



Catholic Contracts, CES Policies, Process for Consulting/Implementation of CES Contracts & Employment Developments

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19th June 2019

SBM Meeting

Catholic Education Service (CES) Contracts

- CES Guidance notes on employment contracts is available.
- CES negotiates on behalf of Bishops on legal (contracts), admin and religious matters.
- Optional contract clauses – some cases may require additional requirements such as probationary periods, media/publicity, inventions, pension.
- CES advises appropriate consultation and to seek HR/legal advice about including optional clauses.
- Seek advice from Diocese/CES if you are considering significant departures.



Model CES Contracts



- Available for various roles for Catholic schools/academies/Trusts to ensure Bishops' objective to fulfil responsibilities to preserve and develop Catholic character of school.
- Bishops' Memorandum sets out the Bishops' expectations that Catholic schools use the CES model contracts of employment for staff.
- CES and Diocese actively encourages the use of CES contracts.
- 9 contract variations – reduced from 40



- 1) Leadership contract – Group 1
(Headteacher, Acting Headteacher,
Executive Headteacher)
 - 2) Leadership – Group 2 (Deputy &
Assistant Headteacher)
 - 3) Lead Practitioner
 - 4) Teacher
 - 5) Unqualified teacher
 - 6) SBM
 - 7) Support staff (Teaching Assistant etc)
 - 8) Lay Caplain – used by Diocese
 - 9) Lay Chaplain – use by Governors
- *live in site manager/care taker – take advice
*apprenticeship agreements - separate

9 CES Contract Variations
Available:

Employment in Catholic Schools/academies



- The Diocese Bishops require the Headteacher, Deputy Headteacher and Head of RE to be practising Catholics and consideration to Catholics for teaching posts and non-teaching posts and a specific occupational requirement ie Chaplaincy post
- Governing Body has overall responsibility for staffing and may delegate functions to the Headteacher or individual governor or committee
- The Governing body should give the Diocese advisory rights to ensure that the Diocesan Bishop is in a position to fulfil responsibilities

Apprenticeship Agreements



- Law and regulation structure different
- Work based training programmes lead to nationally recognised qualifications – holiday pay, time off to study etc
- Heavier burden and obligations
- Contract apprenticeships/standards
- Refer to CES guidance!!

Good Work Plan and Contracts

Under 'Good work plan' published in December 2018, the entitlement to a contract 'basic terms and conditions' is extended to include workers and employees (see Employment Rights Regulations 2019).

[This will also become a day one right.](#)

Currently employers have up to 2 months to issue a contract to any employee working for them for one month. Make sure all your staff have a contract!



Process for Consulting to Implement CES Policies

- Take to local Governing Body
- Bishop instruction
- Inform staff – intranet/link/copy of contract
- Forewarn trade unions!
- Biggest detriment – calling in period is 5 days not typically 10 days
- Local trade unions keep on board
- Burgundy book for teachers – conditions of service
- Green book ‘single status agreement’ for support staff – conditions of service – covers 1.4m LA employees



CES Model Policies – Designed to cover most HR issues/local circumstances

- 1) Sickness absence policy
- 2) Disciplinary policy
- 3) Appraisal policy and procedure
- 4) Capability policy and procedure
- 5) Grievance policy and procedure

Template letters available but some need updating, review by HR

Copies readily available for all staff i.e intranet, staff room

Remember to remind HR and Trade Unions which policy applies in your school/academy/Trust

Appraisal (CES)

- 2 policies teachers and support staff
- Familiarise yourself with teachers and other staff experiencing difficulties

Attendance Management (CES)



- Clarity on the first week of absence
- Return to work meetings
- Triggers – now include ‘any pattern of concern’ and 4 or more weeks
- Welfare meetings and lack of engagement
- Occupational Health requirements
- Levels of management
- Calling period – 5days
- Absence warnings
- Toolkit – it’s there to help

Capability Procedure (CES)

- For all employees!
- Level of management
- Two monitoring periods 4-12 weeks
- Capability warnings
- Toolkit of letters and support plans
- Time to improve
- Supportive
- Meet the standards required – Headteacher/teacher standards



Disciplinary Procedures (CES)



- Consider informal action
- Suspension review after 10 working days
- Notice for hearings in line with ACAS
- Invites to include all paperwork
- Sanctions are 1st written warning, final written warning (24 months), dismissal (or action short of dismissal)
- Mitigating circumstances
- Balance of probabilities
- Reason for suspension
- Headteacher can dismiss

Grievance



- Covers Dignity at Work complaints (no CES policy)
- Option to investigate or make relevant enquiries internally – internal or external investigations?
- Guidance surrounding implementing disciplinary procedures
- Only hearing is the appeal, either the principal or committee/panel
- Collective grievances
- Former employees

Recent and Forthcoming Employment Developments

- 25 January 2019 – consultation on extending pregnancy protection
- 31 January 2019 - consultation on non disclosure agreements in discrimination cases
- 31 January 2019 - consultation on tribunal jurisdiction cases, raising limit of £25k breach of contract, equal pay etc
- February 2019 – ACAS guidance on age discrimination
- 31 March 2019 – modern slavery naming and shaming
- 1 April 2019 – national minimum and living wage
- 6 April 2019 – Good work plan – penalties for breaches of employment rights

Recent and Forthcoming Employment Developments

- 6 April 2019 – pay slip changes
- 6 April 2019 – compensation limits on unfair dismissal – max award £86,444, limit weeks pay to £525

*not exhaustive list

2020

- Good work plan – agency workers, annual leave, statement of terms
- Tax on termination payments
- Parental bereavement
- Currently on hold – grandparent leave
- Brexit transition period finished
- Executive pay reports published

Questions?

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