



A brighter future for Nottingham children

Education Improvement Board



Adjudication Procedure: Fair Workload Charter **November 2016**

The Education Improvement Board's Fair Workload Charter ("the Charter") sets out what teachers and other staff can expect from the schools that have signed up to the Charter.

The following Procedure should be adopted where an employee believes the school is not delivering the provisions of the Charter and has been unable to resolve the matter satisfactorily with the leadership of the school.

This Procedure applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors.

This Procedure does not form part of any employee's contract of employment. It may be amended at any time.

It is based upon the principles contained within the ACAS Code of Practice on Disciplinary and Grievance Procedures.

1. Raising the concern informally

- 1.1. Any employee who has a concern relating to the Charter may raise the matter informally with their manager with a view to seeking a resolution. Only if the matter cannot be resolved internally should the formal Adjudication Procedure be used.
- 1.2. The manager is responsible for ensuring that any agreed actions are followed through.

2. Formal Procedure

- 2.1 The employee should put the concern in writing and send it to their Head teacher and the convenor of the EIB Workload Sub-Group (david.anstead@nottinghamcity.gov.uk). The employee should set out the nature of their concern in as much detail as possible to enable the matter to be considered.

2.2 Meeting

- 2.2.1 The EIB Workload Sub-Group may arrange for meetings to be held, without unreasonable delay, after a formal concern has been received.
- 2.2.2 The EIB Workload Sub-Group may invite the employee to attend a meeting to discuss the concern within a reasonable timescale giving five working days' notice in writing to attend.
- 2.2.3 The employee must be advised of their right to be accompanied by a work colleague, trade union representative, or an official employed by a union.



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Workload School

- 2.2.4 At the meeting the employee should be allowed to explain their concern and how they think the content of the Charter is not being adhered to, and how it could be resolved.
- 2.2.5 The EIB Workload Sub-Group will invite representatives of the school to respond to the concerns raised, either in person or in writing.
- 2.2.6 The EIB Workload Sub-Group will record their findings of fact in writing within five working days (unless there are exceptional circumstances that make this not possible). The adjudication process will decide whether the complaint is unfounded or upheld, in all or part. Where a complaint or part of a complaint is upheld, the sub-group will set out in writing how the school can adapt their working practice to conform to the provisions of the Charter, and will set a reasonable timeframe for this to occur.
- 2.2.7 After the given timeframe, communications between the school, the EIB Workload Sub-Group and the employee will ascertain whether the required amendments have been made.
- 2.2.8 If the EIB Workload Sub-Group finds that the School has continued not to comply with the provisions of the Charter, the EIB Working Sub-Group will remove the School as an accredited partner. The reasons for this will be set out in writing and will be sent to both the employee and the Head teacher.
- 2.2.8 If the School is no longer an accredited partner, the right to utilise the 'Kitemark' and accompanying marketing materials is removed.