



Employing a Parish Youth Worker/Minister within the Diocese of St Albans

These guidelines have been produced in response to issues raised that highlight the need to ensure good practice in the employment of lay youth ministers and workers.

They are provided to support the Ad Clerum 30 issued in August 2005.

These guidelines are produced as correct at the date of publication and are updated annually to bring into line with legislation. However, it is the responsibility of employing parishes and projects to ensure that they work to legislation that is correct. For the year of update please note below right.

For more detailed information copies of the Amaze Employment Manual (produced by the Association of Christian Youth & Children's Workers) are available through the Diocesan Youth Office.

Acknowledgements

The first pack was produced in 2005 following evidence that, unfortunately not all parishes worked were not adopting best practice in relation to the employment and, most importantly, the ongoing management of these lay workers. In response the bishop, through the Bishop's Council initiated a small working group that undertook research into the key issues and, as a result of their findings produced the original pack. This has been updated annually to reflect any changes to employment legislation as advised by Croner, part of Wolters Kluwer from whom the diocese receives HR advice.

We acknowledge that the core content is drawn from existing material, in particular The Amaze Employment Manual. Any reproduced material is done so with the expressed permission of the copyright holder.

The original group represented a range of skills and interests including a lay and clergy member of Bishop's Council, and employed Youth Minister, a representative from Croner and the Diocesan Youth Officer.

David Green
Diocesan Youth Officer

March 2011

CONTENTS

Introduction	page 4
1. Considerations in Employing a Youth Minister/Worker:	page 5
1.1 Why employ a worker?	
1.2 Why do we want a worker?	
1.3 What are our expectations of a worker?	
1.4 Choosing an appointment team	
1.5 Tasks for an appointment team	
1.6 Recommendations from Churches & projects	
1.7 Checklist – Main tasks of appointment team	
2. The Contract	page 12
2.1 The Law & Employment Contracts	
2.1.1 Implied Terms of Employment (in contract)	
2.1.2 Types of Contracts	
2.1.3 Statutory Rights of Employees	
2.1.4 Ending a Contract	
2.2 A Sample Contract	
3. Getting ready for the worker:	page 20
3.1 Rights & responsibilities of a Worker	
3.2 Line management and support structures.	
3.3 Induction Programme	
3.3.1 Introduction	
3.3.2 Why does a worker need an induction phase?	
3.3.3 Potential pressure points for a new worker	
3.3.4 Planning an induction Programme	
3.3.5 What does the worker need to be inducted to?	
3.3.6 Planning a work schedule	
3.3.7 Induction Programme Checklist	
4. Other issues	page 29
4.1 Non-managerial support	
4.2 Appraisal	
4.3 Handling conflict and disagreement	
4.4 Exit Interview	
4.5 Training for workers/ministers	
4.6 Training for managers	
4.7 What about vocation and calling?	
4.8 Support from the diocese	
4.9 How this all relates to key volunteers	
4.10 How workers can support themselves	
5. Miscellaneous Questions	page 32

Appendices:

Appendix A: Typical Contents of a Handbook

INTRODUCTION

The past decade has seen employed youth and childrens workers/ministers become a norm in many church situations. In spite of a rise in the number of qualifying courses for workers many churches have to make two or three attempts to employ the right worker for their situation. The anticipated 'glut' of workers looking for jobs in churches does not seem to have materialised. One of the key factors, highlighted anecdotally, is the poor conditions and management by parishes and the high expectations placed on workers. In this context workers are going to be looking for good employers and it may not be long before we find a parish in court for bad practice in relation to a worker. This scenario has given rise to the launch of 'We love our youth worker' which has been launched across the churches in an attempt to highlight the need for proper management and support for those being employed. It is also beginning to promote good practice models for volunteers as well.

In this diocese we experience situations each year where workers seek advice linked to poor management. It is often only the high commitment of workers to the young people of the parish that stops them taking their situation to a legal adviser. They tend to look for a new role and move on more cynical and often damaged by the experience. It doesn't leave the church or vicar in a much better condition either!

An underlying principle to all this is good, honest and open communication. The line manager is often the vicar, by default. That may not be the best model. Can someone be the line manager and pastor? Or are the roles better separated? One thing is sure, when the key relationship breaks down, when mistrust sets in, there is often nowhere to go to get the dispute resolved, and so the relationship deteriorates until there is hardly anything positive between manager and worker..

Having painted a bleak picture, I also want to acknowledge the efforts of an increasing number of parishes to get it right and be good employers. However, good intentions are not enough, there are simple things that can be set in place to ensure that good practice is followed.

The primary purpose of this pack is to encourage parishes and projects to adopt good practice in the employment and ongoing management of workers. In preparing this material the group recognised that:

- o Some workers are coming from backgrounds where appraisals and good practice goes on, they therefore have this as their standard.
- o At the same time for some workers this is their first paid employment. What is done to them will set norms for their working life!
- o Many clergy are not trained as managers and therefore training for clergy in managing employees is important.
- o Any church can advertise a post; the PCC is autonomous but has to work within the law.

Within this pack we are therefore aiming to make PCC's aware of the rules for employed people i.e. what is legal, then strongly advise on ways to go about it.

We have worked to ensure that all the information contained here is correct at time of publishing. It will be reviewed annually to reflect changes in employment legislation. It is the responsibility of parishes employing workers to ensure that they are working within current legislation.

Employing staff is a serious business, get it wrong and you could end up in a tribunal, if you lose it could be major financial loss. Do it right and see work flourish.

1. Considerations in Employing a Youth Minister/Worker

1.1 WHY EMPLOY A WORKER?

One of the main causes of problems for both the worker and appointment team/management committee is the lack of a clearly articulated rationale, vision and task. This can lead to a lack of purpose and misunderstandings about the nature of the role. The result can be in conflict if the worker carries out the role according to their understanding, which may be different to the, often unspoken, expectations of those they work for.

Before you go any further there are two main questions that you need to answer for your church, project etc.:

- Why do we want a youth/children's worker?
- What are our expectations of a youth/children's worker?

Some of the answers suggested are outlined below, with some comments. One way forward is to get the relevant group in your situation to rank the answers in order of priority, adding any of your own. This may help you understand what different people and groups are hoping for from the project and should help you articulate your aims more clearly as you try and reach a consensus.

There are fundamental differences between using volunteers for youth work and employing your first paid worker/employee!

1.2 WHY DO WE WANT A WORKER?

We need somebody to do it with us or somebody to do it for us.

It is much more helpful to see the person working with the church, to enable them to be more effective in their work, than seeing them as doing the work instead of church members, who can then be freed up to do something more important. A team approach to youth/children's work is by far the most successful and it is likely that more people will need to be involved as a consequence of employing a worker, rather than less, as the worker will generate more work.

Because young people are important - they should be our priority.

Have all the relevant groups been consulted and is there a clear consensus that this is the best place to invest rather than work with the elderly, homeless or any other group that your church or project seeks to support? If young people are to be the priority, it needs to be determined, the most effective way of accomplishing the goals, e.g. someone to be involved in schools work, a young volunteer who will be an effective role model, a joint project with other churches or agencies in the area etc.

Lots of young people are hanging around on the streets in our area, we want to do something for them but don't know what or how.

This is a very common situation but one where most of the work done is in terms of relationship building and support. It is unusual to find many new young people in the church as a result of detached youth work (i.e. going out and meeting young people on their own territory) although it is often possible to get some involved in a youth club-type set up. Realism about what can be achieved is needed.

Lots of teenagers leave the church - we'd like to try and keep ours.

It needs to be clear how much the role will be one of maintenance and development of existing work. If the priority is to be the young people already in the church then this needs to be made explicit and the job description designed to reflect that. The gifts of a primarily church-based worker and a detached youth worker, or a pastor and an evangelist are very different and it is important to be clear what the most important aspects of the role are.

Our children's work is growing and we want to reach out to their families

A growing children's work will require a committed team of volunteers to maintain it. So it is important to see the appointment of the worker as part of the overall outreach strategy of the church. Be clear whether you want a worker to develop and nurture the faith of the children or a worker to work specifically with families.

1.3 WHAT ARE OUR EXPECTATIONS OF A WORKER?

There will obviously be a range of answers to this question. What is needed is an assessment of the validity of the answers and an examination of whether employing a worker is the best way of meeting the needs identified.

More youth workers are coming in from wider backgrounds where they may have experienced modern management practices, particularly in relation to ways in which they are managed. There is also increasing Employment Legislation, which puts more responsibility on the employer.

Talking to other churches or groups who have gone through this process may be helpful, or contact the Diocesan Youth Officer for advice.

One of the most difficult situations to be in is one in which the expectations on you are unclear or unspoken, but are very real all the same. For people in Christian work there can be a very different set of expectations to that which would be found in a secular job. It is only fair to the potential worker that as a church or agency you try and get these out into the open and decide what is reasonable and realistic in your situation.

Many of the areas below are phrased as questions to help you discuss the implications for your situation, and they are all based on real life experiences. Once they are agreed it would be helpful to try and work out how they can then be incorporated into the next stages of preparation, and communicated to the worker and others in the church. This will mean that there is as little misconception as possible about what is expected from the new worker.

- o What activities are defined as work? What church services and other meetings is the Youth Worker expected to attend? Which of these are seen as being in work time? How is it decided, which are work and which are not? Are optional activities genuinely optional? An employee can exercise his/her right not to work in excess of the average 48 hours per week provided in the Working Time Regulations 1998. Whilst the Youth Worker must be conscientious about the hours they work, the church must monitor hours worked to ensure that they don't become excessive.
- o How is the working week divided up - hours? sessions? The Community and Youth Workers' Union Joint Negotiating Committee recognises a sessionally based week as fundamental to the professionalism of Youth Workers, acknowledging the unpredictability and variety of

work carried out. How are time off and holidays decided? How accessible and available is the worker expected to be? Is any working time available for training/study/professional development?

- o Where is the worker expected to live? What help will be given with housing? Are they expected to use their home for work purposes? What about office facilities and support?
- o If the potential worker is married, is their partner expected to attend church? What if they are heavily involved at a different church? Would their children be expected to be involved in church activities?
- o Is a car necessary? Is one provided? What expenses are reimbursed? Who pays for any additional insurance? Is there a minibus? Will relevant training be given if needed?
- o Is there a budget for youth/children's work? How has the salary been determined? Is it realistic? What expenses are seen as reasonable? If the worker takes a young person to McDonalds for a chat who pays for the milkshakes?
- o Is there a perceived 'best' sort of person for the job? Are there any qualities needed to complement the existing staff?
- o What are the expected outcomes from employing a worker e.g. size of youth group, number of conversions, someone to fill in when the Minister is away etc? One Minister commented "There should be expected outcomes or there will be no vision".
- o Is there anything in the church's previous history which may have an influence on how people see a new worker? What information do they need to know before accepting the job or as they start the job?
- o Is there anything in the church culture which is seen as inappropriate for the worker to do, say or have, e.g. some have a policy on alcohol?
- o How does the worker fit into the existing structures of the church? What status do they have? How do their terms and conditions relate to other workers? On what basis are there similarities and differences?
- o Who will manage the worker? Often it is assumed that the vicar is the best person to line manage. However, this is an area where often clergy have little or no training. A key issue is the balance of being line manager and pastor. This cannot be ignored. If the vicar is the line manager then there needs to be a clear process for handling grievances, even small issues, rather than those considered within disciplinary & grievance procedures. Experience shows that small issues, if not dealt with can lead to a breakdown in communication and ultimately have a negative effect on the work. We know of at least one case where a worker has left his position rather than continue to work with a vicar who did not listen or value his desire for working to clear outcomes.

We would encourage you to give serious time to going through the questions above, which are relevant to your situation. Unspoken values have a strong influence on any situation and it is important that they are identified in advance of a worker starting.

1.4 CHOOSING AN APPOINTMENT TEAM

One of the things which is important is determining who will be involved in making the appointment. The structure and organisation of the church or project will determine some of the people involved and the nature of the post is likely to determine other suitable members. Consider the age, gender, social and class membership of the team as this will have an effect on decision making and may begin to shape the candidate's perspective of the situation. It is important to ensure good practice in terms of the interview, therefore the selection of your team is vital. As well as the above criteria, aim to include someone who has recent experience of current interview techniques and use their skill and experience to set up a positive and appropriate interview process.

Options for members of an appointment team:

- Church or Project leaders, e.g. Deacons, PCC, management committee members
- Clergy and other church or project workers
- Youth Work or Children's' Work Co-ordinator
- Current Youth or Children's' Workers
- Young People or children (If appropriate)
- Internal or external experts e.g. Personnel Officer, Diocesan Officer, Local Authority Member etc.

1.5 TASKS FOR AN APPOINTMENT TEAM

There is a check list at the end of this Section that will help you to be aware of the different tasks that can be allocated to members of an appointment team. Make sure that you contact the Diocesan Youth Officer to keep them informed.

Once you have agreed answers to many of the questions above and had them ratified by any appropriate committee within the church decision-making process, then you will be ready to begin the process of drawing up the job description and contract.

1.6 RECOMMENDATIONS FROM CHURCHES AND PROJECTS WHICH HAVE RECENTLY APPOINTED YOUTH WORKERS

"A Youth Worker must be the symptom of the church's concern for young people - not the sole arm of the church's activity/mission amongst young people."

Planning and preparation

- Pray and plan early and thoughtfully.
- Be prepared to move by prayer and faith.
- Trust your conviction of God's will for your church - even small churches with seemingly little money can attract first class workers - who are seeking God's place for them rather than a large salary.
- Be certain of your vision for children's and youth work.
- Take time and do it well.
- Ensure the contribution and support of existing volunteer workers.

- Conduct research/feasibility study with the young people themselves, and prioritise.
- Give plenty of time to set up the foundations of the project before employing a worker.
- Keep open clear communication channels with the whole body of the church.
- Communicate fully: Background of need, objectives, job description and priority tasks, generate enthusiasm and motivation within the church meetings using presentation, papers etc, and proceed only when forthcoming funds are pledged and secured.

Finance

- Don't rush the process - it is a large commitment to make and the costs need to be understood.
- Attract and secure long term funding before the idea gets to the planning stage - certainly before advertising.
- Get the finance up front - at least the promise of it.

Job descriptions

- Pray.
- Have as clear and realistic a job description as possible.
- Be as specific as possible about factual details - starting date, financial details, housing (including tenancy agreement), etc. Consider need/objections to using domicile for meetings.
- Be clear in the exact areas of work that you expect the worker to, and not to, undertake. Don't assume spouse will be involved.
- Have some flexibility, but not open-ended.
- Think about objectives, secure agreement and record.

Person Specification

- Essential and desirable qualifications, experience, attributes, personal circumstances etc, in order to short-list, and appraise interviewees.

Offer letter, Contract and Employee Handbook

- These are legal documents so they must be right and honoured. They should be checked by someone qualified to do so. The Contract is a Statutory requirement, which should be given to the employee within 8 weeks of commencing employment. See Appendix for list of typical contents of a handbook.
- Fixed Term Contracts can backfire if they are ended for "wrong" reasons.

Advertising

- Advertise in a suitable publication such as YouthWORK, Christianity or Children's Ministry.
- Networking can also help to find suitable candidates.

Recruitment and selection

- Don't just shortlist candidates with previous experience - look for vocation and calling.
- Use the interview process carefully so that everyone finds out what they need to know.
- Plan questions carefully with a mind to equal opportunities and good practice. Create open questions that allow you to hear what candidates think, how they work, what they will bring to your situation.
- Involve as many people as possible that already work with the young people, and the young people themselves.
- Always get references before short listing; you may get some surprises both ways.
- Don't just look for Christian commitment, but for discipline and motivation.
- Talk through 'philosophy of ministry' with candidates, e.g.. balance of working with churched and unchurched young people.

Management

- Carefully select a management group of local people and professionals, including young people, who will oversee the project from idea to evaluation.
- Give good pastoral care.
- Provide clear supervision and pastoral support training assessment.
- Develop teamwork, based on prayer.
- Don't overload. Look at relationship with key volunteers. Monitor hours of work.
- Get someone/firm to give them a computer.
- Don't look for Superman/woman. When you've found the person, share your vision but give them room to develop their own within it.
- The law requires that the worker has at least one regular complete day off each week, or 2 days off per fortnight. Maximum average of 48 hours per week. Watch/limit "voluntary" hours. Be clear, for example, as to whether Sunday Services or other meetings are "working hours" or voluntary (and optional). If there is an expectation of giving hours similar to a volunteer, over and above the paid hours, this must be made specific. What are the expected number of hours.
- Allow room for the incumbent to influence the means by which objectives are to be met.
- Provide suitable challenges and honour commitments.
- Encourage use of a mentor, "buddy", or prayer partner – who is independent of "line" management.
- Review progress regularly.
- Consider any health and safety issues, e.g. Risk Analysis of workstation if working from home is a legal requirement.

1.7 MAIN TASKS OF THE APPOINTMENT TEAM

- Discuss funding
- Write job description
- Write person specification
- Write contract and employee handbook (optional)
- Write application form and reference form
- Put together job information pack
- Put together church information pack
- Agree management structures and procedures
- Agree and notify panel of interview date
- Write and place advertisement(s)
- Analyse applications on skills and experience only
- Draw up short list
- Request references and Criminal Records Bureau Check
- Hold interviews and make selection
- Feed back to successful and unsuccessful applicants
- Agree start date
- Make arrival plans and organise induction

2. The Contract

2.1 THE LAW AND EMPLOYMENT CONTRACTS

The contract (or Statement of Main Terms and Conditions of Employment) refers to the key terms and conditions. These cannot be altered unilaterally. Lesser terms can be put in a Handbook, which the employer can alter/amend unilaterally, but a good employer will give advance notice of the change(s) and consult. Typical contents of a handbook can be found in Appendix A.

A typical contract might include:

- Date at which information contained in document is correct
- Employee's name
- Date of commencement of employment
- Main place of work
- Job title
- Salary
- Hours of work
- Overtime
- Holidays and holiday pay
- Sick pay scheme
- Pension scheme
- Grievances
- Disciplinary procedures
- Termination of employment
- Mobile phones in vehicles
- Data protection
- Declaration

Implied Terms of Employment (in contract)

In addition to the terms laid down in the contract and any supporting documentation (which are the "explicit" terms") there are a number of additional terms which are "implicit" or can be implied and will also control the relationship between the two parties. What follows are the most common implied terms, but it is possible from custom and acceptance that other terms may apply in particular cases, depending upon the situation.

- Mutual duty of care – An employer has a duty to take reasonable steps for the safety of his or her employees. Under the Health and Safety at Work Act, 1974, there is an obligation placed on the employer "to ensure, so far as is reasonably practical, the health, safety and welfare at work of all his/her employees". In addition, under the same Act, employees themselves are also obliged to take reasonable care of themselves and "of other persons who may be affected by [their] acts or omissions at work".
- Employer's right to organise and re-organise the work and the workforce – This, however, must be tempered by both fairness and adequate consultation, as it may otherwise be found to be unfair.
- Employer's duty not to change material terms of the contract unilaterally. If this is regarded as unduly restrictive because of the nature of the work, it may be possible to insert a flexibility clause into the contract. If it is then accepted by the employee (the

effect having been explained to them), they may have difficulty subsequently challenging a change introduced under such authority. Even then, however, the change may need to be introduced with adequate notice and reasonableness.

Note: Assuming the change cannot be negotiated between the parties, the only way to change a material term in the contract, where this is critical to its future, may be for the employer to give contractual notice as required by law, and to offer continuity of employment on new terms under a new contract. This is a dismissal of course, and could meet with a Tribunal challenge, even though the employee continues in employment under the new contract.

- An obligation on both parties not to do anything which might cause one party to lose sufficient trust and confidence in the other, sufficient to effectively breach the contract irretrievably.

Types of Contracts

Full time open ended contract

The contract continues until one party or another gives notice or, as is more normal nowadays, until a retirement date (which would preferably be stated in the contract) is reached. Under present legislation it is illegal to require an employee (male or female) to retire before the age of 65.

Job Sharing

Currently there is a rapid growth in job sharing contracts, particularly for women returning to work after childbirth. Very few jobs cannot be “shared” and rejecting a request out of hand or unreasonably refusing a request for flexible working, will almost certainly be discriminatory.

It may be possible, when setting up a job share, to gain the parties’ agreements that each contract is linked (even dependent) upon the other. It may be advisable to suggest to the employees involved that they source substitutes, so that there are others ready to take over should one leave.

Dual contracts should be used where, for example, a husband and wife team is to be employed. A clause stating that termination of the services of one automatically generates termination of the other is usual. However, a recent case found that the unfair dismissal of one would render the contractual second dismissal unfair, even though this was allowed by and in strict accordance with the terms of the contract.

Fixed Term

Fixed term contracts are contracts with a known start and end date.

When a fixed term contract comes to an end, churches have been known to think that the employee will leave automatically. This is not so!

Where a worker has been in post for more than a year, then all the same rights as a permanent worker will apply.

The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations, 2002

ensured that such employees have been given the same rights as permanent employees, e.g. rights to redundancy payments, notice, unfair dismissal, written statements of reasons for dismissal etc, and cannot be treated unfavourably because they are on a short term or fixed term contract.

As a result, any employee who is on a fixed term contract will be entitled not to be unfairly dismissed once they have been in post for more than 12 months. This means that at the end of the fixed term period if the work still exists and the money is still available, then the employee must be kept on in the post. The only grounds for dismissing an employee on a fixed term contract would be through the proper application of a disciplinary procedure or by way of redundancy.

It follows therefore that employees on a fixed term contract will be entitled to redundancy payments once they have been employed for two years. It is no longer possible to sign a waiver to do away with your statutory rights to redundancy. This means that employers will need to plan for the costs of redundancy for those on fixed term contracts of two years or more.

Offering successive one year contracts to get round this will not be accepted, as the Regulations also mean that any successive fixed term contracts which go beyond four years, will be treated as a permanent contract unless an ongoing fixed term contract can be justified.

A fixed term contract can have a notice period, which either party can exercise.

Temporary Contracts

This facilitates employment, usually for a short period of time, where there is a need to complete some work, but where the end date is not known or is imprecise. Recent case law has established that some temporary employment is in fact Fixed Term employment, eg. working in shop in the run up to Christmas, or Maternity Leave cover. In both these cases it is arguable that the start and the end date is known and therefore the contract is in fact Fixed Term, with associate rights. Currently, temporary workers, unlike Fixed Term employees, do not have any rights comparable to a similar permanent worker. The Government do intend enacting legislation (commencement date as yet unknown) which will give Agency temporary staff the same rights as a comparable permanent worker, after 12 weeks.

Part time Contracts

The Part Time Employees (Prevention of Less Favourable Treatment) Regulations 2000 came into force on 1 July 2000. It is now illegal for employers to apply less favourable treatment to those whose only difference from their colleagues is that they work less than the full time hours (which will obviously vary according to the individual employer). Employers must be pro-active in identifying unintentional practices that nevertheless could amount to less-favourable treatment for part-time staff. Terms of employment for full-time workers must be pro-rated for part-time employees.

Statutory Rights of Employees

Parliamentary Acts or Regulations, which relate to the employment relationship, afford the employee a number of statutory rights, which apply whether expressed in the contract or not. These include the right:

- Not to be discriminated against on the grounds of race, sex, disability, sexuality, religious

belief, marital status, trade union membership or age

- To equal pay with members of the opposite sex, if doing same work or work of equal value
- To paid holiday leave of 28 days, inclusive of 8 Public/Bank Holidays
- To an itemised pay statement
- To maternity leave and pay and the right to return to work
- To paternity leave and pay, adoption leave and pay
- To parental leave and emergency family leave
- To allow parents of children aged 16 or under, or employees who have responsibility for caring for an adult dependent (aged 18 and above), to request Flexible Working arrangements
- To notice of termination of employment
- To payment in cash where existing employees have established a contractual right
- To guaranteed pay, when laid off after one months' service
- Deductions from pay – employers must not deduct from an employee's pay unless the deduction is required by law or authorised in writing by the employee
- To redundancy pay – employees with two years' service are entitled to this. Waiver clauses are now illegal!
- To a safe system of work
- To hours of work in line with the Working Time Regulations
- To the national minimum wage appropriate for their age band i.e. 16-18, 18-22. 22 upwards.
- To Statutory Sick Pay
- To time off for public service, or to look for work if declared redundant with at least two years' service, or for certain trade union activities
- To protected employment rights when the business is transferred to a new employer (TUPE)
- To trade union membership and time off for trade union duties
- To protection against dismissal or unfavourable treatment for taking certain actions on health and safety grounds
- To protection against dismissal for asserting a statutory right

- To be able to apply to an Employment Tribunal for a declaration that terms in a collective agreement or works rules are discriminatory on the grounds of sex
- Not to be wrongly or unfairly dismissed
- To be accompanied by a fellow worker or trade union official at disciplinary or grievance hearings
- To a written reason for dismissal after one year's service upon request
- To a written Statement of the Main Terms of the contract within eight weeks of service

Ending a contract

If an employee has worked for less than one year, the employer can give the agreed period of notice and so end the employment contract. If either fails to give the required notice, then legally the other party can claim damages through the Courts. It should be noted that if an employee has worked for longer than one year for an organisation, they have certain employment rights and any termination of a contract by the employer would only be for disciplinary or capability reasons or because of redundancy.

An employee is free to take action against his or her employer under the Sex Discrimination, Race Discrimination or Disability Discrimination Acts, the Employment Equality (Religion or Belief) Regulations 2003, the Employment Equality (Sexual Orientation) Regulations 2003, the Employment Equality (Age) Regulations, 2006, or for any breach of a statutory right, regardless of their length of service.

2.2 A Sample Contract

The next three pages are laid out in the form of a contract.

This is not in order that a parish inserts appropriate names and, without fully reading it, copies it as its contract for a worker. It is offered showing what is currently required within a contract, but leaving the details for each parish to determine, in line with its policies.

Where decisions are needed, this is made clear. The key to a good contract is that both parties know where they stand, know what is expected from each and what procedures are if there is a breakdown in relationship or need to resolve an issue.

If any area is unclear in relation to the contract please contact the Diocesan Office for advice. It is also recommended that you send a copy of your completed contract to the Diocesan Secretary to give an independent perspective and ensure all areas are fully covered.

It is important to note that the law is being constantly changed in relation to employment. It is the responsibility of the employer to ensure that they comply with all legal requirements.

NAME OF PARISH
Address
Address
Address

STATEMENT OF MAIN TERMS AND CONDITIONS OF EMPLOYMENT
(in accordance with the Employment Rights Act 1996)

1. This statement dated sets out the main terms and conditions on which (“the Parish”) employs It should be read in conjunction with the Employee Handbook. Your employment began on

Your previous employment with does/does not count as part of your continuous employment, which therefore began on

The first three months of your employment will act as a Probationary Period. Either party may terminate the employment during this period if it proves unsatisfactory, by giving one week’s notice in writing.

2. You are employed as (a) Church Youth Worker. Your job description is attached. You are responsible to
(Doesn’t have to be the Vicar - see notes on management)

3. Your main place of work is

The nature of your appointment will require you to work at locations other than your main place of work.

4. Your salary will be £..... per annum, which will be paid monthly in arrears directly into your bank account by Your salary will be reviewed annually on the anniversary of your appointment.

5. Your hours of work are (37) hours per week.
(State hours and days or number of “units” to be worked).

6. Your holiday entitlement is (30) working days in each calendar year with normal pay. All periods of leave should be agreed in advance. The annual leave entitlement is proportionate to your completed service during the year. The annual leave period shall be from *1st April to 31st March (or whatever you have agreed)* the following year.

Should you leave the Parish for whatever reason and holidays taken exceed entitlements, then you accept as part of these conditions of employment that the Parish has the right to deduct payments made in excess from any monies owing to you at the time of leaving.

In addition to your annual leave entitlement, you will be given a minimum of eight statutory and national holidays, paid at normal pay, to be taken at the appropriate or alternative times.

7. In addition to the Statutory Sick Pay Scheme for which the qualifying days will be to,*(normal working week eg Monday to Friday, Friday to Thursday depending when days off are taken)* the Parish operates a discretionary Sick Pay Scheme for employees, details of which are as follows:

Up to months continuous service SSP only

After months continuous service but less than year(s) continuous service
..... weeks at full pay

After year(s) but less than year(s) continuous service
..... weeks at full pay

After year(s) continuous service weeks at full pay

The sick pay year, for calculation purposes, starts from the first period of absence in any 52-weeks period and all payments will be made up from any Statutory Sick Pay entitlement or any State Sickness Benefit.

8. The Parish, in accordance with its legal requirement provides access to a Personal Pension through the stakeholder principle. If you are interested in taking up such an opportunity, you should contact

OR Contribution to PPP.

9. The Parish's grievance procedure is attached/as detailed in the Employee Handbook. *(A policy is required showing the Grievance procedure)*
10. The main disciplinary procedures of the Parish are attached/as detailed in the Employee Handbook. *(A policy is required showing the Disciplinary procedure)*
11. The Parish is required to give you and you are required to give the Parish *one* week's notice in writing up to the first *three* months' of continuous service.

After *three* months' continuous service the Parish is required to give you and you are required to give the Parish *three* months' notice in writing irrespective of length of service. *(You are required to give at least the Minimum Statutory Notice, but the parish needs to agree a policy for its employees)*

If you give notice to the Parish to terminate your employment or you are given notice by the Parish, it may be possible, by mutual agreement, to waive the formal periods of notice.

The Parish has the right to dismiss you without notice in the case of gross misconduct.

The Parish shall have the right during the period of notice or any part thereof, to place you on leave, paying you during this period your normal salary and benefits.

12. Employment is subject to a check through the Criminal Records Bureau (CRB). To be re-checked every three years in line with the Parish Child Protection Policy.

13. Other Terms

Reference should be made to any other terms agreed. Suggested areas are listed, but these are not mandatory or exhaustive:

- relocation costs
 - reimbursement for attending agreed conferences
 - reimbursement for agreed continued training/study
 - contribution towards house/flat rental costs
 - telephone rental, internet access
 - book allowance
 - expenses limits
 - petrol/car servicing allowance

14. I understand and agree that the Parish is permitted to hold personal information about me as part of its personnel and other business records and may use such information in the course of the Parish's business. I agree that the Parish may disclose such information to third parties. In the event that such disclosure is, in the Parish's view, required for the proper conduct of the Parish's business. This clause applies to information held, used or disclosed in any medium.
15. I accept this statement, a copy of which has been given to me.

I have also received a copy of *the Employee Handbook/ Job Description*, which I understand is part of my "terms of employment".

Signed:

Dated:

3. Getting Ready for the worker

3.1 THE RIGHTS & RESPONSIBILITIES OF A WORKER

The following provides a useful statement on the rights and responsibilities of a worker or volunteer within the parish or project. It is also important to note that these lists, by their nature highlight the responsibilities of the organisation and what they can reasonably expect from employees. It is about a relationship that has to be developed and allowed to grow. This is not a statutory document, though some of the list constitute an implied contract. It is about setting the ethos of the organisation.

As an employing Parish/Project we:

- Commit ourselves to providing effective and appropriate training for our staff and volunteers that values them as a vital part of the organisation.
- Endeavour to ensure that all staff and volunteers understand and comply with current legislation that applies to all areas of their responsibility.
- Endeavour to provide opportunities for our staff and volunteers that will develop them and not simply equip them for the demands of their current role.

Every Worker has the right to:

- Be given a clear idea of their tasks and responsibilities within the organisation;
- Be supported in their work;
- Know that the person managing them is someone who will look after their interests and who will offer them appropriate support and supervision on a regular basis;
- Be assured that any information shared with the organisation is kept confidential;
- Have any concerns or questions dealt with promptly;
- Be given protection under health and safety regulations and public liability (as required by law);
- Be offered opportunities for training and skills development, appropriate for the tasks involved;
- Be offered opportunities for personal development;
- Be recognised as an individual, according to the organisation's Equal Opportunities Policy
- Have views represented at all levels within the organisation.

Every worker has the responsibility to:

- Accept the aims & objectives of the organisation;
- Do what is reasonably requested of them, to the best of their ability;
- Act in accordance with the organisation's Equal Opportunities Policy;
- Treat information obtained whilst working in an appropriate manner - this can be information about people they are working with or other workers, paid and unpaid;
- Recognise the right of the organisation to expect quality of service from all its staff, paid and unpaid;
- Recognise that they represent the organisation and therefore need to act in an appropriate manner at all times;
- Honour any commitment made to the best of their abilities, notifying the organisation in good time should they be unable to keep that commitment e.g. for holidays;
- Be willing to undertake appropriate training with respect to Health & Safety issues, Insurance liability and general good practice as necessary for the work undertaken;
- Share suggestions for changes in working practices with their manager.

This outline statement can form the basis for developing a specific document for the parish or project.

3.2 LINE MANAGEMENT & SUPPORT STRUCTURES

This is probably the most crucial aspect of employing a worker. If all else is in place, but the person does not receive the quality of management they deserve, then the high expectations and potential quickly fall away. Page 10, in looking at the appointment team and their task highlights the different aspects of management.

It is a harsh reality that this handbook has come about as a response to poor management of lay workers within this diocese. Youth workers/ministers are not perfect, but they do need to be treated with respect and clarity. Simple issues like having no clear budget but having to approach their line manager (normally the vicar) for every small amount to spend. Where there is a budget available for the minister/worker to use - and be accountable for there is evidence of responsible use and the positive motivation of the individual.

It seems that, in general clergy are reluctant to involve lay people in management roles often using the argument that too this would involve too many people and therefore be overkill. The key issue that needs to be addressed is how will any differences be resolved. Yes, by discussion, but when the vicar holds all the power what discussion? It is crucial that if the vicar is to be line manager there are others involved to act as mediators for when things begin to go wrong. The evidence is clear that, where the vicar is line manager, if, for whatever reason there is a breakdown in communication between worker and vicar the work is impacted exponentially. When this happens, being both line manager and pastor means that roles are unclear and the person who would help resolve the issue (as pastor) is not available.

One example where someone else really needed to be involved. One youth minister was someone who liked to be very focused, know what he was aiming at and how he planned to work towards it. His vicar tended to be distracted by things he had heard about or wanted to try. Instead of allowing the youth minister to get on with his work, he kept expecting him to divert into activities that interested the vicar, but often had little to do with youth work. With such different styles it was difficult to ever resolve issues properly. The worker felt that he lost out most of the time. He was frustrated and moved to another role earlier than he had originally planned and well before his original contract period came to an end.

The whole context of this small pack is that the management and support structures are well established. Whatever structure is decided it should be clear with everyone knowing the boundaries and processes for work and resolving differences.

3.3 INDUCTION PROGRAMME

3.3.1 Introduction

The process of planning for and appointing a worker will take a tremendous amount of time and effort, on the part of the committee responsible for the task, not to mention the expenditure involved. People involved in this process may hope to breathe a huge sigh of relief once the appointment has been made. A separate committee may be set up to manage the worker, smaller than the planning group but ideally with some common members. This is the time when many issues of the worker's environment and personal development need to be addressed. The structure and procedures of the worker's employment now need to begin to be established.

The most pressing issue at this time is that of the induction of the worker into the new post. Often this aspect of the employment process is neglected or not sufficiently implemented. Just as anyone entering a new job would hope to be welcomed and eased into their role and responsibilities, so a Youth Worker needs to be inducted into their new working environment.

'Induction' refers to the introduction, installation and initiation of a worker into a post. A well-planned induction programme removes problems by helping new employees to become confident in their new environment in the shortest time possible.

Before a worker turns up for their first day's employment, their induction should have already begun. They will have seen and accepted the terms and conditions of their employment, and, during the recruitment and selection process, formed impressions of the church and the young people.

A worker with previous experience may need a less intensive induction phase than a worker in their first post, but all workers and churches benefit from a carefully planned and implemented induction programme. The induction phase need not be costly in terms of time or money, but if poorly carried out may lead to the worker becoming frustrated or demoralised. Most dissatisfied employees leave within the first few months of their employment, and so a good induction phase makes good business sense.

One Youth Services Training Officer has said of this phase of the employment process:

'In many cases there is some form of induction but often it is unstructured and can very easily become a low priority matter or even forgotten about as the pressure of work and the demands made of the workers are allowed to take precedence. ...Youth workers are precious because there are not enough of them. It is vital that we look after them, not drive them into the ground.'

3.3.2 Why does a worker need an induction phase?

- To learn about the church, its values and visions
- To make relationships and meet other people who will later be useful to them in doing their job
- To give an opportunity for careful consideration to the job description and to learn more about the job
- To apply previous learning and experience to the new post
- To identify any further training and support needs

3.3.3 Potential pressure points for a new worker

The following list is by no means exhaustive, but does give insight into some of the stresses and challenges faced by a new worker:

- Moving house, finding a new house, flat, lodgings - setting up a mortgage
- Moving to a new area, with few or no friends
- Meeting lots of new people within a very short space of time - and trying to remember them all
- Trying to establish new social relationships
- Settling children and spouse into new schools/living environment
- Wondering where work finishes, and free time/social activities begin
- Finding their way around an unfamiliar town/city/area
- Meeting a variety of expectations about workload/work focus and personality
- Not being sure of their working boundaries or who to ask for clarification
- Meeting people who do not appreciate or agree with their role
- Working with a new group(s) of young people and/or children, adjusting to their culture and building relationships

If a worker is joining an already established team, they may also experience additional pressures initially:

- Fitting into an existing team structure
- Feeling like they are 'doing nothing' when others appear busy and rushed
- Being unfamiliar with people and situations discussed

3.3.4 Planning an induction programme

The type of induction programme will vary according to the skills, abilities and experience of the new worker and the nature of the work to which they have been appointed. Induction is often a fairly informal activity. The need for it to be structured and planned is, however, paramount so that nothing is overlooked.

As stated in the introduction, the induction phase should begin before the worker arrives to take up the post. In the first month of the worker's employment, it is advisable not to expect them to carry a full workload, but to spend time to settle in and get to know the area and the job. Procedures, places and other people take time to become familiar with and get to know, and it is important that the induction phase is not rushed.

Realistically, the induction phase can be expected to take around six months. Certain aspects

can be completed satisfactorily on the first day, or within the first few weeks. However it is important to remember that time is needed to settle fully into a job and to feel adequately briefed, and the programme should not be rushed or allowed to lapse after a short while. The time a worker takes to build up a basic knowledge of the job will enable the rest of their time in post to be more productive and rewarding.

3.3.5 What does the worker need to be inducted into?

The induction phase should provide the new worker with an introduction to the following:

- People** to enable workers to get to know colleagues, peers and clients.
- Places** to enable new workers to put their work in the context of the local community.
- Resources** to be aware of resources and agencies that may be of help later.
- Practices** to be aware of different approaches to meeting needs and expectations.
- Procedures** to be aware of the way in which the church is organised and managed.
- Information** to make the worker aware of past, present and future commitments.
- Knowledge** any specific situations or circumstances to be brought to the attention of the worker.

A sample Induction Programme for full and part-time workers can be found at the end of this Section.

3.3.6 Planning a Work Schedule

It is important that supervisors are aware of the workload and actual number of hours worked by their staff, and seek to avoid the possibility of workers becoming burnt out and working longer than their contracted hours on a regular basis. This is particularly so for workers who are single, as they can tend to be subject to expectations of greater time commitments than married workers.

You may have decided to employ a worker because your activities are more than current volunteers can deal with alongside their jobs and families. Alternatively, you may have little youth or children's work and be hoping to see a worker develop a whole new area of ministry.

The very arrival of a worker will generate opportunities and areas of work extra to the existing work with young people and children. If a worker is to survive the first few months in post, a realistic expectation of their working hours and responsibilities must be drawn up, and a close watch kept on the hours and activities worked.

For the vast majority of the time the worker will probably be responsible for managing his/her own time and prioritising their workload. However, if the supervisor is aware of the demands upon the worker they will be in a good position to offer help and support when they are needed.

Not all the worker's time can be spent in face to face contact with young people if the quality and strategy of the work is to grow. Time should be given for preparation for various groups and activities as well as for the actual activities themselves. Some activities will take place weekly,

others on a less regular basis. Administration, supervision and study should also be seen as part of the worker's schedule.

Workers should keep a formal record of their working hours and activities, in order to ensure that they are complying with the Working Time Directive. There are a number of other advantages in doing this:

- It helps the worker and the supervisor to keep a realistic track of the hours involved in the job description, and provides a basis for changes if necessary.
- It can help to clarify issues if there is disagreement over how a worker is or should be allocating their time.
- The worker and the supervisor can be aware of the dangers of too heavy a workload.
- It can help the worker to plan and prioritise their work for the future.

Every worker's position and responsibilities will vary, so it is important to plan an initial schedule together with your worker, and for this to be reviewed with the supervisor as appropriate.

3.3.7 INDUCTION PROGRAMME CHECKLIST – FOR FULL AND PART-TIME WORKERS

Pre starting date

- Job description
- Terms and conditions of employment
- Basic introduction to the Church/organisation and the area
- Starting information - date, place and time
- List of existing staff and their job titles
- Induction timetable - usually over six months
- Help with housing and family needs if necessary
- Welcome and support on arrival

First day of employment

- Welcome - someone in the office to welcome and begin the induction programme
- Talk through intended 6-month induction programme - noting any agreed amendments
- Tour of working environment, during which cover Health and Safety policy & procedures
- Introduction to any other staff
- Invitation to lunch
- Time with supervisor chatting informally about the job
- Employment details: Contract of employment,
- P45
 - Details of bank account, notification of payment date
 - Pension and life assurance schemes, if applicable
 - Next of kin information
 - Procedure for absences
 - Time on own in office to read, observe, chat to other staff, and settle in

First 2 weeks of employment

Philosophy/strategy of Church towards young people	<input type="checkbox"/>
Relevant history of recent youth work that the worker needs to be aware of	<input type="checkbox"/>
Existing commitments, which need to be met	<input type="checkbox"/>
Meet with young people and begin to build relationships	<input type="checkbox"/>
Begin to undertake and plan youth work activities/meet volunteers	<input type="checkbox"/>
Management structures and procedures	<input type="checkbox"/>
Supervision arrangements, set times, place and dates for first two months	<input type="checkbox"/>
Attend staff meeting, if there is one	<input type="checkbox"/>
Working hours arrangements, time off in lieu, holidays, Public Holidays etc	<input type="checkbox"/>
Policies - Disciplinary, Grievance, Equal Opportunities, Review, Training, Confidentiality, Insurance etc	<input type="checkbox"/>
Financial arrangements - petty cash, expenses etc	<input type="checkbox"/>
Church/ organisation's own resources/equipment for youth work	<input type="checkbox"/>
Structure of local authority youth work, and overview of other youth work agencies in the area	<input type="checkbox"/>
Local authority/local agencies resources available for youth work	<input type="checkbox"/>
Introduction to a few other Church and local authority youth workers and officers.	<input type="checkbox"/>
Begin to get to know the geography of the area - walk around with a map!	<input type="checkbox"/>
Check out local provision for young people, where things are and when they are open	<input type="checkbox"/>
Review the Induction Programme so far, agree and make any necessary changes	<input type="checkbox"/>

First 2 months of employment

- | | |
|---|--------------------------|
| Visit the local Diocesan Youth Officer, and those of other denominations if Churches are used to working together | <input type="checkbox"/> |
| Meet/network with other Church and local authority youth workers/officers | <input type="checkbox"/> |
| Join local worker support groups, if they exist | <input type="checkbox"/> |
| Visit local schools and make contact with head and other interested teachers | <input type="checkbox"/> |
| Visit any resources centres and become familiar with their facilities and systems of operation | <input type="checkbox"/> |
| Become familiar with Church's financial system/available budget for using resources located | <input type="checkbox"/> |
| Set initial youth work goals for first few months | <input type="checkbox"/> |
| Continue supervision programme on agreed basis | <input type="checkbox"/> |
| Build relationships with young people and volunteers | <input type="checkbox"/> |
| Review the Induction Programme so far, agree and make any necessary changes | <input type="checkbox"/> |

By the end of 6 months

- | | |
|---|--------------------------|
| Become familiar with the background, history and conditions of the work | <input type="checkbox"/> |
| Continue to build relationships with young people and volunteers | <input type="checkbox"/> |
| Find out about local authority and other training opportunities for the worker and volunteers | <input type="checkbox"/> |
| Discuss any perceived training needs with supervisor | <input type="checkbox"/> |
| Set medium and long term goals for the future | <input type="checkbox"/> |
| Produce report on appointment - meet with management committee | <input type="checkbox"/> |
| Continue supervision programme on agreed basis | <input type="checkbox"/> |
| Review probationary period • if all is well confirm appointment | <input type="checkbox"/> |
| Review the Induction Programme, note any omissions and arrange for their completion | <input type="checkbox"/> |

4. Other Issues for consideration

4.1 Non-Managerial Support

Within youth work there is a practice of providing non-managerial supervision for workers. This is where the focus is upon the worker and how they undertake their youth work rather than the wider issues of management. It is an important element as it encourages the worker to develop their skills in reflecting on their work and how they might do it even better, or differently. This might be the Diocesan Youth Officer or an experienced youth worker, but must be someone outside the management system for the post.

In addition many churches consider setting up a support group for the worker. This can backfire if the worker doesn't easily relate to the people chosen. It is often better to agree that this group will be formed and work with the appointed person to bring together a group that she/he feels he can meet and work with.

It is important to have a balance on these areas; the key is that the worker feels supported rather than smothered by groups and meetings.

4.2 Appraisal

Having an annual appraisal is an important element of the ongoing management and support process. There is lots of information about on appraisals but important to highlight that it is not the time for the line manager to inform the worker that they are unhappy with their work. If there are issues these should be dealt with as part of the regular management process. The appraisal is a time to reflect on the work done, the successes and failures, setting targets for the forthcoming year, identifying training needs, etc. It should be a positive experience, even when it may have been a difficult year.

4.3 Handling conflict and disagreement

This has been covered earlier, but underlines the importance of having good mechanisms for handling issues that arise. It is better to deal with things whilst small rather than leave and have to handle a major problem. Remember that, if a parish handles things wrongly it can be taken to a tribunal. If all is set up well, the need for handling conflict reduces. It is far better to get it right than handle the fallout!

4.4 Exit Interview

When a minister/worker is leaving the parish it is important to undertake an exit interview. This could be carried out by someone other than the line manager. This is an opportunity for the leaving worker to feedback to the parish anything about their reasons for leaving, or other information that would help in future management of a successor. It is not a time for the parish to defend itself, rather to listen and then weigh up the feedback it has received.

4.4 Training for workers/ministers

The opportunity for ongoing training is an important element of any job. In the statement of rights and responsibilities it highlights the importance of training for the work and providing opportunities for the individual to develop. It is important that an organisation which is primarily about growth should reflect that in how it enables its employees to develop.

There are many organisations offering training within the voluntary sector. This might range from one day courses through to day release. It is important for the parish to have a mind on this before the appointment.

4.5 Training for managers

In some ways this document has appeared critical of clergy. In reality we recognise that, unless in a previous career few clergy receive any management training. It is therefore of primary importance that, if the vicar is to be line manager she/he needs to receive appropriate training. There are some good short courses available through the Directory for Social Change based in London, or contact CME for other possible options.

4.6 What about vocation and calling?

We have made an assumption throughout this document that those being employed in a role as youth worker/minister is responding to a call from God. This is not the place to enter a discussion on the nature of vocations and calling, but rather to highlight the issue that arises from this aspect of employing a worker/minister.

Feedback from youth ministers highlights their enormous sense of calling and commitment to their work and parish. Unfortunately a significant number also feel that this can and is abused by their parish. This is often felt when issues around hours worked arises. This is why it is so important for parishes to be upfront about expectations. Another area is where some parishes decide to offer a small salary, encouraging potential workers to live by faith. Surely the challenge is that the church community in the place are all called to share in living by faith and meeting their responsibility to provide for a worker.

As with much of this area of employing those in ministry it is not about rights and wrongs but about an appropriate balancing of each parties needs and aspirations.

4.7 Support from the diocese

Each parish is responsible for its own arrangements in relation to appointments. However the diocese is available to provide support to ensure that all is done legally and appropriately. The main contact is through the Diocesan Youth Officer, though the Diocesan Secretary will be happy to read through contracts and plans to ensure they fall in line with current legislation. For the worker, the Diocesan Youth Officer organises regular gatherings of paid and key volunteer youth workers (those working equal to half time or above). These provide a place for discussion, support and prayer with peers.

4.8 How this all relates to key volunteers

Increasingly there are examples of volunteers giving significant time each week in a role similar to a part time youth worker/minister. Much of the information contained in this pack is relevant to the way in which volunteers should be managed and supported. Open communication and clear boundaries ensure that things work well. However, there are a couple of areas where extra care needs to be taken:

- It is important to define very clearly the role of the volunteer, particularly in relation to their place in the church leadership team and involvement in staff meetings.
- In terms of income tax, the Inland Revenue take a very clear view on payments to volunteers and any payment must be for expenses incurred. It is also important to use terminology that reflects the voluntary nature of the role, as any interpretation of employment could lead to the parish being liable for payments to the individual at the minimum wage.

4.9 How workers can support themselves

Employed workers will often be moving into a new area, leaving behind their previous support mechanisms. It is therefore key that networks are built quickly to ensure proper support.

These can be:

Through the diocesan network of youth ministers/workers.

Other youth workers in the same town/locality.

People from within the church or locality that the worker gets on with.

As a member of either Amaze or Amicus Union, to provide good information and support on employment issues.

In addition, it is important that workers are clear about their role, the structure of leadership & management within the parish and how they handle issues of all types. If in doubt seek clarification, use the probationary period to your advantage.

5. Miscellaneous Questions

As with most documents there are a few questions that just don't quite fit anywhere, or are asked on an ongoing basis. This section is therefore a developing one, and the document will be updated to include new issues as they are asked of us!

Do we really have to do a risk assessment for someone to work from home?

Yes, it is now a legal requirement and should include using for one to one meetings, through to gatherings of young people or leaders.

What about insurance for our youth work?

This is a big question, but most youth work can be covered under the parish policy, as all work and activity of the church comes "under the auspices of the PCC". Your insurance policy & schedule will give you the full details. However, as an employer you need Employers Liability Insurance and the worker will need to check their household policy in relation to using their home for work, particularly people coming into the house as part of the work environment.

Sorting out hours of work is very difficult. What about the unsocial nature of youth work with residential activities as well?

What is your normal expectation of a worker during an 'average week'?

What about those times when they take a group away, increasingly for a week in the summer, rather than the occasional weekend. If someone is 'on duty' from 8am to 1am, what do you do? How does this relate to using volunteers who are giving their time anyway?

A large number of issues come up with this area of youth work. This is where it is important to be clear from the start. If residential are within the job description, then it is also important to identify appropriate time off afterwards.

One of the key differences between the paid worker and volunteers is that she/he will, in the eyes of the parish 'carry the can' for anything that happens. They will also have probably done the lion share of preparation and be expected to handle any problems that arise.

The Community & Youth Workers Union Manual on Health & safety in Youth & Community Work notes that the Working Time Directive forms the basis for the rights of a worker. In the case of residential staffing needs should be worked out to ensure that young people are being properly cared for. They ask the question: "Are youth and community workers always sufficiently rested to undertake their ordinary duties with enthusiasm and skill?"

If hours are being properly monitored then this will free the worker to take time off to recuperate from times away, without having to justify themselves to others. We recommend that there is some external appraisal of hours worked so that the needs of both parties are being met.

We plan to provide housing for the worker, what are the issues?

A number of issues come up when providing housing.

One is the area of benefit in Kind, as defined by the Inland Revenue. It is important that the parish takes advice on this, as the tax liability on housing will be significant. The issues appear to be around whether the house provides a base for the work or not.

The Diocesan Handbook, section D3, covers Assistant Curates' Houses and provides a sample agreement for letting by a PCC. This is a simple document but lists key areas where it is helpful for all parties to know before they start work.

In addition to the above it needs to be clear on who is responsible for any maintenance and repair work that is required. If the central heating boiler goes wrong, who has authority to get it repaired? Be clear on the process.

TYPICAL CONTENTS OF A HANDBOOK

INTRODUCTION

1. Application

ATTENDANCE

2. Working Hours
3. Time Logging
4. Mobility
5. Leave of Absence
6. Time off for Dependents
7. Payment of Salary
8. Absence and Sickness

BENEFITS

9. Holidays and Holiday Pay

WORKING PRACTICES

10. Personal Property
11. Use of Diocesan Computer Equipment
12. Internet
13. E-mail Policy
14. Disclosure of Information
15. Associated Work
16. Use of Employees' Motor Vehicles of Diocesan Business
17. Mobile Phones in Vehicles
18. Equal Opportunities Policy
19. Disability Discrimination Policy
20. Sexual Harassment
21. Maternity Rights
22. Statutory Paternity Leave and Statutory Paternity Pay
23. Statutory Adoption Leave and Statutory Adoption Pay
24. Parental Leave
25. Flexible Working
26. Retirement
27. Employee Representation

HEALTH AND SAFETY

28. Health and Safety Policy/Procedures
29. Accidents at Work
30. Smoking

GENERAL RULES

31. Disciplinary Action
32. Grievance Procedure
33. Good Conduct
34. Disclosure of Public Interest Matters
35. Personal Mail

CONCLUSION

36. Alternations and Additions
37. Breach of Provisions
38. Noticeboards