



Collective Dispute Procedure

August 2012



DIOCESAN EDUCATION SERVICE

Archdiocese of Birmingham Registered Charity No 234216

Making Christ Known Today

COLLECTIVE DISPUTES PROCEDURE BETWEEN TEACHERS

AND

A SCHOOL GOVERNING BODY

1. Introduction

- 1.1. From time to time, disputes can arise either in respect of decisions by management which affect the way staff operate, or in interpreting conditions of service, whether these be in writing or established by custom and practice.
- 1.2. What this procedure sets out to achieve is a way of settling such disputes without industrial action taking place. The procedure presupposes the acceptance by all concerned of the basic principle that all parties involved will do their utmost to settle potential or actual disputes.
- 1.3. The procedure would not be applicable to individual grievances at school level where responsibility for solving these types of dispute normally rests with the governing body.
- 1.4. In order that such disputes can be resolved with the minimum of conflict, a key feature is the maintenance of the status quo until the issue has been resolved.

2. Procedure - Part One

- 2.1 Where a dispute of a collective nature has been declared by one of the signatory parties, a meeting should be organised within 10 working days between the head teacher, chair of governors, Director of Education of the Diocesan Education Service (DES) (or his representative) and the union(s) concerned.
- 2.2 If this meeting fails to resolve the problem, a conciliation meeting should be organised within 15 working days from the previous meeting. The membership of this body shall be: 1 governor, 1 representative nominated by the union(s) involved and an independent chair agreed by all parties.
- 2.3. The conciliation panel should take evidence from both sides and endeavour to secure agreement from both parties on an acceptable outcome.
- 2.4 In a small number of circumstances it maybe necessary for the unions to conduct a ballot for industrial action at the same time as seeking to resolve the dispute through this mechanism. This would in no way prejudice the Teacher Associations' commitment to seeking to resolve the problem through this procedure.

3. Procedure - Part Two

- 3.1 Should the attempt at conciliation fail, the matter can be referred, by agreement of all parties, to arbitration. The arbitration panel shall consist of two governors, one representative of the DES, three representatives of the Teachers' Panel of the JNCC and an independent chair agreed by all parties.
- 3.2 The results of the arbitration shall be binding on both sides.

December 2004

Diocesan Schools Commission
Reviewed and agreed by JNCC

**Director of Education
Diocesan Education Service
Don Bosco House
Coventry Road, Coleshill, Birmingham B46 3EA
Tel: 01675 464755 Fax: 01675 465273
Web: www.bdes.org.uk**

