are in professional and technical practitioner roles for which there is an occupational labour market.)
 - What if the job in question is unique? (Logically, there will not be a 'going rate' for a job which is unique to your organisation so direct matching is not possible. Based on the job demands, you could look for a job of equivalent worth to use as a reference point.)
 - What elements of earnings are covered by the figures? (Salary surveys vary in the data they provide – from basic pay only to total salary and sometimes wider benefit packages.)
 - How many surveys are needed? (It depends on the survey used, what it covers, and the range of jobs for which data is needed)
 - What is the cost of the survey[s]? (Some survey results are only available to subscribers.)
- 8.2 Traditionally, for pay benchmarking, local authorities have used data from sources such as local / national advertisements, neighbouring authorities, regional local government employer networks, HR or profession-specific networks, consultants' pay databases and salary surveys and pay settlement data.
- 8.3 When researching 'going rates' of pay, the golden rule for using salary survey or pay benchmarking data is to compare like with like. Importantly, this includes checking the data definitions used in surveys to ensure that 'apples' are being compared with 'apples'.
- 8.4 For sharing and comparing public sector pay data, Epaycheck, a national online pay benchmarking service has been developed by a consortium of Regional Employers' Organisations which now includes the LGA. At the time of writing, it is on offer to local authorities and joint boards, with plans to make it available to other public sector organisations in the near future. Currently, it holds details for over 12,500 jobs, covering almost 50 job families, across 200 councils. Epaycheck enables subscribers to produce detailed data reports across organisation types, geographical areas, key services and job responsibilities. One of its cited advantages is it allows the user to provide a sound basis for setting market supplements.
- 8.5 The Epaycheck system contains a separate job template for every 'workforce' (Green Book) job for which pay data can be submitted. Jobs are categorised by job family and by levels (0 to III) within their family. (Levels reflect the level of seniority of a post determined by knowledge, responsibility and accountability.) Each job template shows the generic responsibilities commonly found within a local authority at that level within that job family. The system requires the user to define the closeness of their local role against the generic job template, using codes for match indicators (M, M- or M+). A match ('M') indicates a full match to the responsibilities, accountabilities and competencies required for the authority's job against the job template in Epaycheck. A variation of 5% either way is still classed as a match.³ The inclusion of bespoke duties for individual jobs does not preclude matches as matching is based on what are considered to be the main generic responsibilities of the role. In identifying matches, bespoke duties should be scrutinised to check that the job demands of these duties are accounted for in the main generic responsibilities and the ascribed level. (If not, this could prejudice the matching process were the variation to exceed 5%.)

³ The Epaycheck variation serves as an indicator of the extent of the match between compared roles. In matched pairs where the variation is up to 5%, there may be some difference in salary, because the jobs are not a full match. Variations in excess of 5% would indicate the jobs are not a match.

8.6 Market pay data should be shared with trade unions.

9. Amount of a market supplement

9.1 After the appropriate comparator post[s] has (have) been identified, along with the relevant market data on pay, the next step is to determine the amount of the market supplement.

9.2 The starting point is to assess the extent of the difference between the comparator market range and the equivalent grade range for the post[s] within the organisation. If the basis for the assessment is the difference in basic pay, account should be taken of any additional allowances that apply to the organisation's and competitor employer[s] posts.

9.3 Setting the amount of a market supplement involves making an assessment of:

- The level which is considered necessary to ensure that the overall remuneration for the post[s] is sufficient to enable the recruitment / retention of staff (and no higher). Within the framework of its pay policy, where the organisation wants to position itself in relation to the comparator market. This could vary according to the type or level of post[s] concerned and the specific recruitment / retention difficulties experienced. (Because these decisions determine the extent
- of the pay difference between posts in receipt of a supplement and non-recipient posts, it is important that the rationale for them is transparent and evidenced.)

10. Duration of the market supplement and review arrangements

10.1 Market supplements should be time-limited and subject to review to ensure that at all times it can be shown that the market forces relied on remain the reason for any pay differential. Typically, public sector organisations stipulate a standard period for their payment, subject to review.

10.2 Market conditions fluctuate and supplements are intended to provide a solution to a temporary problem. Time limits and reviews ensure that payments do not continue being made in circumstances where they are not achieving their purpose or they are no longer necessary because other (non-pay) measures have resolved the problem, or labour market conditions have changed so that vacancies are no longer hard to fill.

10.3 Time limiting the payment of supplements also guards against potential equal pay challenges. 'Market forces' would not provide a material factor defence where there was no continuing staff shortage in the post / specialism concerned; nor, in these circumstances, could the payment be objectively justified.

10.4 Typically, in local government, the standard period for the payment of a market supplement is up to two years, subject to review after 12 months. The supplement expires unless it is extended following a review. A review may result in the payment being increased, reduced, or removed. (Contractual issues are covered in the next section).

10.5 A review should also take place if a post in receipt of a market supplement is re-graded (following an evaluation) to assess whether there remains a need to pay a supplement, or vary the amount. When a post is upgraded, the market supplement should be reviewed.

10.6 Organisations will need to decide the approach to be taken when a post-holder in receipt of a market supplement leaves. A review could be automatically triggered or it might depend on how much time has elapsed since the approval of the application for payment or last review, or if the number of leavers is significant. Employees' contractual terms and conditions must be taken into account (see below) when payments are to be varied or withdrawn. Also, the employment relations implications should be considered, for example, in the situation where the supplement is no longer paid to new starters who are working alongside employees still in receipt of the payment but subject to its expiry in accordance with the contract.

11. Paying market supplements – contracts of employment

- 11.1 The organisation's policy on market supplements should apply to all employees whether employed on a permanent, temporary or fixed-term basis.
- 11.2 A market supplement is a post-related payment, not a payment relating to the performance or merit of an individual employee.
- 11.3 Where a market supplement is introduced for a specific post or group of posts, all existing employees in that post (or those posts) will be entitled to receive it. A payment could be made to an individual in a post but only in rare and exceptional cases. There would have to be a clear and non-discriminatory rationale for distinguishing this post from the others undertaking a similar role, as there is a risk of 'like work' equal pay claims.
- 11.4 When the payment of a market supplement has been approved, all employees entitled to receive it must be notified in writing of its approval and the conditions attaching to its payment.
- 11.5 When advertising and recruiting to any post[s] for which a market supplement is paid, the supplement should be identified as a separate amount which is time-limited and subject to review.
- 11.6 Market supplements should not be subject to pay protection. If posts (or a post) in receipt of a market supplement are (is) downgraded, this should normally trigger a review of the supplement to ensure that its payment remains justified. Otherwise, continued payment could be vulnerable to challenge on equal pay grounds.
- 11.7 Where, as a result of a review, a market supplement is to be reduced or withdrawn from existing employees, new employees will not be eligible for payment. Existing employees should receive contractual notice of any change to the supplement payable.
- 11.8 Where a post-holder in receipt of a market supplement payment is promoted (or changes jobs) to a post not in receipt of a supplement, or moves voluntarily to a post with a lower or no supplement, the payment should cease (or reduce) with effect from the date the appointment is made. Where the change in post is a result of re-deployment at the instigation of the employer, contractual notice of the withdrawal (or reduction) of the payment should be given as it should for any other changes to the contract.
- 11.9 Some organisations allow individual employees to appeal against the reduction or withdrawal of market supplement payments. If there is no specific right of appeal, an individual employee has recourse to the grievance procedure. However, as issues relating to payment (or changes in the payment) of market supplements will normally affect a group (or groups) of employees, they are probably best dealt with (if not resolved informally) within the organisation's collective grievance or disputes procedure.
- 11.10 Typically, because market supplement payments are paid as a fixed amount in addition to the substantive salary for the post, they are not increased in line with annual pay awards / cost of living increases and / or incremental progression.
- 11.11 Market supplements should be paid as a clearly identifiable and separate supplement to basic pay. Where the recipient post-holder[s] is [are] part-time workers, the supplement should be paid at the pro rata rate.
- 11.12 Market supplements are commonly paid on a monthly basis. Some organisations make a cash lump sum payment (for example in two instalments, in the first and second year of employment).
- 11.13 Market supplement payments are subject to any relevant statutory deductions, such as tax and national insurance and pension contributions (if applicable).
- 11.14 Practice varies as to whether supplements are treated as part of gross pay and thereby included in calculations for sick pay, maternity / parental leave, overtime, holiday pay, and redundancy pay (for

example); or whether, as supplements are not consolidated into the post-holder's salary, they are not be used in calculating payments such as contractual sick pay. As well as considering the terms of the contract though employers will where relevant need to check the statutory rules, for example on statutory maternity pay (SMP) and statutory redundancy pay, to determine whether the supplement must be factored into those payments.

- 11.15 Practice also varies in relation to reviewing / withdrawing payment in cases of long-term sickness absence. A condition attached to the payment of a market supplement in some organisations is that the employee remains in post for a specified period (for example, one year for which the payment is made); and that if the employee decides to leave within that period, repayment of all or some of the supplement may be required.

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<http://www.equalityhumanrights.com/private-and-public-sector-guidance/employing-people/equal-pay/checklists-equal-pay-in-practice/9-market-forces-and-pay> (Last updated 06 July 2009).

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APPENDIX 1**APPLICATION FOR APPROVAL FOR PAYMENT OF A MARKET SUPPLEMENT**

This form is to be completed by the line manager, signed by the [insert relevant senior service / departmental / corporate manager] and forwarded to [insert job title] for final authorisation.

It is recommended that the application form sets out briefly the formal procedure for approving applications in the organisation.

1. POST DETAILS

Post title	
New / existing post	
Post group number	
Number of staff in this post (include and identify any vacant posts)	
Directorate	
Department	
Grade / pay band / job family level	
Salary	
Total amount of market supplement requested	
Period for which the payment of a market supplement is sought (months / years)	
Is this an application for approval of a new market supplement or continuation of an existing one?	

2. JUSTIFICATION FOR PAYMENT

This section asks for evidence in support of the request for payment of a market supplement. (All boxes must be completed).

(1.) Describe the job or group of jobs for which payment of a market supplement is requested: Give a brief outline of responsibilities. (Attach the job description, person specification and organisation chart)
(2.) Please confirm that the evaluation of the post[s] has been checked recently to ensure it is up to date and correct.
Confirmed (please tick): (NB: This check must be carried out prior to making an application for approval of payment of a market supplement.)
(3.) What evidence is there of pay-related recruitment and / or retention difficulties? <ul style="list-style-type: none"> a) Number of times the post has been advertised (including dates of adverts) b) Number of responses to job advertisements c) Assessment of the quantity of responses (e.g. inadequate, satisfactory) d) Assessment of the quality of responses (e.g. below required standard, satisfactory) e) Turnover statistics for the post[s] f) Supporting data from exit interviews, staff surveys or other feedback g) Articles in professional bodies' journals / websites, press etc re skill shortages and / or evidence from national surveys (LGA surveys, for example)

<p>(4.) What evidence is there that pay (and not some other factor) is causing the recruitment / retention problems being experienced?</p>
<p>(5.) What other recruitment / retention initiatives have been tried / exhausted? (eg. changes in methods / types of advertising; changes to information for potential job applicants)</p>
<p>(6.) Have alternatives to paying a market supplement been considered, ie. measures to resolve 'non-pay' issues underlying the recruitment / retention difficulties? If so, please specify. For example:</p> <ul style="list-style-type: none"> • Is there a regional / national shortage for which new / alternative training schemes would be a more appropriate solution? • Are there issues within the occupational group, service or team that could be more appropriately resolved by management action? • What other measures have been explored? (eg. appropriate changes to the job role or responsibilities; changes to working arrangements; flexible working options)
<p>(7.) Is filling the post[s] essential to maintaining adequate staffing levels to ensure service delivery requirements are met? (Include any legal implications and how long the post[s] have been vacant)</p>
<p>(8.) Has the impact of making the payment on other staff in the team / service been considered and how do you intend to deal with this?</p>
<p>(9.) Labour market data: the 'going rate' for the job:</p> <p>a) What appears to be the 'going rate'?</p> <p>b) Is this the 'going rate' for the job in the locality / region / national or occupational labour market?</p> <p>c) What sources have been used to obtain this data? (eg. recent media advertisements, survey data, pay databases, other local authorities / schools, regional employer networks - please specify)</p>
<p>a) [INSERT £ per annum]</p> <p>b)</p> <p>c)</p>

(10.) Comparable posts

‘Comparable posts’ are those which are comparable to the post[s] for which a market supplement (or a continuation) is sought, assessed on the basis of the criteria below.

Please provide the following information for comparable posts in **three** organisations.

Post 1:

(This example includes the questions for post 1 only. They will be the same for posts 2 and 3.)

Job title		
Salary range		
Other benefits		
Authority / organisation		
a) Key requirements in the job description and person specification? b) How do they compare with the internal post[s]?		
How does the (‘comparable’) post compare in terms of job size, type of organisation, scope and responsibilities? (eg. re local population, number of people directly supervised, number employed in service area, size of budget etc.)		
Any other factors to consider?		
What is the source of the above information? Please specify and attach copies of: <ul style="list-style-type: none"> • the job description • person specification • organisation chart (if possible) • job advertisements • salary survey data, • other supporting evidence 		

3. PAYMENT AMOUNT AND TYPE

Total amount of payment recommended (per annum)	£
Basis (or rationale) for the calculation of the payment	

If approved, how will the market supplement be paid?

Instalment amount (if applicable)	£
Frequency – monthly, quarterly, other	

4. SOURCE OF FUNDING (please specify)

(E.g. the organisation may require payment of supplements to be met from the applying manager's service budget)

--

5. ANY OTHER COMMENTS

Include any additional information in support of this application not mentioned elsewhere.

--

6. SIGNATURE OF MANAGER MAKING THE APPLICATION

Signature	
Your job title	
Department / directorate	
Date	

7. SENIOR MANAGERS' / HR SIGNATURE / FINAL APPROVAL

Those involved in counter-signing, approving applications and authorising payment will be specific to your organisation. The following basic wording is suggested:

'I agree that the payment of a market supplement is appropriate in this instance; that all the necessary checks have been carried out in accordance with [insert the name of the organisation] policies and procedures; and that all other avenues have been explored appropriately.'

8. APPROVAL BY SENIOR / CORPORATE MANAGEMENT TEAM

The body / officer authorised to approve applications will vary depending on the type of organisation. The box below uses the example of a senior or corporate management team.

Date of SMT / CMT	
Agreed	Yes / No
If 'no' – reason	
Details of any amendment and reason[s]	
Signed [Insert job title of the person authorised to sign on behalf of the SMT / CMT]	

9. ADMINISTRATION

Date manager informed of decision	
Effective date of payments / start of payment	
HR service / department informed	[Insert date[s]]
Names of staff to be paid the supplement and date they are informed of the decision in writing (with contractual conditions)	[Attach details]
Review date	

LOCAL GOVERNMENT SERVICES JOB EVALUATION SCHEME:

NJC TECHNICAL NOTE NO 16: USING ROLE PROFILES TO IMPLEMENT JOB EVALUATION

1. Introduction

This Technical Note describes how national role profiles can be used in the process of job evaluation. Profiles are an accepted tool of job evaluation used to measure jobs. Used properly, profiles can speed up the process of job evaluation because they do not require the completion of detailed questionnaires, which can often be a lengthy process. Many organisations have developed benchmark profiles for a representative sample of roles against which commonly occurring jobs or emerging jobs are matched. Additionally, the NJC JETWG has developed national profiles covering , public health staff, school support staff, social work staff and craftworkers A full list is attached as **Appendix 1**.

Jobs can vary widely across authorities, so not every job with the same job title will match to the same profile. Individual authorities may also have different conventions to reflect local considerations and this can lead to variations in scores between organisations for what appear to be the same job. This is a consequence of local pay and grading structures.

2. What are Role Profiles?

2.1 Profiles are summaries of typical roles, including:

- Descriptors of demands under the relevant NJC Job Evaluation Scheme Factors, including knowledge, skills and responsibilities and
- Indicative evaluations of these demands, which may include ranges to enable more jobs to be matched

2.2 Profiles are not:

- Job descriptions or intended to replace job descriptions. Job descriptions should not follow the national role profile format nor should they be exclusively competency-based as this is not helpful for matching purposes. Their format and content are matters for individual organisations to decide in partnership with the recognised unions.
- Statements of what ought to be done, but statements of what is done
- Instructions on how to organise staff
- Translations of scores into grade boundaries or pay rates

2.3 Profiles are developed:

- to facilitate the implementation of job evaluation
- as a tool for evaluating similar jobs as part of a matching process. See Appendix 3.

3. National Role Profiles

3.1 The status of the national profiles is advisory rather than prescriptive. They have been developed to help NJC scheme and other job evaluation scheme users to achieve consistency, transparency and fairness in:

- benchmarking those jobs which have not yet been evaluated
- developing career structures where these do not exist or are being developed
- acting as a check on evaluations already conducted

3.2 Social Work profiles are published in NJC, GLPC and Hay JE formats. Public Health Profiles are published in the NJC and GLPC JES format, while Craft and School Support Staff Profiles are published in the NJC JES format.

- 3.3 In the Craft, Social Work and Public Health Profiles, there are statements of demand under each of the factors and an extract from the factor level definition of the scheme used.
- 4. Development of Role Profiles**
- 4.1 Whether they are profiles drawn up by individual organisations or national profiles, the profiles are developed through job information garnered from a variety of sources, including job evaluation questionnaires, job descriptions, and person specifications. Where the NJC JES is used, for example, a joint evaluation panel of management and trade union representatives, working in partnership, will consider all of the information under the different factor headings of the 13-factor NJC job evaluation scheme and draw up a profile accordingly. In some cases, the text of the scheme factor is included as additional data against which to measure jobs.
- 4.2 The development of job profiles and job matching should not be carried out by those who have not had training in equalities, the use of the job evaluation scheme and the matching of job information to profiles.
- 5. Matching Jobs to Role Profiles**
- 5.1 Prior to matching to job profiles, up to date job descriptions and person specifications should be agreed between the job holder/s and the line manager. This is good HR practice and is essential in matching accurately job information. It may be necessary to draw up an effort and environment proforma to enable information that is not normally contained in a job description or person specification, to be captured.⁴ A sample proforma is attached as **Appendix 2**. (Note: this will not be needed if the organisation is using web-based Gauge.) It may also be necessary to gather more information on responsibilities, skills and knowledge than is contained in the job description and person specification; for example, a job description may describe budgetary responsibilities, but not the scale of these.
- 5.2 Like job evaluation, job matching involves people making judgements. It is therefore important to have rules and mechanisms in place locally that ensure these judgements are informed, structured and consistent. **Appendix 3** is a guide to aligning job descriptions, person specifications, organisational charts and other relevant documentation to profiles.
- 5.3 It is critical that panels have up to date and accurate information in order to carry out this process effectively. It is imperative to have an audit trail of how and why jobs have been matched to profiles. It is important to record why a job matches to a profile and use of a matching form to explain the rationale is recommended. A sample form is attached as **Appendix 4**, but panels may decide to draw up their own matching form, possibly by copying the chosen NJC profile and customising this into a checklist. Matching forms should have a reason for each factor assessment and also set out any other information that has been considered, not included in the profile.
- 5.4 It is not essential to have a complete matching of job factor levels to all profile factor levels. A small number of variations is acceptable (see step 4 tips, **Appendix 3**). The matching rules will need to be agreed locally. If a job does not match to a profile, it will require a separate evaluation.
- 5.5 The full set of national profiles may not necessarily be used, as according to the structure of the organisation, not all may be appropriate.
- 6. Web-Based Gauge**
- 6.1 For those organisations wishing to use the web Gauge software supplied by Pilat (now owned by Magic Software: <https://www.magicsoftware.com/group-offering>) to evaluate NJC profiles, the profiles will be loaded to an individual organisation's web-Gauge site.

⁴ The fact that the pro-forma includes some factors but not others should not be interpreted as meaning that those included are more significant – the proforma is intended purely to assist in gathering information about jobs.

- 6.2** Pilat recommends that the profile is downloaded and, as a desk exercise, the local job is re-evaluated using the profile as guidance. There is then an opportunity to slightly alter the question path depending on local circumstance and local conventions. A note can then be added to the evaluated job to justify any changes made.
- 6.3** Pilat has added the School Support Staff Profiles to the web-based Gauge software so that evaluations can be added directly (without using the question and answer process) using the profiles as templates for an evaluation. For each factor, different levels can be chosen and these levels will then be reflected in the Job Overview.
- 6.4** Should organisations wish to have all the national profiles added (on a similar basis to the School Support Staff Profiles), Pilat would be willing to discuss these additions on a one to one basis.
- 6.5** Please contact Denis Crowe at Pilat if you would like to discuss this option (dcrowe@pilat.com).

Appendix 1**LIST OF NATIONAL PROFILES****Commissioning**

- Commissioning Support Assistant
- Commissioning Support Officer
- Commissioning Officer
- Senior Commissioning Officer
- Commissioning Manager

Craft Workers⁵**Newly Qualified, Experienced and Chargehand Families**

- Electrician
- Glazier
- Joiner/Carpenter
- Labourer
- Labourer/Driver
- Mechanical/Vehicle Fitter
- Painter Decorator
- Paviour
- Plasterer
- Plumber
- Plumber Heating Engineer
- Roofer
- Bricklayer
- Team Leader

Family Support Worker

- Family Support Worker Entry Level
- Family Support Worker
- Family Support Worker Higher Level
- Family Support Worker Team Leader

Home Care Worker

- Home Care Worker Entry Level
- Home Care Worker
- Home Care Worker Team Leader

Public Health

- Commissioning Manager
- Communications Manager
- Director of Public Health
- Health Improvement Practitioner Advanced

⁵ NB: The Craftworker profiles were issued by the LGA as their use is not endorsed by UNITE (nor UCATT).

- Health Improvement Practitioner Specialist
- Health Improvement Principal
- Information Analyst
- Information Analyst Advanced
- Information Analysis Principal
- Information Analysis Specialist
- Information Technician
- Public Health Consultant
- Public Health Researcher
- Public Health Research and Development Manager

Residential Care Worker

- Residential Social Care Officer
- Residential Social Care Officer Higher Level

School Support Staff

Administrative and Management Job Family

- Administration 1-4
- Business Management 1-3
- Examination 1-2
- Examination Invigilation
- Finance 1-4

Facilities Job Family

- Catering 1-5
- Premises 1-6

Pupil Support and Welfare Job Family

- Behaviour Management
- Learning mentor 1-3
- Midday Supervision 1-3
- Pupil Wellbeing Management
- School Attendance and Family Support 1-2

Specialist and Technical Job Family

- ICT Support 1-3
- Library/Resource Centre 1-3
- Technician 1-4

Teaching and Learning Support Job Family

- Teaching Assistant 1-5
- Additional Needs Support Assistant 1-3
- Cover Supervision
- Early Years 1-5

Social Work

Generic

- Assistant Team Manager
- Senior Social Worker 1
- Senior Social Worker 2
- Social Work Assistant/Support Worker
- Social Work Assistant/Support Worker Higher Level
- Social Worker
- Social Worker Advanced/Consultant
- Social Worker Newly Qualified
- Team Manager

Specialist

- Social Worker, Adults
- Social Worker, Approved Mental Health Professional
- Social Worker, Child and Adolescent Mental Health Service
- Social Worker, Child Protection/Safeguarding
- Social Worker, Duty/Intake
- Social Worker, Family Placement
- Social Worker, Independent Reviewing officer
- Social Worker, Trainee
- Social Worker, Youth Offending Team/Service
- Principal Social Worker

1. PHYSICAL DEMANDS

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.

Does your job require any of the following?

Job requirements	Yes/ No	Please give typical example(s) and, if relevant, state the weights involved or if unknown, what is done and what is involved?	Average number of times per day?	Age number of days per week?	On each occasion, how long?
1.1 Pushing, pulling objects?					
1.2 Bending, kneeling, crouching, stretching i.e. working in awkward positions?					
1.3 Working in a fixed, constrained or tensed position, including repetitive movements?					
1.4 Standing/Walking for substantial periods of time?					
1.5 Lifting and carrying objects?					

1. PHYSICAL DEMANDS (continued)

Job requirements	Yes/ No	Please give an example(s)	Average number of times per day	Average number of days per week	On each occasion, how long?
1.6 Controlled restraint? i.e., jobs requiring training/ certification in this					
1.7 Tasks that require physical effort such as digging, building maintenance or laying paving stones and/or short bursts of					
1.8 Lifting weights/equipment with mechanical aids?					
1.9 Clearing tables?					
1.10 Manoeuvring/ manipulating objects/ people?					
1.11 Lifting weights/ equipment without mechanical aids?					
1.12 Scrubbing tables or floor?					
1.13 Running?					

1.14 Other, please specify					
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2. MENTAL DEMANDS

<p>This factor measures the degree and frequency of the mental concentration, alertness and attention required by the job. It takes into account features that may make concentration more difficult. For example, repetitive work, interruptions of the need to switch between varied tasks or activities and other forms of work related press, for instance arising from conflicting work demands. It also takes into account the responsiveness required of the jobholder.</p>			
2.1 Concentration			
Describe the duties that you undertake that require concentration. List the most important first	How many times per day	How many days per week	How long for each occurrence
2.2 Interruptions			
<p>If you are interrupted in the course of your work, describe the nature of the interruption and say whether you have to stop what you are doing to respond to the interruption, how long the interruption last for and whether you have to re--prioritise your work as a result of it.</p>			

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3. EMOTIONAL DEMANDS.

This factor measure the nature and frequency of the emotional demands on the jobholder arising from contacts or work with other people. It takes into account the situation in which the contacts or work with other people occur. For example, whether they are angry or 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.

Example	Yes/ No	No of occasions per day/week/ month/year	How long for each occurrence e.g. 10 minutes	Please describe the nature of the involvement
3.1 Providing a service for distressed/angry people				
3.2 Giving unwelcome news to people				
3.3 Dealing with difficult situations/circumstances/behaviour				
3.4 Caring for people				

Example	Yes/ No	No of occasions per day/week/ month/year	How long for each occurrence e.g. 10 minutes	Please describe the nature of the involvement
3.5 Dealing with people presenting with significant emotional demands e.g. those arising from dealing with those who are frail or have physical or mental impairments or are serious disadvantaged through homelessness or in financial crises				
3.6 Dealing with people presenting with intense emotional demands e.g. those arising from dealing with terminally ill clients, cases of child abuse or where the necessary actions of the jobholder may cause genuine 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).				
3.7 Other, please specify				

4. WORKING CONDITIONS

<p>This 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. The factor measures those aspects of the working environment that are unavoidable and integral to the job.</p>					
Does the job expose the jobholder to any of the following?	Yes/ No	Please describe the requirement	Are there ways the exposure can be controlled and, if so, how?	Frequency per day/week/month/year on average	How long is the exposure e.g. 10 minutes
4.1 Outdoor working					
4.2 Aggressive verbal/physical behaviour					
4.3 Unpleasant working conditions other than 'normal office' conditions where temperature , light, dirt, odour, noise or safety conform with health and safety standards					
4.4 Very unpleasant working conditions where temperature, light, dirt, odour, noise and hazards are significantly worse than 'normal office conditions' and the jobholder has no control over these, but has to work in these, for example, working in excessive heat or cold, in freezing conditions, working with pneumatic drills, working on scaffolding, working in unhygienic conditions, with clinical waste or with uncontained chemicals					
4.5 Other, please specify					

MATCHING GUIDE

Appendix 3

The following 5-step process is recommended for aligning jobs to an NJC or other scheme model profile

Steps	Action
1	<p>Identify the appropriate job family into which the role falls</p> <p>Identify the job titles that are most likely to align with the job – for example Classroom and Teaching Assistants would identify the five Teaching Assistant profiles; an electrician, the set of electrician profiles</p>
2	<p>Read the job description and selected role profiles pages first to identify not more than two realistic options, so for example if the job does not require supervisory responsibility eliminate those profiles which have this responsibility.</p> <p>Select one profile to start aligning the job. It does not matter which, as the other can be used later if the first turns out not to be the best match.</p>
3	<p>Based on the job content, identify whether there is an indicative match based on the purpose and the key duties of the role as identified in the job statement set out in the role profile.</p> <p>Check off key duties against the job description: all should feature, although they could be described differently. If insufficient key duties align, try a second possible profile and repeat the process. Check off additional duties: tick those which apply to the job and add any others which apply but are not in the profile; in the case of the latter consider whether these defeat the match</p> <p>Step 3 Tips</p> <ul style="list-style-type: none"> • <i>The first stage of matching should be made based on job content (i.e. the duties of the role) as outlined above, followed by the second stage using a factor-by-factor review at Step 4. It is important that these are treated as two separate processes. Both processes must be undertaken.</i> • <i>Check that all of the key duties in the model role profile are substantially the same as those of the job that is being considered</i> • <i>Matching should be based on the substance of the job, not on a line-by-line basis. Tick through each of the duties listed. Some job descriptions might have many more duties than are shown in the model role profiles because these are genericised as a single duty in the model role profiles. Conversely duties listed in the model role profiles might not be explicit in the job descriptions because they are assumed rather than stated. This does not mean that the job does not match to the profile</i> • <i>It is important to consider differences in language used which might result in duties appearing to differ, when they are, in fact, the same</i>

4	<p>Factor matching</p> <ul style="list-style-type: none"> • Work through factor by factor • Tick the factor evaluation statements which apply to the job <p>The necessary information may not be on the job description or person specification e.g. working conditions and physical demands are rarely described in this documentation. If in doubt use the effort and environment proforma, Appendix 2. If in doubt panels should seek additional information from the jobholder/line manager by way of a short questionnaire or interview if necessary</p> <p>Where there is a range of factor levels, the matching panel should decide which level is correct.</p> <p>Step 4 Tips</p> <p><i>The job can still be considered a match to the profile:</i></p> <ul style="list-style-type: none"> • <i>if there are minor differences from the wording of the profile and/or</i> • <i>where there are minor differences in the role that do not impact on the scoring</i>
5	<p>Where scores do not align, either:</p> <ul style="list-style-type: none"> • repeat the process with another provisional matching to an alternative profile; or • evaluate the factor or factors using evidence from the job information

Job Title and Job Statement of Main Duties				
Job Profile and Job Statement of Main Duties				
Teaching Assistant 2: To work with teachers to support teaching and learning by working with individuals or small groups of pupils under the direction of teaching staff and may be responsible for some learning activities within the overall teaching plan.				
Factor	Profile Statement	Job Information	Profile Factor Level	Job Factor Level
1. Knowledge	Knowledge and procedures for a range of tasks	Supporting and leading learning activities. Requires knowledge and skills equivalent to NVQ level 2 in Supporting Teaching and Learning or have equivalent experience	2	
2. Mental Skills	Judgement or creative skills, some need to interpret information and solve straightforward problems	Resolves problems in relation to providing learning activities. May contribute to planning of activities for the session, day or week.	2	
3. Interpersonal & Communication Skills	Interpersonal caring skills to meet basic welfare needs of clients; advisory, guiding, negotiating or persuasive skills	Communicates with pupils to promote learning, including assessing the impact of the communication on recipients and adjusting approach as necessary. Exchanges information with staff, parents / carers.	3(a) and (d)	
4. Physical Skills	Dexterity, co-ordination or sensory skills; some demand for precision	Setting up and use of educational equipment and / or keyboard skills	2	
5. Initiative & Independence	Working from instructions, making minor decisions involving the use of initiative; problems referred to a supervisor/manager	Works under the direction of the teacher; makes decisions about own work supporting pupils; more complex decisions referred to senior staff.	2	
6. Physical Demands	Limited requirements for standing, walking, bending or stretching	Combination of standing, sitting or walking	1	
	Some ongoing physical effort	Requirement for standing for long periods and / or working in awkward positions, e.g. sitting on low chairs.	2a	

Factor	Profile Statement	Job Information	Profile Factor Level	Job Factor Level
7. Mental Demands	Medium periods of concentrated sensory attention; short periods of concentrated mental attention; some work-related pressure	Working with individuals or groups of pupils requiring mental and sensory concentration; work is regularly interrupted as part of the normal working pattern	2 (a) (c) (d)	
8. Emotional Demands	Occasional emotional demands	Occasionally exposed to emotionally demanding behaviours and situations as a result of attending to pupils' personal needs and assisting with behaviour management	2	
	Regular emotional demands	Demands arising from ongoing involvement with pupils with special educational needs	3a	
9. Responsibility for People Wellbeing	Some direct impact on the well-being of individuals or groups of people Implements planned learning activities as agreed with the teacher; works with individual or small groups of pupils.	Under guidance from the teacher provides feedback to pupils on attainment and progress.	2	
10. Responsibility for Supervision	Limited or no direct responsibility for other staff	May demonstrate own duties to new or less experienced staff.	1	
11. Responsibility for Financial Resources	Limited or no direct responsibility for financial resources	May handle small amounts of cash e.g. for school visits	1	
12. Responsibility for Physical and Information Resources	Handling and processing of manual or computerised information; careful use of expensive equipment	Records confidential pupil data for pupils with whom jobholder works; responsible for the careful and safe use of equipment such as play and standard ICT equipment;	2(a) (b)	
13. Working Conditions	Some exposure to disagreeable, unpleasant or hazardous working conditions	Some exposure to unpleasant conditions, including noise; outdoor working; verbal abuse	2	