

Section 10

Human Resources PARISHES AS EMPLOYERS (version 6 January 2019)

I. Introduction

- I.1 Across the Diocese PCC's are entering new territory and becoming an employer, employing parish administrators, youth workers, organists, caretakers, children and family workers, choir directors and organists, and others.
- I.2 For any PCC as an employing body, with its distinctive Christian identity and ethos, the day to day responsibilities as an employer, and with all the legal employment requirements, procedures and policies, and day to day management issues and decisions, can seem very daunting.
- I.3 This Diocesan HR team have a template Employment Handbook for parishes if this is helpful for them to adopt and use when managing the day to day arrangements of any employee/employees. It is available on request, and is an adapted version of the Staff Handbook previously agreed by Bishop's Council for all centrally employed DBF staff, so there is some consistency across the Diocese, but PCC's are of course free to make all their own arrangements as each is an independent employer.
- I.4 If parishes choose to use this Handbook you simply need to amend each section to include your own local arrangements (which will be highlighted for you). Alternatively you can contact the HR team at any stage, who will work through this with you and make adaptations according to your needs.
- I.5 Throughout the Handbook the term PCC refers to the sub committee delegated by the PCC to manage the day to day arrangements for any employee/employees as set out in the opening section of the Handbook but this is just a suggestion it is possible to have alternative arrangements in place.
- I.6 As a Diocese we also have access to a whole range of professional Occupational Health services, and other professional and pastoral skills, knowledge and experiences which parishes may find helpful, some may require some additional funding (such as an Occupational Health report).
- I.7 Whenever you have a query or problem contact the HR team. Inevitably the Handbook cannot cover all eventualities, and laws and regulations will change (where this is the case regular updates will be advised) - and sometimes it is just helpful to talk through an issue and explore options!
- I.7 The Director of Resources and Safeguarding, who leads on all our HR work is Canon Judith Knight, and Alice Clark is the HR Adviser their contact details are available through this link: <http://www.gloucester.anglican.org/parish-resources/hr/>

2. Parishes and the financial management of staff

2. Financial Arrangements

- 2.1 Every PCC as an employer must ensure that it complies with not only statutory requirements but its own financial management procedures and arrangements.
- 2.2 There is a Special Religious Centre exemption scheme which allows organists and other church employees to be paid gross pay without having PAYE deducted (so long as the parish do not employ anyone else by PAYE and the individual sum doesn't exceed the PAYE threshold)
- 2.3 From April 2018 the diocese has been able to offer payroll services for PCCs free of charge for any employees, please do get in touch for more information.

3. Determining employee status

- 3.1 There is much legal debate about who is employed or self-employed and even where an arrangement has been approved by HM Revenue and Customs or the Department of Work and Pensions (DWP) it has often been for the courts to decide the status.
- 3.2 However, in general terms where an individual is clear that they are working on their own account, where they can be employed by others, where they have a high degree of control about how a particular job can be done, and where they can say 'no' to work offered, and they usually work from their own premises, local arrangements can be put in place for working with a **self-employed person**. Financial remuneration here is usually by regular invoice, with no deductions.
- 3.3 Where an individual status is clearly that of an **employee** (i.e. they have the right to receive sick pay, holidays and holiday pay, work is directed and managed with a mutual obligation for the employer to provide work and for the individual to undertake the work) – then it is useful to ensure that as many eventualities as possible are covered at the outset to avoid misunderstanding, set expected standards, and ensure compliance with statutory provision.

4. Parish arrangements for day to day management responsibilities

- 4.1 In terms of good practice and day to day management you will need to ensure that your own local arrangements are reflected in an employment handbook e.g. the terms Rector/Vicar, Area Dean etc.
- 4.2 As an employer the PCC needs to ensure that it has its own local management structure which can support an employee/employees. A suitable structure can include a sub-committee of the PCC comprising, for example, one churchwarden and a couple of others including the Vicar/Rector who can make any day to day decisions, so that if anything crops up which needs to be considered through appeal

etc, an objective independent person could therefore be a PCC member such as another churchwarden who is not a member of that sub committee.

3. Recruitment in parishes

3.1 Parishes are set up as legal entities and are therefore responsible for their own safer recruitment processes, complying with secular law, employment law, and criminal law. For example advertising and selecting must follow anti-discriminatory regulations; and safe recruitment especially with reference to child protection and the protection of vulnerable adults must follow very clear diocesan policies and procedures including:

- offer letters “subject to satisfactory DBS clearance and references”
- that references are always followed up
- that no one is doing the job until a DBS check has been received
- that there is reference to specific safeguarding awareness training appropriate to the role

3.2 The HR team can offer training and support for any stage of the Interview Process.

3.2 All parish recruitment processes should follow the national Church safeguarding Safer Recruitment guidance.

4. Template documents

4.1 The template Employee Handbook is suitable for all Parishes who wish to use it and other documents are available such as:

- offer letters
- following up references letter
- working agreements/schedules of work
- template agreements for organists
- policies and procedures including:
 - all statutory rights (maternity, paternity, leave etc)
 - best practice in recruitment and selection
 - beginning and ending employment
 - capability, disciplinary, grievance
 - appeals and whistleblowing
 - managing sickness absence, and wellbeing
 - support and development
 - appraisals and reviews

4.2 The diocesan HR team can advise on any aspect of the employee/employer relationship.