

Governing Body Meeting
Summer Term 2019

Report by the Director of Business
Development

COLLECTIVE DISPUTES PROCEDURE

1. INTRODUCTION

- 1.1 The Collective Disputes procedure was last presented to governing bodies in Summer 2016. The document is periodically reviewed to ensure it remains fit for purpose and in line with the latest legislation and statutory guidance.

2. BACKGROUND

- 2.1 The Collective Disputes procedure sets out the steps to be taken to promptly and effectively resolve collective disputes in a school or academy.
- 2.2 Some minor amendments to the procedure have been made to update some terminology/language throughout.

3. INFORMATION

- 3.1 Reference to the "Personnel Committee" at paragraph 10 has been replaced with Panel of Governors. This is to reflect the change in committee structures within schools and academies. The name and scope of committees varies and the change now makes it generic.

4. ISSUES FOR CONSIDERATION

- 4.1 The governing body is asked to consider the adoption of the model Collective Disputes procedure. Voluntary aided schools and academies which are part of the HR service level agreement, are asked to receive the procedure for information and consideration.
- 4.2 Should the governing body decide not to adopt the model procedure it should produce an appropriate alternative in consultation with the recognised teacher associations and trade unions. Community schools will be required to provide an alternative to the council, which the council as employer is satisfied, meets the necessary standard.
- 4.3 All governing bodies who adopt an alternative document or modify the model provided are requested to submit final documents to schoolsHRpolicy@northlincs.gov.uk.

Director of Business Development
Church Square House
30-40 High Street
Scunthorpe
North Lincolnshire
DN15 6NL
Rebecca Noble – HR (6 March 2019)

NORTH LINCOLNSHIRE COUNCIL

COLLECTIVE DISPUTES PROCEDURE FOR SCHOOL/ACADEMY

INTRODUCTION

1. This procedure sets out the steps to be taken to promptly resolve collective disputes and achieve a mutually acceptable solution.
2. This procedure will apply to all employees in the school/academy and their signatory trade unions.

PROCEDURE

3. Wherever possible attempts should be made to resolve issues in an informal way but where this is not possible and the matter involves more than one employee this procedure should be followed.
4. Where individual employees wish to resolve issues concerning their employment the Grievance policy should be used.
5. Advice will be available from Human Resources (HR) throughout this procedure.
6. Once the signatory trade unions have been notified by the head teacher/principal that an issue cannot be resolved they will have ten working days in which to declare a dispute, they must write to the head teacher/principal stating that they wish to initiate this procedure. This should include full details of the dispute, any supporting evidence and the resolution being sought. A form is available for this purpose at Appendix 1.
7. Should the collective dispute relate to the head teacher/principal, then the notification concerning the dispute should be addressed to the Chair of Governors who will liaise with HR.

Status Quo

8. Once a collective dispute has been registered the Status Quo will apply to those employees involved. This means that there will be no changes to pay, conditions of service, working practices or other matters of contention. There will be no industrial action, including strike action and action short of a strike. The Status Quo will remain until the dispute is resolved or this procedure exhausted.
9. A collective dispute will be heard by a panel of three governors chosen by the Governing Body. The Committee will be empowered to hear and make decisions in respect of disputes and differences, subject to the limitations of delegated functions.

Conciliation

10. HR will, at the request of a **head teacher/principal** or trade union provide a conciliation and mediation service and, where appropriate, make recommendations to the Panel of Governors.

Dispute Hearings

11. The complainants will forward the original notification of the dispute to the Clerk to the Governing Body. The Clerk will arrange a meeting of three trained governors. A written statement will also be prepared by the **head teacher/principal** concerned and documentation will be circulated to all parties in advance. Both parties will be given the opportunity to present their case. Documentation will be forwarded to all parties at least five working days in advance of the dispute hearing.
12. If the matter remains unresolved, it will be referred for appeal hearing. The Clerk to the Governing Body will arrange the appeal hearing with a different three suitably trained/experienced governors.

Matter Still Unresolved

13. If any matter remains unresolved having exhausted all of the above procedures either party may request further procedures for resolution of the difference, including external conciliation, mediation or binding ACAS arbitration.

Other Matters

14. Matters relating to specific grading, discipline, grievance or capability issues should be dealt with under the respective policies.

Application of Procedures

15. Any doubt in a particular instance about the appropriateness of any procedures should be referred to HR in the first instance.

Collective Disputes form Appendix 1

Please complete all sections of the form.

Please provide the names of all employees who form part of the collective dispute.

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Please continue on a separate sheet if necessary

Please provide one employee who can be a central point of contact. Alternatively please provide the contact details for a trade union representative as appropriate.

Contact name: _____ **School/Academy:** _____

Job title/union: _____ Contact number: _____

Please provide full details of the nature of the collective dispute.

Please continue on a separate sheet if necessary

What action has already been taken on the collective dispute? Who has considered it? What was the result?

**Collective Disputes form
Appendix 1**

Please continue on a separate sheet if necessary

Please state the action required to be taken on the collective dispute to resolve it to the group's satisfaction.

Please continue on a separate sheet if necessary

Signed: _____ **Date:** _____

Once this form is completed, make sure that you keep a copy and then forward it to your Head teacher/Principal.