

# Collective Disputes Procedure

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Collective Disputes Procedure October 2014			
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# Collective Disputes Procedure

## Summary

### What is this Procedure about?

The purpose of the Collective Disputes Procedure is to provide a framework within which local collective disputes can be resolved by discussion between the union(s) concerned and the University management.

### Who is this Procedure for?

The Procedure is for the trade unions and management of the University.

### How does the University check this Procedure is followed?

This Procedure is the only way in which a dispute can be entered into and a dispute can only be invoked by either the senior management of the University or the recognised trade unions.

### Who can you contact if you have any queries about this Procedure?

If you are external to the University and you have any queries please contact the HR Service Centre at [hrenquires@port.ac.uk](mailto:hrenquires@port.ac.uk).

If you are internal to the University please contact your HR Business Partner.

## 1. Introduction

This Procedure has been agreed between the University of Portsmouth and each of those trade unions which are recognised for collective bargaining purposes by the University, i.e:

UCU

UNISON

## 2. Purpose

The purpose of the Collective Disputes Procedure is to provide a framework within which local collective disputes can be resolved by discussion between the union(s) concerned and the Management. However, no provision of this agreement shall prevent or preclude consultation at any stage between Officers of the University and Officers/Officials of the union(s) involved with a view to reaching a settlement.

## 3. Scope

The scope of the procedure covers matters agreed as a result of the Recognition and Procedural Agreement, including:

- i) Terms and conditions of service.
- ii) Employment procedures, e.g. the disciplinary, grievance, occupational performance procedures, equality and diversity policies and procedures and any associated codes of practice.
- iii) Organisational change policies and procedures.
- iv) Trade Union Time Off and Facilities Agreement.
- v) Machinery for negotiation or consultation and other procedures, relating to any of the above matters.
- vi) The conditions under which staff are required to work.
- vii) Allocation of work or the duties of employment as between employees or groups of employees.

## 4. Status quo

It is agreed that in the event of a dispute in regard to items i) to v) in paragraph 3 above which cannot immediately be resolved, then whatever practice or agreement existed prior to the dispute shall continue to operate pending a settlement.

## 5. Procedure

### Stage One

The matter shall be raised initially in writing by the appropriate Union Chair/Branch Secretary with the Director of Human Resources and shall be discussed within five working days. The Director of Human Resources will confirm the outcome, in writing, to the Union Chair/Branch Secretary within ten working days.

### Stage Two

If agreement is not reached at Stage One, then the matter shall be raised with the Vice-Chancellor by the relevant union(s) and shall be discussed within five working days. The outcome will be confirmed in writing to the relevant union(s) within ten working days.

If the parties agree, reference may be made to a conciliator, who will be agreed by the parties concerned.

### Stage Three

If the matter is still not resolved, then it shall be raised with the Human Resources Committee of the Board of Governors by the relevant union(s), and shall be discussed normally within 20 working days. (Supporting paperwork must be received by the Clerk to the Board of Governors at least five working days prior to the meeting.)

## 6. General

- 6.1 It is hoped that all disputes will be capable of resolution by the above procedure. However there may be disputes for which resolution cannot be achieved, and in this case each side should consider reference of the dispute to ACAS.
- 6.2 The phrase 'working days' in this agreement shall mean Monday to Friday inclusive but excluding agreed holiday periods.
- 6.3 Officers and Officials of the recognised trade unions shall have the right to meet University Management and Governors at all reasonable times and shall have free access to their members on University premises whilst the University is open.
- 6.4 In the course of considering a particular dispute it may become apparent that this procedure places an undesirable constraint on the parties that is not assisting a resolution of the problem. If the parties agree, the procedure may be varied.
- 6.5 If any of the parties to this agreement wish to amend it, three months notice shall be given, in writing, by the party seeking to change, to the other parties to the agreement.

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