

WEST DUNBARTONSHIRE COUNCIL

Report by Joint Secretaries to the LNCT

Local Negotiating Committee for Teachers: 24 May 2011

Subject: Teachers' Discipline and Grievance Procedures

1. Purpose

- 1.1** To seek approval from the Committee for the implementation of the revised Discipline and Grievance Policies for Teachers and Associated Professionals. These documents have been reviewed and updated in line with the recent review of the Council's Discipline and Grievance Policy for all other employees of the Council.

2. Background

- 2.1** At the LNCT meeting on 15 March 2011 the revised Discipline and Grievance policies were discussed and approved subject to a number of amendments being agreed.
- 2.2** The committee delegated authority to the Joint Secretaries to agree on any rewording required.
- 2.3** The Joint Secretaries have reached agreement on the necessary rewording the revised policies are shown in APP 1 and APP 2 to this report.

3. Main Issues

- 3.1** The amendments and rewording discussed at the LNCT on 15 March 2011 related to ensuring clarity and to extend the scope of these policies to cover Teachers and associated Professionals covered by the SNCT terms and conditions.

4. People Implications

- 4.1** It is a contractual requirement that employees are aware of the discipline and grievance process. The changes to the procedures will be communicated to managers and employees via the Core Brief, and the intranet.

The ACAS code of practice is for all employees and employers and is incorporated into all Authority policies. Due to the similarities between Local Government and SNCT policies, managers have been invited to attend the Corporate Discipline and Grievance training as outlined above. Trainers are aware of the slight differences contained within policies.

5. Financial Implications

- 5.1** Where the issue is escalated to an employment tribunal, the procedure followed will be taken into consideration, and if deemed to be unfair or where there is failure to reasonably comply with the ACAS Code of Practice this can result in an additional award of up to 25% to the individual.

6. Risk Analysis

- 6.1** There is a risk to the Council that if timescales are not adhered to and discipline and grievance matters are not dealt with promptly there will be a breach of our own policies and procedures and ACAS recommendations.

7. Equalities Impact

- 7.1** An Equalities Impact Assessment has been undertaken on the revised Policies and Procedures and there is no evidence of disproportionate application of the policies to any equalities group.
- 7.2** The Policies are monitored by equality category and this allows any emerging patterns to be identified and appropriate action taken. As with all HR policies and functions these have been designed to operate in a fair and open manner.

8. Conclusions and Recommendations

- 8.1** SNCT employees have separate Disciplinary and Grievance Policy and Procedures and these policies were last reviewed in March 2011.
- 8.2** Amendments have been agreed by the Joint Secretaries the updated policies are shown in APP 1 and APP 2 to this report.
- 8.3** Committee is asked to approve the amended Policies and Procedures for teachers and others within the Council covered by the Scottish Negotiating Committee for Teachers (SNCT).

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Appendices

Appendix 1 – Disciplinary Policy – Teachers and
Associated Professionals

Appendix 2 – Grievance Policy – Teachers and
Associated Professionals.

Wards Affected

All Wards