

Collective Grievance and Disputes

This policy should be read alongside the 'Common Principles'

6.1. Aims & Status

The procedure has been jointly agreed between the Academy Trust and the Trade Unions representing its employees. The procedure is intended to achieve speedy settlement of disputes and avert industrial action. It is central to the operation of the procedure that the issue in dispute is one which the parties have the power to resolve.

6.2. Definition of a Dispute and Use of the Procedure

An industrial relations dispute is a dispute between the Academy Trust on the one hand and a group of its employees or between one group of the Academy Trust's employees and another group of its employees on the other.

The procedure will not be open to be used by individual employees or their representatives where the issue(s) raised fall within the ambit of any other procedure e.g. Individual Grievance Procedure, Disciplinary Procedure or Managing Organisational Change Policy and Procedure.

The preceding paragraph means that if a dispute arises from the suspension or dismissal of an employee, the disciplinary procedures will apply.

6.3. Procedure

Initial Stage

Any group of employees and/or their Trade Union representatives, who wish to raise an issue relating to their employment, should do so in the first instance with their Manager or a Senior Leader. The Manager or Senior Leader should arrange a meeting with the group and/or their Trade Union Representatives at the earliest opportunity in order to discuss their issues and to seek resolution where possible. If the issue cannot be resolved informally then it is open to either side to use the formal procedure.

The employees/Union must make clear in writing to the Headteacher (or Executive Headteacher if it relates either to a Headteacher or to an issue across two or more schools) that they are invoking the formal procedure and the Headteacher or Executive Headteacher must then make an initial response within five working days of this notification. An earlier response is preferable and should be made if possible.

Where the formal procedure is invoked, all issues which cannot be resolved at the Manager level will be referred through the subsequent stages unless there is agreement of both sides to deal with any particular issue differently.

All parties recognise that periodic changes to working and management arrangements are inevitable if the Academy Trust is to continue to provide high quality services meeting local needs in the face of changed circumstances. The intention is that every effort is to be made to abide by the stages of this procedure before implementing disputed changes.

In line with this principle, Managers will afford the Trade Unions the opportunity to consult their members on the progress in discussions with management and respect Unions' right to communicate in writing with their members who are affected by the dispute. The calling of special Branch meetings and other workplace meetings will be subject to the provisions of the Trade Union Recognition and Facilities Agreement.

In cases where the Headteacher is involved, or where the issue is across two or more schools, the Executive Headteacher will deal with this in the first instance. In cases where the Executive Headteacher is involved, the Chair of Trustees or another Trustee will deal with this in the first instance.

Stage One

If the issue cannot be resolved at Manager level, it is open to either side to invoke Stage 1 of the procedure.

To invoke Stage 1 of the procedure, either side must submit details of the issues in dispute in writing to the Headteacher (or Executive Headteacher if it relates either to a Headteacher or to an issue across two or more schools). If the grievance is regarding the Headteacher, the collective grievance should be sent to the Executive Headteacher. The Executive Headteacher will determine whether they should progress the matter or ask the Chair of the Local Governing Body to progress the or delegate another Governor to do so. If the grievance is regarding the Executive Headteacher, the collective grievance should be sent to the Chair of Trustees. The Chair will progress the matter or delegate another Trustee to do so.

The Headteacher will convene a meeting with the appropriate parties to discuss the issue within five working days of receipt of written details. This meeting will take place in accordance with the provisions for Formal Meetings as set out in the Common Principles, save that only five days' notice is required to be given of the meeting; all employees involved in the grievance may attend and will agree amongst themselves a small number to present their grievance.

If an agreement is reached at this meeting, written details should be provided to the parties and any involved Union(s).

If there is a failure to agree at this stage, either side may refer the issue to the next stage of the procedure by writing to the Chair of the Local Governing Body (for a

school specific issue) or the Chair of Trustees (for an issuing involving two or more schools).

Stage 2

This stage must be completed within 10 working days of the date the issue is referred from Stage 1.

The Governors / Trustees Panel will meet and discuss the issue with the parties.

If agreement is reached at the meeting then written details will be provided to the parties and any involved Union(s).

If there is a failure to agree at this stage, either side may refer the issue to the next stage of the procedure.

Stage 3

If there is a failure to agree at Stage 2, the Chair of Trustees (or their nominated representative) will liaise with the Union and the school on the next course of action.

Options available for consideration will include:

1. investigation of the circumstances/mediation by an agreed third party
2. inviting the Union full time officer (regional official) to discuss the matter
3. a meeting with the Executive Headteacher and a separate Panel of Governors / Trustees
4. conciliation by ACAS

A combination of approaches may be considered appropriate in some circumstances.

The Chair of Trustees or their nominated representative will determine and make arrangements for the next stage of consideration within ten working days of receiving notification of failure to agree at Stage 3.

6.4. Time Limits

In the interests of good industrial relations, the time limits in this procedure should be adhered to. Wherever possible, the stages should be completed within the specified time scales. Some complex issues may require extra time for proper investigation or it may prove impossible to arrange a meeting within the specified time. In such cases it may be appropriate for the parties to come to a mutual agreement to modify the specific time limits.



Where appropriate and by mutual agreement, stages of procedures may be omitted in an attempt to resolve a serious industrial relations dispute in the shortest possible time.