

Guidance Note on Remodelling the Workforce

The Archdiocese of Westminster, in common with the Catholic Education Service, strongly supports the principles underlying the government's workforce remodelling programme. They are consonant with the teachings of the Church: *'humane working hours and adequate free time need to be guaranteed'* (*Centesimus Annus*, n.15).

The Workforce Remodelling Agreement and Catholic Schools

In January 2003 an agreement was reached between LEAs (representing the employers in community and voluntary controlled schools) and most of the teaching unions. Accordingly, Catholic voluntary aided governing bodies are NOT a party to the national agreement which, as it stands, does not contain the provisions necessary to safeguard the Catholic character of our schools. The National Remodelling Team has recently started consulting with the Catholic Education Service, and it is to be hoped that this will result in an agreement which will be appropriate to the needs of Catholic Schools. In the mean time, governing bodies of Catholic schools should be very cautious about introducing any irreversible changes to the structure of the workforce pending the outcome of those negotiations.

Remodelling in Catholic Schools

In Catholic schools, the governing body (and not the LEA) is the employer of both the teaching and non-teaching staff. This is a fundamental safeguard for the Catholic character of the school. The governing body has a legal duty to ensure that all who teach in a Catholic school are employed on the basis of their support of Catholic teachings and their witness to them. Until last year, the governing body always had the legal power to ensure this because:

- (i) only teachers were allowed to teach; and
- (ii) legislation allows teachers to be employed (and, where necessary disciplined or dismissed) on the basis of their beliefs and adherence to the tenets of the Catholic faith.

Last year, the law was changed so that, in certain circumstances, non-teaching staff are allowed to teach. Such non-teaching staff members are known as "Higher Level Teaching Assistants" (HLTAs). This opens up considerably more flexibility for secular schools. But because HLTAs are still legally classified as "non-teaching staff", the law specifically forbids recruitment, promotion or discipline on religious grounds. As a consequence, it remains impossible for governors of a Catholic school, complying with their statutory duty to preserve the Catholic character of the school, to employ anyone other than a teacher for the purposes of exercising any teaching functions.

LEA "Rollout"

It has come to our attention that some pilot LEAs are advising Catholic schools to implement a secular model of workforce reform before these and other essential issues have been resolved at a national level, and before dioceses have had an opportunity to advise schools fully on these issues. The diocese has discussed these problems with a number of LEAs where we are aware that an early "roll out" has been planned, and we are working with these authorities to make sure that the advice that Catholic schools receive is in conformity with their ethos. However, we are equally conscious that there may be others of which we are not yet aware. If your authority is advising an early "roll-out", please let the Department of Schools know as soon as possible, and do not implement any changes which would be hard to reverse before receiving detailed guidance from the diocese.

June 2004