

Addendum to existing procedures

JOINT PROTOCOL FOR DEALING WITH GRIEVANCES/COMPLAINTS INVOLVING STAFF EMPLOYED BY DIFFERENT EMPLOYER/EMPLOYING AUTHORITIES

Whilst it is recognised that existing procedures serve the majority of those with a grievance/complaint there may be occasions when co workers working for different employer/employing authorities wish to initiate a grievance/complaint against one or other.

This protocol, which has been agreed by the relevant trade unions, will be an addendum to relevant policies and procedures. It is not intended to detract in any way from the rights of the parties to the matters under investigation.

Purpose

The purpose of this addendum is two fold:

First to put in place a process whereby employees have access to a means of resolving disputes where the parties to the dispute are employed by different employers/employing authorities, and

Secondly, to ensure employers have a procedure in place whereby such complaints can be dealt with in an effective and consistent manner for all staff and where access to normal processes including interviewing witnesses etc is permitted.

Agreement of relevant employing authorities

This protocol will support existing procedures and has been agreed by the relevant employing authorities and staff and management side of the negotiating committees including:

Education and Library Boards and
CCMS and other relevant employing authorities
Joint Negotiating Council (All support Staff)
Teachers Negotiating Committee (Teaching Staff)

Employing authorities and Employers, including Boards of Governors of Fully Delegated Schools and their representatives will co operate fully to ensure that matters are dealt with in accordance with this protocol which are initiated as part of an agreed procedure.

The process will be initiated by the Employing Authority or the Board of Governors, as appropriate, in cases where the parties (normally co workers) to the dispute are employed by different employers/employing authorities. In such cases the implementation of this process should ensure complaints are dealt with in a timely and efficient manner and that the concerns of all staff regardless of the employer/employing authority are dealt with in a fair and consistent manner.

Procedure

In the event a complaint is received regarding a co worker employed by a different employing authority the undernoted procedure should be initiated by the Employing Authority or the Chairperson of the Board of Governors, as appropriate. The other Employing Authority or Chairperson of the Board of Governors should also be advised a procedure has been initiated.

The relevant procedure appropriate to the complainant should be used when dealing with the complaint e.g. where a member of catering staff lodges a grievance against a member of teaching staff in a maintained school, the grievance procedure appropriate to the member of catering staff should be followed. If the circumstances were to be reversed, the grievance procedure appropriate to the member of teaching staff would be followed.

The Employing Authority or the Chairperson of the Governors, as appropriate, on receipt of a complaint will write to both parties enclosing a copy of the procedure to be used together with a copy of this joint protocol.

The Employing Authority or the Board of Governors of both parties involved should seek advice, assistance and support from an appropriate officer from Human Resources, in accordance with the provisions of the relevant procedure being used.

The outcome of the relevant procedure should be communicated to the relevant Employing Authority or Board of Governors to consider and take appropriate action.