



DIOCESE OF BRENTWOOD

TUPE+ CATHOLIC

A protocol for Catholic Multi Academy Trusts – (CMAT)

This protocol has been issued by the Diocese of Brentwood to guide and support Diocesan schools and Trusts (CMATs) at the point of conversion to academy status and beyond. It reflects the commitments that the Diocese strongly encourage Governors and MAT Directors/Trustees to make to staff and their representatives to promote a trusting working relationship that will thrive long term for the benefit of staff and pupils alike.

This protocol is designed to assist CMATs undertake the formal consultation and subsequent dialogue between the employer and employee consequent upon the operation of the Transfer of Undertakings (Protection of Employment) Regulations (TUPE). Its aim is to promote transparency and certainty for staff and to provide additional protections for School staff whose employment is transferring to a Catholic Trust or CMAT.

The Diocese strongly encourages Catholic CMAT employers to:

- Continue to adopt Catholic Education Service model contracts of employment, which incorporate national terms and conditions for teachers (the Burgundy Book) and support staff (the Green Book), and CES model employment policies so that there is no change in terms and conditions for staff who transfer to a Catholic MAT;
- Acknowledge and continue to give effect to any local agreements which Schools have adopted prior to conversion;
- Ensure that all new recruits will be employed on the same or very similar terms and conditions, i.e. CES model contracts of employment, ensuring equivalent terms and conditions for existing and future staff and so that there will be no two-tier workforce within the CMAT;
- Continue to maintain union recognition and not to introduce any future variation to conditions of service except following consultation and negotiation with staff and their representatives (whether at national or local level) and if appropriate in accordance with any collective agreement with a trade union;
- Continue to provide the right for employees to join a trade union and take part in its activities, as provided in the model CES contracts of employment and to promote trade union membership within its workforce where this will foster positive working relationships;
- Abide by any existing local agreement adopted by the Schools regarding the continuation of funded support of facilities time.

All Catholic schools must comply with the [Bishop's Memorandum on the Appointment of Teachers in Catholic Schools](#), the aim of which is to "help and guide employers in the School to fulfil their responsibilities, including statutory responsibilities, to preserve and develop the Catholic character of the school in relation to the appointment of teachers".

The Diocese supports the focus on building and sustaining good working relationships between Schools and their staff and welcomes collaboration with the Unions to achieve this. This will be reiterated in the letter of conditional consent provided by the Diocese at the start of any CMAT development process.

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