

THE CATHOLIC EDUCATION SERVICE (CES) OF ENGLAND AND WALES MODEL POLICIES

NEU Guidance for Reps and Local Officers in England & Wales

The CES provides five policies which affect teachers in schools: Appraisal, Capability, Disciplinary, Grievance, and Managing Attendance. In 2020, changes to the first four of those policies were consulted on, and the Sickness Absence policy will undergo consultation this term (Spring 2021). The NEU has not agreed any of these policies however, we have submitted comments and suggestions through consultation.

Local Consultation and Negotiation

The CES is not an employer; therefore, the model policies require local consultation with the academy trust or the governing body of a voluntary-aided school. Reps and officers should use this guide to support them in negotiations at academy trust or school level where CES policies are proposed or in place.

It is our understanding that in practice many voluntary-aided schools instead follow Local Authority (LA) employment procedures. Local officers are advised to work with workplace reps in voluntary-aided schools to adopt LA policies and seek continued compliance and/or look to level up to best standards in academy trusts.

For full comments on these policies as well as comments on CES policies that affect Support Staff please contact the Bargaining Support Unit via barginingsupport@neu.org.uk.

Appraisal Policy:

CES Policy Shortcomings	NEU Comments
No limit to objectives	A maximum of three objectives should be applied in all but exceptional circumstances in order to avoid unacceptable workload and pressure.
No limit to number of observations	Limit classroom observation to three observations per year of a maximum one hour in length.
Not enough informal support	Make clear that drop-ins will not be used as part of the formal performance management or appraisal process.
Triggering of formal capability	The period of informal support prior to invoking formal capability should last no less than 13 working weeks

Capability Policy:

CES Policy Shortcomings	NEU Comments
The length of the Assessment Period following a First Written Warning will be at least 4 Working Weeks and no more than 12 Working Weeks	This first Assessment Period should last no less than 12 weeks.
The length of the Assessment Period following a Second Written Warning will be up to 4 weeks.	This should state at least 4 weeks.

Disciplinary Policy:

CES Policy Shortcomings	NEU Comments
Documentation for a hearing should be provided at least 5 days before a hearing	The date, time, and venue of the hearing – with at least 10 working days' notice from receipt of the letter.
Timescale for appeal is 10 days	Appeal meetings should be held within 20 working days of the appeal letter.

Grievance Policy:

CES Policy Shortcomings	NEU Comments
There is no collective grievance procedure.	Where a grievance is raised by more than one employee and the nature of the grievance and the desired resolution are the same, the grievance should be treated as a collective grievance.
Does not specify that the policy will be monitored in line with equalities legislation.	The policy's application should be monitored going forward to ensure that it meets its commitment to "treat all staff fairly"

Sickness Absence Policy:

CES Policy Shortcomings	NEU Comments
Formal warnings and cautions are given for periods of absence, often very short periods.	Formal warnings or cautions should be removed for short periods of absence. This is likely to lead to members of staff attending work even when they are ill in order to avoid caution.
Members of staff who are off sick are required to check in regularly.	This requirement should not apply to cases of long-term ill health.
Rigid enforcement of trigger points	It is important that the manager considers the individual circumstances

	relating to the absences and uses their discretion. Rigid enforcement of trigger points would be inappropriate where teachers are absent for medical reasons which cannot recur. Occupational Health or other medical professional's advice should supersede strict trigger points.
Unnecessary cautions	We feel that there is no point giving someone a caution when it is likely they will be returning to work at a certain point (based on OH advice) otherwise any caution can be seen as a punishment.

What can I do as a rep?

1. Call a meeting of members to talk through the issues with the policies.
2. Secure a mandate from members to negotiate our suggested changes to the policies.
3. Ask your head teacher for a meeting to discuss the policies in question.
4. Meet again with members to discuss your head's response and decide whether to escalate.
5. If you need any support, [contact your branch](#).

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