What if the worst happens? A Guide for members. **CONTACT** THE BRANCH **HELPLINE** 0333 1230021 theUNION

Faith Workers Branch

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The Branch Helpline

0333 1230021

When is the Helpline open?

The branch helpline is usually open from 9am-8pm but is staffed by volunteers, so there may be times when it is unattended for short periods. Please leave your name and number clearly and you will normally be called back within 24 hours.

Is it a call centre staffed 24/7 by solicitors?

No, it is one person who has a normal life, and who shares his or her home life with the national rate phone number which is directed to his/her home phone number and answer machine. A number of different people may run the helpline, but each is an accredited representative of the Faith Workers Branch and all are experienced faith workers from different faith organisations.

How much does it cost to call it?

Calls to 03 numbers are charged at the same rate as calls to normal landline numbers starting with 01 or 02. You will not be charged premium rates for calling this number from a landline or if you have inclusive minutes left on your mobile phone.

How does the helpline work?

If the helpline coordinator is in s/he answers the phone, asks for your membership number, listens to your problem, gives you some initial advice, based on his/her experience and training, and then says that s/he will look for a rep for you if you want one and need one. S/he may ask a colleague for advice. S/he contacts reps in your region and then lets you know who your rep will be. S/he tells the rep a summary of your problem and your contact details. The problem is added to the database to assist you if you need to call the helpline again and an anonymised report is made to the branch executive committee quarterly. Requests from reps for the support of a regional officer are made by the helpline coordinator. Any information that you share with the helpline or your rep is confidential to Unite and will not be shared in any way without your permission.

What problems does the helpline coordinator face?

Sometimes finding a rep can be difficult because the reps are very busy. Other times there may be no rep near to you. Knowing the urgency or immediacy of your problem is important.

How long will it take to find me a rep?

Ideally a rep will be found for you within 24 hours, but two or three days is normal and where there are few reps, or where reps are over stretched it can longer. Do not leave it to the last minute to ask for help.

Introduction.

Have you ever been in a car crash? Did you watch it happen in slow motion? Did you think you were going to die? Did you check afterwards that you had no head injuries or broken bones? Did you do a quick look to make sure that the car wasn't on fire and get out as quickly as you safely could? When your life flashes before you, and you know that all your unrealised hopes are dashed, that's the feeling that some members have when they have problems at work.

If you have a car crash you should: stay calm and don't panic; make sure that you and your other car occupants are safe; make sure the people in any other vehicles are safe; move to a place of safety; phone one or more of the emergency services such as ambulance, fire brigade or police; stay calm; do not admit liability; share insurance details with the other driver, if another vehicle is involved; phone a breakdown and recovery service if you are in one; take photographs as a record of what occurred and the weather and road conditions; perhaps contact family and friends to let them know; rearrange any plans or make alternative arrangements. Later on as you deal with insurers don't give in. This is a summary of the steps you need to follow when you have a car crash. When you have the equivalent of a car crash at work then there are steps to follow which mirror these steps.

This guide is a simple step by step guide to knowing what to do if and when the worst happens. It is for members of the Faith Workers Branch of Unite, and although it can't cover every eventuality it does deal with the most common problems. Most of the time life as a faith worker is a joy, albeit with the normal ups and downs that we are familiar with. The members of our Branch come from a number of faiths, and work in a wide variety of contexts. Not everything in this Guide will apply equally to every member. But we hope some of it, at least, will be helpful to you whatever your place of work or faith.

When the worst happens part of the role of an accredited representative is to support the member and to try to reverse the downward cycle of deterioration and worsening professional relationships and ill health. Alongside justice and fairness and equality as key values of the faith workers branch is the need to work for reconciliation. That can be hard when the worst happens, but your accredited representative will help you to the best of their ability. If you would like to become a rep please contact me for details of the next taster day and training courses for new reps. Thanks to our National Officer Sally Kosky for authorising the publication of this document, our branch committee for commissioning it, and for all the Faith Workers Branch Reps without whom the work of supporting members would be impossible.

Adrian Judd <u>adrian.judd@unitetheunion.org</u>

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Foreword by Siobhan Endean.

Something about the need to deal with problems well initially, and keep talking so that the problems do not escalate,

And also the need to promote reconciliation.

And the importance of working for social justice and equality.

National Officer Community, Youth Workers and Not for Profit Sector Unite the Union

Foreword by the Chair of the Faith Workers Branch.

With all the joys and blessings of being a faith worker come many challenges and potential pitfalls. Our aspirations that faith institutions might be categorised by love, support and trust are not always realised. People make mistakes and institutions fail. That is why union protection is so important, and not least in the faith sector. It's easy to think "it will never happen to me" but if a challenge were to come our way as a faith worker what would we do? We may find that we do not think as clearly as usual - that stress, fear and panic cloud our minds. It's for this reason that this "What if...?" guide is so very valuable, and we owe a huge debt of gratitude to Adrian Judd for putting it together.

Unite Faith Workers Branch isn't just about being there to protect our members when challenges arise. There are many positive aspects to our work together - improving protection and support for faith workers, and taking part in the wider work of the Trade Union movement - but protection when things go wrong is at the heart of our work.

This guide will also support the excellent work of those who staff our Helpline and those who serve as union reps. We are grateful to them also for all they do to help provide security and support in times of need. Compassion and solidarity ought to be the hallmarks of our faith institutions. We certainly hope you feel that we practice them in the Faith Workers Branch of Unite the Union.

Canon Steven Saxby - Branch Chair.

1. Before Taking up a Post.

1.i. Discrimination on Application.

What if I am completing an application form which asks me to disclose my age, race, sexual orientation, marital status or disability?

Response:

- Contact the branch helpline on 0333 1230021 for support and advice from a regional officer or union solicitor.
- Consider not including the information requested.
- Contact the union 24 hour legal helpline o800 709 for advice.

What if I am told that I was not considered for a job because of my age?

Response:

- Keep a record of the conversation where you were told this, or ask for it in writing.
- Contact the branch helpline on 0333 1230021 for support and advice from a regional officer or union solicitor.
- Unite seeks to actively promote equality and counter age discrimination.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8000082.

What if I am completing an application for a post and am asked to disclose my health history and disability

- Contact the branch helpline on 0333 1230021 for support.
- Unite is committed to countering disability discrimination.
- It is the usual time to disclose this information when you are offered a position, unless you need reasonable adjustments made during the interview process.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8000082.

What if I think that I have not been considered for a job because of my sexual orientation?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Unite seeks to actively promote equality and counter discrimination on the grounds of sexual orientation.
- Consider whether the faith organisation can claim exemption from the Equality Act 2010.

What if I think that I have not been considered for a job because of my marital status?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Unite is committed to countering discrimination against those who are divorced or whose previous partnership has been dissolved.
- Consider the whether the faith organisation can claim exemption from the Equality Act 2010.

What if I think that I have not been considered for a job because of my sexual orientation?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Unite is committed to countering discrimination against those who are lesbian, gay, bisexual, transgender and intersex.
- Unite seeks to actively promote equality and counter discrimination on grounds of sexual orientation.
- Consider the whether the faith organisation can claim exemption from the Equality Act 2010.

What if I think that I have not been considered for a job because of my membership of Unite?

- Keep a record of the conversation which made you think this was the case, or the light bulb moment when you saw the interviewer realise.
- Contact the branch helpline on 0333 1230021 for support.
- Unite is committed to countering victimisation of trade unionists and illegal blacklisting of shop stewards in every occupation.

What if I think that I have not been considered for a job because of my race?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Keep a copy of the job description and personnel specification.
- Consider whether someone else with the same experience and qualifications who is not black, Asian or ethnic minority, would have been considered for the post.
- Unite is committed to countering discrimination on grounds of race.

1.ii. Discrimination at Interview.

What if I am lesbian or gay and in a civil partnership or married and I am asked at interview about my marital status?

Response:

- Make a note of who was present and who said this, and of the reactions of other interviewers.
- Consider reminding the interviewer that you have a human right to privacy and family life.
- Contact the branch helpline on 0333 1230021 for support.
- Unite seeks to actively promote equality and counter discrimination on grounds of sexual orientation or marital status.
- Consider whether the faith organisation can claim exemption from the Equality Act 2010.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8000082.

What if I am a woman and I am asked at interview whether I am planning to get married or start a family?

- Make a note of who was present and who said this, and of the reactions of other interviewers.
- Consider reminding the interviewer that you have a human right to privacy and family life.
- Contact the branch helpline on 0333 1230021 for support.
- Unite seeks to actively promote equality and counter age discrimination on grounds of pregnancy and maternity.
- Contact the Equality Advisory Support Service for advice on freephone 0808 8000082.

What if I am black, Asian or from an ethnic minority and am asked at interview something entirely inappropriate?

Response:

- Make a note of who was present and who said this, and of the reactions of other interviewers.
- Contact the branch helpline on 0333 1230021 for support.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8000082.

What if I do not think I was treated fairly in the application process?

- Ask for feedback from the interviewer see if there was anything that you said or did that put them off.
- Ask for a copy of the references that they received for you.
- Ask if there was anything that was missing from your application in terms of essential or desired abilities or skills.
- Ask what the successful applicant had that you did not.
- Contact the branch helpline on 0333 1230021 if you think that you were discriminated against because of a protected characteristic under the Equality Act 2010.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8000082.

1.iii. Safeguarding issues.

If you have been found guilty of, or cautioned for certain criminal offences there are some roles or tasks that you may be barred from in order to protect children and vulnerable adults. Your name will appear on a barred list maintained by the Disclosure and Barring Service. Each faith organisation also has its own procedures for assessing the potential risk that those who are not barred may pose. This process involves a Safeguarding Risk Assessment. A Guide to Safeguarding Risk Assessment is available to members on request to the branch helpline.

1.iii.a The Barred List.

What if I need a Disclosure and Barring Service enhanced disclosure but I discover than I have been mistakenly included on a barred list?

Response:

- Contact the branch helpline on 0333 1230021 for the support of a union solicitor.
- On occasions your identity may have been confused with that of someone with a similar name, or who previously lived at your address, and this can lead to difficulties and can take a long time to sort out.
- Read advice on the DBS website about appealing mistakes: https://www.gov.uk/disclosure-barring-service-check/appeals-and-disputes
- You may lose the job you have applied for while this is sorted out.

What if I need a Disclosure and Barring Service enhanced disclosure but my name is included on a barred list because of a criminal conviction or caution?

Response:

• Unite is unlikely to be able to help with this issue because of the potential reputational damage to the union.

1.iii.b. Safeguarding Risk Assessment.

What if I need a Disclosure and Barring Service enhanced disclosure but something mistakenly appears in the Other Relevant Information section of the certificate?

- Contact the branch helpline on 0333 1230021 for the support of a union solicitor.
- On occasions your identity may have been confused with that of someone with a similar name, or who previously lived at your address, and this can lead to difficulties.

- This may include fixed penalty notices, penalty notices for disorder, findings of Innocence, acquittals, cautions and convictions of those you live with, and allegations.
- Consider doing an internet search for 'disclosure of police information to employers'.
- Read advice on the DBS website about appealing mistakes: <u>https://www.gov.uk/disclosure-barring-service-check/appeals-and-disputes</u>
- You may lose the job you have applied for while this is sorted out.

What if I need a Disclosure and Barring Service enhanced disclosure but a caution or conviction appears in the 'Other Relevant Information' section of the certificate?

Response:

- Contact the branch helpline on 0333 1230021 to see whether Unite can help you.
- Consider doing an internet search for 'disclosure of police information to employers'.

What if I need a Disclosure and Barring Service enhanced disclosure but an acquittal appears in the 'Other Relevant Information' section of the certificate?

Response:

• Contact the branch helpline on 0333 1230021 for support if you are asked to undergo a Safeguarding Risk Assessment.

What if I need a Disclosure and Barring Service enhanced disclosure but a caution or conviction of someone I live with appears in the 'Other Relevant Information' section of the certificate?

Response:

• Contact the branch helpline on 0333 1230021 for support.

What if I need a Disclosure and Barring Service enhanced disclosure but I have a historic allegation made against me?

- Contact the branch helpline on 0333 1230021 for support.
- On occasions your identity may have been confused with that of someone with a similar name, or who previously lived at your address, and this can lead to difficulties.
- The protocols for sharing information could lead to soft information, such as a historic allegation, being included on your DBS certificate, but may not do so.

- Read advice on the DBS website about appealing mistakes: https://www.gov.uk/disclosure-barring-service-check/appeals-and-disputes
- Do not be surprised if you are asked to undergo a Safeguarding Risk Assessment by your faith organisation or if they withdraw the job offer.

What if I am asked to undergo a Safeguarding Risk Assessment before starting a new job?

Response:

- If this is a surprise then ask why you have been asked to undergo a Safeguarding Risk Assessment
- On occasions your identity may have been confused with that of someone with a similar name, or who previously lived at your address, and this can lead to difficulties.
- Read advice on the DBS website about appealing mistakes: <u>https://www.gov.uk/disclosure-barring-service-check/appeals-and-disputes</u>
- Contact the branch helpline on 0333 1230021 for support and for a copy of the Guide for Members to Safeguarding Risk Assessment.
- Consider the value of being accompanied at a Safeguarding Risk Assessment, especially if you have no cautions or convictions.
- Consider how the faith organisation would view a refusal to undergo such a risk assessment without accompaniment.
- Do not be surprised if you are not appointed if you decline to participate in a Safeguarding Risk Assessment.
- Check your household and car insurance policies for legal expenses insurance.

1.iii.c. Other Issues.

What if I am about to start a job and my DBS certificate is delayed?

- Contact the branch helpline on 0333 1230021 for support.
- Do not expect to begin before your DBS certificate is granted.
- Hope that the faith organisation that you are working for will continue to pay you and/or house you.
- If you are still homeless and your previous employing organisation can not help consider approaching your new faith organisation for support.

1.iv. References.

.What if I discover that I am blacklisted?

Response:

- Blacklisting in employment is illegal, contact the union 24 hour legal helpline o800 709 for advice.
- If your name is on a DBS Barred list see the section on safeguarding.
- Make a record of the conversation or keep a copy of the email in which you found out you were blacklisted.
- See if the person who told you will put this in writing and say why you have been blacklisted.
- Contact the branch helpline on 0333 1230021 for support.
- Consider making a Subject Access Request under the Data Protection Act.
- Some faith organisations maintain lists of clergy who are prohibited from acting as ministers of religion (e.g. the Church of England).

What if I can't get a reference?

Response:

- In employment where it is usual to require a reference it is illegal not to give a reference for a person seeking to leave such a job.
- Ask why they won't give a reference.
- Contact the union 24 hour legal helpline o800 709 for advice.
- Contact the branch helpline on 0333 1230021 for support.

What if I can't get a reference even though I have signed a Settlement Agreement?

Response:

- Contact the solicitor who gave you independent legal advice before you signed the settlement agreement.
- Unfortunately the branch helpline on 0333 1230021 is probably unable to intervene in this case.

What if I want to see what a reference says?

- The person who writes a reference has no obligation to share it with the person who it is being written about, though it is good practice to do so.
- An organisation that receives a reference about a prospective employee cannot withhold it if the individual requests to see it.

What if I discover that a reference said that capability proceedings are pending?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Consider whether this is accurate or inaccurate. References should be accurate.
- If this is not true consider making a Subject Access Request under the Data Protection Act and asking for inaccurate information to be changed.

What if I can't get a post because of a verbal reference?

Response:

- Make a record of the conversation or keep a copy of the email in which you found out you were given a bad verbal reference.
- Ask what was said that prevented you from being appointed.
- Ask if you would otherwise have been appointed.
- Contact the branch helpline on 0333 1230021 for support.

What if I can't get a post because I can't get a verbal reference in addition to the written reference?

Response:

- If you have previously signed a settlement agreement there may be a reluctance to give a verbal reference so as not to breach the terms of the settlement.
- Contact the solicitor who gave you independent advice prior to the settlement agreement for advice.
- Unfortunately the branch helpline on 0333 1230021 is unlikely to be able to assist in this instance as you have received independent legal advice already.

What if I can't get an employer's reference for whatever reason?

- Consider contacting previous employers to see whether they might be able to give this reference.
- In faith organisations references from previous line managers or senior ministers may not be accepted.
- This may prevent you getting another post.

1.v. Other issues.

What if I want to check the terms and conditions of a post before accepting it?

Response:

- Contact the union 24 hour legal helpline o800 709 for advice.
- Check the government websites on the internet to make sure that the contract meets the expectations of employment law.
- Look at the ACAS website for information.
- The branch helpline is unlikely to be able to assist you with this.

What if I have accepted another post but have not yet resigned my current post and a complaint is made against me?

Response:

- This depends on what faith organisation you are part of.
- If you are in the Church of England or Church in Wales do not resign from your current post if a Clergy Discipline Measure complaint is made against you.
- Take advice from the branch helpline on 0333 1230021 and consider withdrawing acceptance of the new post while this is sorted out.

What if I have resigned one post and then my job offer is withdrawn?

Response:

- Write to the person that you sent your resignation to and see if it can be withdrawn.
- See if you can stay in your current accommodation and do a temporary job while you look for an alternative permanent post, if the resignation can not be rescinded.
- Write to ask why the job offer has been withdrawn.
- Contact the branch helpline on 0333 1230021 for support.

What if I go to move house and am the house isn't ready to move in to?

- Contact the person responsible for appointing you and ask them to make alternative provision for your accommodation a matter of urgency.
- Try to enjoy a brief holiday while you are either homeless or in temporary accommodation rather than starting work before moving in.
- Ask what charitable help is available to help meet the additional costs of not being able to move in when planned.
- Contact the branch helpline on 0333 1230021 for support.

What if I am about to start a job and am told that the house I was supposed to live in is no longer available?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Write to ask why the terms and conditions of your appointment have been changed and say that this is a fundamental breach of contract
- Consider whether you wish to still accept the job or not and get advice from a union solicitor.
- Read about access to employment tribunals for faith workers.
- Contact the branch helpline on 0333 1230021 for advice.

What if I am about to be licensed and my G.P. advises me to take some time off?

- This is one of the occasions when you may need to work and go to your licensing service (or induction, collation, or installation).
- Consider taking time off once you are in post.
- Contact the branch helpline on 0333 1230021 for support.

2. While in Post.

Do not resign or say you will resign. Do not say you will look for another post.

2.i. Terms and conditions of service.

What if I am not sent a written statement of particulars?

Response:

- Write to your line manager or person who appointed you and ask for a written statement of particulars.
- Contact the branch helpline on 0333 1230021 for the support of a union representative.

What if I accept a post on one set of terms and conditions but the written statement of particulars does not match those advertised?

Response:

- Contact the union 24 hour legal helpline o800 709 for advice.
- Contact the branch helpline on 0333 1230021 for support.
- Write to ask why the terms and conditions of your appointment have been changed.
- Consider whether you wish to still accept the position or not
- Read about access to employment tribunals for faith workers and get advice from a union solicitor.

What if I accept a post to do one job, but then find out that the post I have accepted is completely different?

- Check your written statement of particulars when you receive this and ask why it is different from the details given on application.
- Contact the branch helpline on 0333 1230021 for support.
- Read about access to employment tribunals for faith workers and get advice from a union solicitor.
- Do not resign and claim constructive dismissal without having discussed this with a regional officer.

What if the licence I am given does not match the role description and the information given on application?

Response:

- Check your ecclesiastical licence when you receive this and ask why it is different from the details given on application.
- Contact the branch helpline on o333 1230021 for support and consider not going ahead with a licensing service until the licence is correct.
- If you can not get advice before the service is due to start say that you object to the new terms and conditions of service and that you do not accept them.

2.ii. Pay and Pension.

What if I receive less money than expected one month in pay?

Response:

- Contact the finance department or payroll department of your faith organisation and query your pay statement. A simple phone call should discover whether a mistake has been made.
- If there is a discrepancy between what you had been led to expect and what is paid speak informally to a line manager or the person named in your statement of particulars.
- If speaking informally does not lead to a result lodge a grievance using your organisation's grievance procedure.
- If you have lodged a grievance and are still not satisfied contact the branch helpline on 0333 1230021 for assistance with a grievance appeal and, depending on your employment status, possible employment tribunal. It is unusual for mistakes not to be rectified when pointed out but not unknown.

What if I am paid less than the minimum wage?

Response:

- Consider calling the ACAS helpline for advice on o300 123 1100
- Check the national minimum wage or the TUC's living wage rates online.
- Contact the branch helpline on 0333 1230021 for support.

What if I have been working for some time as a cleaner and getting paid but am told that I am mistaken?

- Contact the branch helpline on 0333 1230021 for the support of a regional officer and union solicitor.
- Lodge a formal grievance.

• Collect evidence of having been an worker or employee, including date of interview, letter of appointment, wage slips, job advert, and contact details for witnesses.

What if I am told that my hours are being cut from full time to part time and that my pay will also be cut?

Response:

- Contact the branch helpline on 0333 1230021 for the support of a regional officer and union solicitor.
- Consider looking for another position.

What if my partner is also a faith worker and I am told that I will not be paid for the work that I do?

Response:

- Contact the branch helpline on 0333 1230021 for the support of a regional officer and union solicitor.
- Consider reflecting on how much you are valued by your faith organisation.
- Unite is committed to working for equal pay for women and to counter discrimination in all its forms.

What if I need to talk to someone and get financial advice?

- Contact the union 24 hour legal helpline o800 709 for advice.
- Accredited Representatives are not insured to give financial advice as that is not part of the role of a rep.
- Consider speaking to someone at the Citizens Advice Bureau.

2.iii. Ill-Health.

What if I am suicidal?

Please phone your G.P.'s surgery immediately whenever you are reading this.

Response:

- We are sorry to hear that as a matter of urgency please contact the Samaritans and your G.P. or out of hours service.
- Get a Statement of Fitness for Work from your GP
- Send the Fit Note to your line manager or the person mentioned in your Statement of Particulars.
- Consider the importance of taking a regular day off, time off each day, holidays and retreats.
- Contact the branch helpline on 0333 1230021 for help liaising with your faith organisation.

What if I am suddenly taken ill and am unable to work?

Response:

- See your G.P. and take medical advice.
- You can usually self-certify for up to a week but on day seven you should get a Sick Note from your G.P and send it to your line manager or the person mentioned in your Statement of Particulars if your illness is continuing.
- Expect that the organisation that you work for will want to keep in touch with you during your illness.
- Contact the branch helpline on 0333 1230021 for support in managing your time off work and to avoid problems occurring.

What if I need an operation?

Response:

- Try to give as much notice as possible to your line manager or the person mentioned in your Statement of Particulars.
- Inform them when you will be off work and how long for (approximately).
- Ask for help in arranging cover for your duties while you are off work.
- Get a sick note from the surgeon or your G.P. and send it to the person named in your Statement of Particulars.
- Contact the branch helpline on 0333 1230021 for support in managing your time off work if there are any difficulties.

What if I feel anxious or depressed?

Response:

• We are sorry to hear that as a matter of urgency please contact your G.P.

- Get a Statement of fitness for Work from your GP if you are not well enough to fulfil all the duties of your office due to ill health.
- Send the sick note to your line manager or the person mentioned in your Statement of Particulars.
- Reflect on whether you have been taking your day off and holidays.
- Consider whether a talking therapy or counselling may be helpful. If this is because of the office you hold or the work you do contact the branch helpline on 0333 1230021 for support.

What if I need to talk to someone?

Response:

- The branch has reps and members of a listening support network who are willing to talk to you about.
- Contact the branch helpline on 0333 1230021 for the support of a member of the Listening Support Network.
- Consider seeing your G.P. or a counselling service.
- The Society of St Martha and St Mary is commended. http://www.stsmarthaandmary.org/Contact%2oUs.htm
- Other organisations exist with similar purposes that can be signposted to you by your faith organisation.

What if I need professional help from a GP, social services or counselling service, is it safe?

Response:

- Even if people know you there is a duty of confidentiality and the professionals that you see must keep that.
- You may prefer to see someone outside your immediate home or work environment.

What if I am signed off sick by my doctor but I am expected to attend a social event, wedding or funeral at my place of work?

- Contact the branch helpline on 0333 1230021 for advice.
- Do not consider attending under normal circumstances.
- Make your own health a priority.
- If unsure consider emailing a line manager, or the person named in your statement of particulars, whether you should attend. No competent manager would ask you to disregard your health, safety and welfare.
- If however your statement of fitness to work says that you may do this take your G.P.'s advice.

2.iv. Prolonged III-Health and Disability.

A disability has a prolonged and substantial effect on your daily life. Trivial illnesses are excluded.

What if I become disabled and this affects my work?

Response:

- Have you told your line manager or the person named in your written statement of particulars?
- Has the health issue lasted a year or more and does it affects you every day?
- Do you have a diagnosis of cancer?
- Consider the importance of taking a regular day off, time off each day, holidays and retreats.
- Contact the branch helpline on 0333 1230021 for advice.

What if a disability is given as the reason for not appointing me to a post?

This sounds a lot like disability discrimination.

Response:

- Ask for that in writing.
- Ask how the disability would prevent you from performing the duties of the office.
- Ask whether reasonable adjustments could be made so that you could do the iob.
- Contact the branch helpline on 0333 1230021 for support.

What if a disability is given as the reason for not reappointing you to a post, or not extending a re-invitation to continue in post?

- Ask for that in writing.
- Ask how the disability would prevent you from continuing to perform the duties of the office.
- Ask whether reasonable adjustments for disability could be made so that you could do the job.
- Contact the branch helpline on 0333 1230021 for support.

If I am off work for more than 6 months because of illness will I still get paid?

Response:

- Your written statement of particulars, contract or staff handbook will explain your faith organisation's policy with regard to sick pay. If you do not have the policy, ask for it from your line manager or faith leader.
- You should receive sick pay for the length of time mentioned in your contract, written statement of particulars or staff handbook.
- Your contractual rights may be more than the statutory minimum.
- Full stipend after six months sickness may be at the discretion of the diocesan bishop in the Church of England. In other organisations different rules apply.
- Contact the union 24 hour legal helpline 0800 709 for advice if the amount you are paid is different from that mentioned in the policy.
- Consider making an appointment with the Citizens Advice Bureau to see if you are able to claim Employment and Support Allowance.

If I am off work for more than 6 months because of illness what should I do if my faith organisation wish to keep in touch?

Response:

- You should expect your faith organisation to keep in touch with you while you are off work ill, and to arrange to meet to discuss a return to work and what they can do to make that easier.
- You may be asked to see an Occupational Health doctor.

What if I am asked to see an occupational health professional?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Seeing an occupational health professional is value neutral, though their concern will be your return to work and anything that needs to be done by your employing organisation to facilitate it.

What if I am signed off sick by my doctor but I am expected to meet with my line manager to discuss a return to work?

- Contact the branch helpline on 0333 1230021 for advice.
- It is best practice for an employer to keep in touch with such an employee.
- If you are off work with work related stress talk with a rep about your health and safety and welfare at work.
- Speak with your G.P. to see what work you might be fit for.
- Consider attending with a rep present.

What if I am well enough to perform some of my work but not all of it?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Discuss your fitness to work with your G.P.
- Expect to be asked to see an occupational health professional if you wish to return to some but not all of your duties.
- A phased return to work is far from simple for those who are not employees.

What if I am well enough to perform some of my work but not all of it because of a disability?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Discuss your fitness to work with your G.P.
- Expect to be asked to see an occupational health professional if are unable to perform all of your duties.
- Consider what reasonable adjustments you need to be made in order to perform your duties.
- Expect to be questioned closely on whether you should remain in post if you are unable to fulfil the duties of that post.

What if a dependent member of my family is disabled and this affects my work?

Response:

- Ask about the organisation's family friendly policy.
- Write down how this affects your work.
- Contact the branch helpline on 0333 1230021 for support.
- Unless you are an employee you should be able to schedule your own work or get substitutes to cover.
- If you are an employee you are entitled to have reasonable adjustments made for you because of a dependent child or adult's disability.

What if I have to care for a family member and need time off?

- Ask about the organisation's family friendly policy.
- Write down how this affects your work.
- Contact the branch helpline on 0333 1230021 for support.
- Unless you are an employee you should be able to schedule your own work or get substitutes to cover.
- If you are an employee you are entitled to have reasonable adjustments made for you because of a dependent child or adult's disability.

2.v. Discipline.

Never resign. Never say you will resign. Never say you will look for another job.

What if I am unexpectedly invited to see a church or faith leader without being told the reason.

Response

- Ask why you have been invited to the meeting and what its purpose is.
- Ask if it is an investigatory meeting or a disciplinary meeting.
- Ask if you may be accompanied by a colleague or trade union official.
- Ask if the intention is to use positional power to bully you by not telling you what it is about.
- Make a subject access request under the data protection act.
- Contact the branch helpline on 0333 1230021 for advice.
- Consider asking a rep if it is advisable not to go till you know its purpose.
- Not attending such a meeting may be cause for disciplinary action.

What if I am told that a senior faith leader, bishop or archdeacon wishes to meet with me for ministerial development review?

Response:

- Ask if this is part of the normal review process.
- Consider whether you are obliged to participate in the process.
- Contact the branch helpline on 0333 1230021 if you think that this may be used as an opportunity to bully you or turn it into a disciplinary meeting.
- Do not expect a rep to be present during this meeting.
- Read about the process on your faith organisation's website or ask the person who contacted you for more details.

What if I am invited to see the bishop or church or faith leader and am faced with an allegation?

- Do not admit guilt, do not offer to resign.
- Do not say you will move.
- Do not apologize as though it will make everything better.
- Express surprise that this has been raised without mentioning the problem to you beforehand.
- Do not comment on the allegation.
- Do not try to justify your actions or alleged actions.
- Say that you will take advice from your trade union, Unite.
- Contact the branch helpline on 0333 1230021 for advice.

What if I am asked to resign?

Response:

- Don't resign.
- Don't say you will resign.
- Don't say you will look for other jobs.
- Say that you will take advice from your trade union, Unite.
- Perhaps ask why the person is asking you to resign and ask them to put it in writing.
- Contact the branch helpline on 0333 1230021 for advice.
- Consider the importance of taking a regular day off, time off each day, holidays and retreats.

What if I receive initial, written papers relating to a disciplinary case?

Response:

- Do not resign, and do not say you will resign.
- Do not panic.
- Contact the branch helpline on 0333 1230021 for advice.
- Do not sign or complete any papers or statement without taking advice from the Union.
- Do not meet with anyone in connection with the case until you have consulted a rep about the meeting.
- Do not talk to or telephone anyone in connection with the case until you have consulted Unite first.
- Do not instruct your own solicitor unless you accept that the union must withdraw.

What if I am told that I must not discuss a disciplinary allegation with anyone?

Response:

- Do not resign in protest.
- Remind the person that you have a human right to family life and freedom of speech.
- Ask the person to put that instruction in writing.
- Ask why the person is treating you in a way that is disrespectful and abuses your human rights.
- Contact the branch helpline on 0333 1230021 for advice.

What if I want someone else to complete the discipline response form on my behalf?

Response:

• This may not be permitted.

What if I do not complete the forms on time?

Response:

• This will probably be regarded in the worst possible light.

What if I am told that I must no longer be involved in politics or write or speak about political issues?

Response:

- Remind the person that you have a human right to freedom of speech and freedom of association.
- Ask in what way your political involvement is incompatible with the life of a faith worker.
- Ask for the request to be put in writing.
- Say that you will take advice from your trade union.
- Contact the branch helpline on 0333 1230021 for the support of a union solicitor.

What if the quality or quantity of my work is criticised and I am made subject to a capability procedure?

Response:

- Do not resign in a fit of pique.
- Contact the branch helpline on 0333 1230021 for support.
- Take the process seriously and consider if there are aspects of the performance of your duties that could be improved.
- Know that it is likely to get worse before it gets better.
- Consider whether you have a long standing health problem that affects you every day that you have not disclosed.
- Consider whether this is happening to you for any reason to do with a protected characteristic under the Equality Act 2010 i.e. someone else without that characteristic is treated differently for the same level of performance.
- Read the ACAS Guide to Performance Management.
- Consider the importance of taking a regular day off, time off each day, holidays and retreats.

What if I am accused of falsifying my C.V. to get my current position?

- Contact the branch helpline on 0333 1230021 for support.
- Expect a formal complaint to be made against you and that a complaint may also be made to the police.
- Consider whether you exaggerated at any point, or whether you falsified information.
- Do not expect to be given a reference.

2.vi. Family circumstances.

See also the section on criminal allegations..

What if I am single and want to make friends or form relationships?

Response:

- You have a right to privacy and a right to family life.
- Try to make time for yourself by clearing your diary.
- Consider your public profile and the ethos of your faith organisation.
- Try to keep professional and personal relationships separate.
- Consider the importance of taking a regular day off, time off each day, holidays and retreats.

What if my child, spouse or civil partner commits a crime?

Response:

- If they have been arrested ask for a duty solicitor to be appointed to assist them.
- Consider whether you have a legal duty to report them to prevent harm to a child or vulnerable adult and contact the branch helpline on 0333 1230021 for the advice of a union solicitor if you think that to be the case.
- Contact the union 24 hour legal helpline o800 709 for advice.
- Do not be surprised, if they live with you, if this appears on your next DBS certificate.
- Consider joining the DBS update service to give advanced notice of any such soft information from the police appearing on your certificate.
- Remember that the faith organisation does not employ your child or partner and that their actions should not impact on you.

What if the press print an allegation of my child, spouse or civil partner having committed a crime?

- Contact the union 24 hour legal helpline o800 709 for advice.
- Remember that you should not be disadvantaged by the actions of your family since they are not under the discipline of the faith organisation.
- Do not admit that their actions are your fault.
- If the child is under 18 seek support in parenting to help you cope.
- Consider the importance of taking a regular time, holidays and retreats.

What is the press print a court report in which my child, spouse or civil partner is alleged to have committed a crime or been convicted of committing a crime?

Response:

- Contact the union 24 hour legal helpline o800 709 for advice.
- Consider whether this might be libel.
- Check your legal insurance cover to see if you are covered.

What if my spouse or civil partner is being bullied?

Response:

- Ensure the health safety and welfare of your family.
- Consider who might have a duty of care for their health safety and welfare.
- Contact the branch helpline on 0333 1230021 for support.
- Try to remain calm and avoid getting into trouble by acting in a way that can be misconstrued.
- Consider the advantages and disadvantages of letting your spouse or partner deal with the issue themselves.
- See also the advice in the section on discrimination.

What if I am in a civil partnership and want to get married?

Response:

- Congratulations on your engagement.
- Consider whether you want to keep this matter private which is a human right and hope for the best or tell others about it and place yourself and your partner at risk of disciplinary action.
- Take advice from the branch helpline on 0333 1230021 and a union solicitor.
- What might happen depends where you are and whether you plan to stay where you are or move, and whether anyone knows about it.
- Contact the union 24 hour legal helpline o800 709 for advice.

What if I am married but become divorced?

- Consider whether you want to keep this matter private which is a human right or tell others about it.
- Take advice from the branch helpline on 0333 1230021 and a union solicitor if your church regards not informing them of this as a disciplinary matter.
- Be aware that decision making is diverse in many faith organisations and that a commitment by one leader not to discipline you, if you are in breach of the organisation's teaching, is not binding on a successor, and that the leader might change their mind, within the time limits for action.

2.vii. Grievance Procedures.

All employees, and some office holders, have the right to have their grievances heard.

What if I want to make a grievance against someone?

Response:

- Speak informally with your line manager about the problem and see if it can be solved.
- Are you an employee? Do you have a contract of employment?
- Contact your faith organisation and ask for a copy of its grievance procedure, or look on the website (if any).
- Look at your written statement of particulars for details of who to make a grievance to and the time limits that apply.
- Contact the branch helpline on o333 1230021 for support, for an example of how to complete the grievance form, or for accompaniment at a formal grievance hearing.
- Note that not all complaints are grievances even if all grievances are complaints.

What if I want to make a grievance against a line manager or senior figure in my faith organisation?

Response:

- Speak informally with your line manager about the problem and see if it can be solved.
- Contact your faith organisation and ask for a copy of the grievance procedure.
- Look at your written statement of particulars for details of who to make a grievance to and the time limits that apply.
- Contact the branch helpline on 0333 1230021 for support, for example in knowing how to complete the grievance form, or for accompaniment at a formal grievance hearing.

What if I want to make a grievance against a colleague in a similar job or post to my own?

- Speak informally with your line manager about the problem and see if it can be solved.
- Consider whether a grievance is the best approach to the problem or whether a facilitated conversation or mediation could sort out the problem and lead to reconciliation.

• Contact the branch helpline on 0333 1230021 for advice.

What if my informal complaint is not taken seriously?

Response:

- See 'What if I want to make a grievance' above.
- If you have already done that and not got anywhere then lodge a grievance appeal.
- Not all complaints are grievances, even if all grievances are complaints.

What if my formal grievance is not taken seriously?

Response:

• Contact the branch helpline on 0333 1230021 for support in lodging a grievance appeal.

What if my grievance appeal is not taken seriously?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- If you are an employee, or if you think you may be an employee ask for the advice of a regional officer or union solicitor.
- If a union solicitor advises you that you may go to a Tribunal consider the pros and cons of an Employment Tribunal.
- See the next section for information about Employment Tribunals.

What if I am told that I am not an employee and so I can't make a grievance?

- Contact the branch helpline on 0333 1230021 for support.
- If you are an employee, or if you think you may be an employee ask for the advice of a regional officer or union solicitor.
- Faith workers may be: employees but not office-holders; employees and office-holders; office holders but not employees or self-employed and not office-holders.
- Your employment status is not necessarily the factor that determines your right to have your grievance heard within a faith organisation, or at an employment tribunal.
- Although case law has set precedents, for example Church of England clergy on freehold are neither workers nor employees, other cases are likely to be taken on their own merit.

2.viii. Employment Tribunals.

Strict deadline apply to Employment Tribunals. The usual time limit is three months less one day. Having to resort to a tribunal may indicate the failure of mediation or conciliation. Keeping talking can usually avoid the need to go to a tribunal. Unite the Union seeks to work for reconciliation as well as justice and fairness so a tribunal may regrettably be unavoidable.

What if I want to complain to an Employment Tribunal?

Response:

- Contact the branch helpline on 0333 1230021 for the support of a regional officer and union solicitor.
- Be aware of the usual time limits for appeal to a Tribunal of three months less one day, and the need for a certificate of mediation from ACAS before the Tribunal can proceed.
- Note the difficulty of accessing tribunals for those who are office holders but not workers or employees.
- Refer to your written statement of particulars to see whether you have the right to resort to an employment tribunal as if you were an employee.
- Look to see if you have a contract of employment.
- Note any discrimination that you may have suffered and consider whether there is an exemption on religious grounds under the Equality Act 2010.

What if I complain to an Employment Tribunal?

Response:

- Your regional officer or union solicitor will complete your paperwork and accompany you to a Tribunal if your case gets that far.
- Do not expect the faith organisation that you work for to accept that you are or were an employee of theirs.
- Do expect them to say that your case has no substance and is denied completely, even though you are not an employee, nor have ever been.
- Do expect them to say that the complaint is vexatious and to say that if you choose to proceed they will seek to recover costs
- Don't expect a case that proceeds to be heard quickly.

What if I win an Employment Tribunal?

- You may be granted compensation or your faith organisation may be instructed to reinstate you in post.
- You have successfully fought a battle in the fight for justice. Congratulations.
- Your faith organisation may appeal to an Employment Appeal Tribunal for example if it did not believe there was a mutuality of obligation between you.
- Unfortunately reinstatement is uncommon and not enforceable.

What if I lose an Employment Tribunal?

Response:

• You may be able to appeal to an Employment Appeal Tribunal if your union solicitor agrees to that and subject to funding and the agreement of Unite.

Does it set a precedent if I win an Employment Tribunal?

Response:

• Sadly no - a case has to be heard by an Employment Appeal Tribunal to set a precedent that affects other faith workers.

Does it set a precedent if I win an Employment Appeal Tribunal?

Response:

Yes, a win at an Employment Appeal Tribunal does set a precedent, though a
faith organisation may appeal to the Court of Appeal and other cases would
not be heard until after the appeal hearing for your case.

What if I lose an Employment Appeal Tribunal?

Response:

- You may be able to appeal to the Court of Appeal if your union solicitor agrees to that this would be subject to funding and the agreement of Unite.
- In the Faith Workers Branch cases rarely get to an Employment Tribunal let alone beyond, because of the employment status of faith workers.

Does it set a legal precedent if I win at the Court of Appeal?

Response:

• Yes, a win at the Court of Appeal does set a precedent, though a faith organisation may appeal to the Supreme Court and other cases would not be heard until after the appeal hearing for your case.

What if I lose at the Court of Appeal?

Response:

• You may be able to appeal to the Supreme Court if your union solicitor agrees to that, and subject to funding and the agreement of Unite.

2.ix. Jury Service.

Faith workers no longer have automatic exemption from jury service. It is a duty which can not usually be avoided.

What if I am called up for jury service?

Response:

- If you are sent a jury summons you should complete it and be prepared to turn up for jury service when required.
- Notify your line manager, or the person named on your statement of particulars, that you will be unable to fulfil the duties of your office and ask them to provide cover for the duration of your jury service, including Sunday and evening duty.
- Do not try and combine jury service with the demands of your daily work.

What if I am told I can't have time off for jury service?

- Contact the branch helpline on 0333 1230021 for support.
- Ask your line manager or person named on your statement of particulars if they will pay your £1000 fine if you do not turn up.
- Inform them that you will be unable to fulfil the duties of your office and ask them to provide cover.

2.x. Safeguarding.

If you have been found guilty of, or cautioned for, certain criminal offences there are some roles or tasks that you may be barred from in order to protect children and vulnerable adults. Your name may appear on a barred list maintained by the Disclosure and Barring Service. Each faith organisation also has its own procedures for assessing the potential risk that those who are not barred may pose. This process involves a Safeguarding Risk Assessment. A Guide to Safeguarding Risk Assessment is available to members on request to the branch helpline on 0333 1230021.

What if I am asked to undergo a Safeguarding Risk Assessment and I have no knowledge of why I have been asked to do so?

Response:

- Ask why you have been asked to undergo a Safeguarding Risk Assessment.
- Be aware of the faith organisation's duty of care to protect children and vulnerable adults.
- Be aware that failure to comply with this request could lead to suspension or disciplinary action.
- Say that you will consult your trade union, Unite.
- Consider the value of being accompanied at a Safeguarding Risk Assessment, especially if you have no cautions or convictions.
- Consider how the faith organisation would view a refusal to undergo such a risk assessment without accompaniment.
- Your identity may have been confused with someone with a similar name, or who previously lived at your address. This can lead to difficulties and can take a long time to sort out.
- Read advice on the DBS website about appealing mistakes: <u>https://www.gov.uk/disclosure-barring-service-check/appeals-and-disputes</u>
- Contact the branch helpline on 0333 1230021 for support and a copy of the "Guide for Members to Safeguarding Risk Assessment".

What if I am asked to undergo a Safeguarding Risk Assessment because of a conviction or caution?

Response:

- Be aware of the faith organisation's duty of care to protect children and vulnerable adults.
- Ask what will happen in the Safeguarding Risk Assessment, how long it will last, who will do it, and what the possible results might be.
- Contact the branch helpline on 0333 1230021 for support and a copy of the "Guide for Members to Safeguarding Risk Assessment".

What if I am asked to undergo a Safeguarding Risk Assessment because of an allegation made against me?

- Be aware of the faith organisation's duty of care to protect children and vulnerable adults.
- Ask why you have been asked to undergo a Safeguarding Risk Assessment.
- Be aware that failure to comply with this request could lead to suspension or disciplinary action.
- Consider the value of being accompanied at a Safeguarding Risk Assessment.
- Consider how the faith organisation would view a refusal to undergo such a risk assessment without accompaniment.
- Read advice on the DBS website about appealing mistakes: https://www.gov.uk/disclosure-barring-service-check/appeals-and-disputes
- Contact the branch helpline on 0333 1230021 for support and a copy of the "Guide for Members to Safeguarding Risk Assessment".

What if I suspect there is a Safeguarding Matter on record against me which was dealt with years ago. Can it be resurrected?

Response:

- Yes historic allegations can be resurrected, for example during a historic case review. Be aware of the faith organisation's duty of care to protect children and vulnerable adults.
- You may be asked to undergo a Safeguarding Risk Assessment
- Contact the branch helpline on 0333 1230021 for support and a copy of the guide for members about Safeguarding Risk Assessment.

What if a historic case review in my faith organisation shows up an allegation against me which was disproved?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Any safeguarding allegation is a cause for concern.
- Where an allegation was disproved and there is still evidence to that effect you should not be expected to undergo a Safeguarding Risk Assessment
- If you are asked to undergo a Safeguarding Risk Assessment you should consider the value of being accompanied.

What if I a historic case review in my faith organisation shows up an allegation against me which was unsubstantiated?

- Contact the branch helpline on 0333 1230021 for support.
- Where an allegation was unsubstantiated you will probably be expected to undergo a Safeguarding Risk Assessment.
- An example of this might be where a case was dropped because there was not enough evidence to proceed.

What if I a historic case review shows up an allegation against me for which I was tried for but found not quilty?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- You will probably be expected to undergo a Safeguarding Risk Assessment.
- You may be suspended until the Safeguarding Risk Assessment is completed and considered.

What if I a historic case review shows up an allegation against me for which I was cautioned or tried and found guilty?

Response:

- You may be suspended until a Safeguarding Risk Assessment is completed and considered.
- Contact the branch helpline on 0333 1230021 for support and a copy of the guide for members about Safeguarding Risk Assessment.
- Unite may not be able to otherwise help because of the potential for reputational damage to the union.

What if the bishop will not give me Permission To Officiate because of a safeguarding allegation?

Response:

- This is an area where the branch may be unable to help because it is not possible to appeal the decision of the bishop not to give Permission to Officiate.
- Consider applying to a different bishop.
- Different rules and procedures will apply in other faith organisations. Contact the branch helpline on 0333 1230021 for support.

What if photos are taken of children in your place of worship without consent being given?

- Contact your organisation's safeguarding officer for advice.
- Update your local photographic policy.
- Ensure you use parental consent forms.
- consider making announcements that photos are not permitted and must under no circumstances be posted on social media.

2.xi. Criminal allegations other than safeguarding.

Sadly faith workers sometimes fall below the high standards expected of them. Safeguarding involves value judgements, on the balance of probability, rather than the criminal standard of proof or beyond all reasonable doubt.

What if I am accused of keeping assigned fees that do not belong to me?

Response:

- Contact the branch helpline on 0333 1230021 for support as a matter or urgency.
- Do not be surprised if you are invited to a police station to be questioned about allegations of theft or fraud.
- Consider whether your ongoing relationship with your faith organisation is important to you.
- Gather evidence that you have a right to keep the minister's fee for taking the services.
- Remember that even if you are entitled to the remuneration from a contract for services [in this instance each service is a new contract] you should remember to pass on any fee payable to a local faith organisation, organist etc.

What if I am arrested for drink driving?

Response:

- Check your disciplinary procedure, as you may have a duty to inform your faith organisation that you have been arrested.
- Consider seeing your G.P. if you have a problem with alcohol, or if the alcohol is a symptom of other problems.
- Reflect on any other problems that you have any consider what support you might need in dealing with them.
- Consider your organisation's professional code of conduct.
- Be aware that driving under the influence of drugs and alcohol is a crime that is taken very seriously by faith organisations.
- Contact the union 24 hour legal helpline o800 709 for advice.

What if I am arrested for a driving offence other than drink driving?

- Check your disciplinary procedures as you may have a duty under them to inform your faith organisation that you have been arrested, and you may have a limited timescale to do so in.
- Contact the union 24 hour legal helpline o800 709 for advice.

2.xii. Making criminal allegations.

Sadly faith workers sometimes fall below the high standards expected of them.

What if I was groomed or abused as a child by a member of a faith organisation?

Response:

- Contact the branch helpline on 0333 1230021 for support if this affects your work as a faith worker.
- Although Unite is unable to offer counselling it may be able to help signpost you to a counselling service.
- Report the matter to the police and to the safeguarding advisor of the faith organisation.

What if I was sexually assaulted by a member of a faith organisation?

- Contact the branch helpline for support on 0333 1230021.
- Although Unite is unable to offer counselling it may be able to help signpost you to a counselling service.
- Report the matter to the police and to the safeguarding advisor of the faith organisation.

2.xiii. Civil Law.

What if I need to talk to someone and get legal advice?

Response:

Contact the union 24 hour legal helpline o800 709 for advice.

Check your household or car insurance policy to see if you have legal expenses insurance and contact them for advice if you have.

What if I need to access information held about me?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Consider making a Subject Access Request under the Data Protection Act, using information at the following address: https://ico.org.uk/for-the-public/personal-information/

What if I make a Subject Access Request but information held about me is withheld?

Response:

- Contact the Unite 24 Hour legal helpline on o800 709007 for support.
- Contact the branch helpline on 0333 1230021 for support if this relates to the performance of your duties.
- Check your household or motor insurance to see if you have legal expenses cover.
- You may not be able to access the information that is withheld without going to the High Court, and possibly not even then.
- Consider contacting the office of the Information Commissioner.

What if I want to sue someone for libel?

- Be aware of how this may look to your faith organisation.
- Contact the Unite 24 Hour legal helpline on o800 709007 for support.
- Think twice before making an audio or video recording of anyone without their consent, since this may be seen as a disciplinary matter by your faith organisation.

What if trees become overgrown at the vicarage, manse or rectory?

Response:

- Check with the property department or similar, of your faith organisation, to see if they are responsible for this.
- Inform them that there is a problem.
- If the overhanging branches are easily accessed and if the tree does not have a preservation order on it, you may be able to prune them yourself.

What if a member of the congregation saw me drunk in the local pub and reported me?

Response:

- Everyone is human and makes mistakes, make a record of what you said or did in the pub when you were drunk.
- Write down any occasions that this has happened previously.
- Consider seeing your G.P. if you have a problem with alcohol, or if the alcohol is a symptom of other problems.
- Reflect on any other problems that you have any consider what support you might need in dealing with them.
- Contact the branch helpline on 0333 1230021 for support.

What if I am given penalty points on my licence for speeding or any other matter?

Response:

- Don't be too anxious, but try to avoid motoring offences in the future.
- Contact the union 24 hour legal helpline o8oo 709 for advice if you are concerned.

What if my partner or child is arrested?

- This should have no impact upon you under normal circumstances.
- If the offence is related to the safeguarding of children or vulnerable adults it could impact upon your working life.
- Contact the branch helpline for support.

2.xiv. Family Life.

See also the sections on discrimination and health and safety in the home.

What if I tell my child off for being naughty and they go to school and say that I hit them?

Response:

- This could be something or nothing, but any safeguarding allegation is a cause for concern.
- Consider accepting offers of help with alternative methods of parenting.
- Contact the union 24 hour legal helpline on o8oo 7og oo7.
- Check your motor or house insurance policies for legal expenses cover.
- Contact the branch helpline on 0333 1230021 for support.

What if my term of office is ending but I have a dependent child who is disabled and needs to stay at a special school?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Your faith organisation may listen to an explanation that they have a duty to make reasonable adjustments on the basis of your caring responsibilities for a disabled child.

What if my spouse or civil partner is being bullied?

Response:

- Keep a record.
- Contact the branch helpline on 0333 1230021 for support.
- Consider who is responsible for your spouse's or partner's health safety and welfare and what role they might have in helping prevent the problem recurring.
- Consider making a grievance to help them consider their responsibilities.
- Consider whether any of the bullying may also be discrimination or harassment.

What if the behaviour of someone I live with gives cause for concern about how they relate to children or vulnerable adults?

- Contact the branch helpline on 0333 1230021 for support.
- Consider the extent to which your home and work life can, or should, be kept separate.

2.xv. Bullying.

Keep a diary or log of emails letters, phone calls, texts and notes of conversations together with who was present, and of actions that you perceived as bullying. Bullying may include behaviours such as harassment or discrimination which may be criminal acts.

What if a member of the church is bullying me?

Response:

- Keep a record.
- Contact the branch helpline on 0333 1230021 for support.
- Consider who is responsible for your health safety and welfare and what role they might have in helping prevent the problem recurring.
- Ask your faith organisation for a copy of its Dignity at Work policy.
- Consider whether any of the bullying may also be discrimination or harassment.

What if a group in my church or faith organisation is bullying me?

Response:

- Keep a record.
- Contact the branch helpline on 0333 1230021 for support.
- Consider who is responsible for your health safety and welfare and what role they might have in helping prevent the problem recurring.
- Ask your faith organisation for a copy of its Dignity at Work policy.
- Consider making a grievance to help that person consider their responsibilities.
- Consider whether any of the bullying may also be discrimination or harassment.

What if a line manager or more senior worker is bullying me?

- Keep a record.
- Contact the branch helpline on 0333 1230021 for support.
- Consider who is responsible for your health safety and welfare and what role they might have in helping prevent the problem recurring.
- Consider making a grievance to help their line manager consider their responsibilities towards you.
- Ask your faith organisation for a copy of its Dignity at Work policy.
- Consider whether any of the bullying may also be discrimination or harassment.

What if I am being bullied by a group in the community?

Response:

- Keep a record.
- Contact the branch helpline on 0333 1230021 for support.
- Consider who is responsible for your health safety and welfare and what role they might have in helping prevent the problem recurring.
- Consider making a grievance to help them consider their responsibilities.
- Consider whether any of the bullying may also be discrimination or harassment.

What if my spouse or civil partner is being bullied?

Response:

- Keep a record.
- Contact the branch helpline on 0333 1230021 for support.
- Consider who is responsible for your spouse's or partner's health safety and welfare and what role they might have in helping prevent the problem recurring.
- Consider making a grievance to help them consider their responsibilities.
- Consider whether any of the bullying may also be discrimination or harassment.

What if I am told that I must attend some training but I am unable to attend or do not wish to attend?

- Contact the branch helpline on 0333 1230021 for advice. You may or may not have a duty to attend.
- If you are a Church of England vicar with freehold you have no obligation to attend. You may experience the expectation that you will attend as bullying depending on how the invitation is worded.
- If the training is on Safeguarding you should make every effort to go on this or on another occasion.

2.xvi. Discrimination.

The Equality Act 2010 allows exemptions for the purpose of organised religion. Technically then discrimination is not discrimination, even if a prohibited behaviour occurs and you have a protected characteristic, if an exemption occurs.

What if I am being treated differently because I am black?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Keep a log of incidents, phone calls, messages and meetings, along with who was present.
- Unite is committed to campaigning for racial equality.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8oooo82.
- Consider contacting the police if there you have evidence of discrimination.

What if I am being treated differently because I am a woman?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Keep a log of incidents, phone calls, messages and meetings, along with who was present.
- Contact the Equality Advisory Support Service for advice on freephone 0808 8000082.
- Consider the need for campaigning for gender equality.
- Consider contacting the police if there you have evidence of discrimination.

What if I am being treated differently because I am lesbian, gay, transgender or intersex?

- Contact the branch helpline on 0333 1230021 for support if you are being discriminated against.
- Consider whether there may be a religious exemption under the Equality Act 2010.
- Contact the Equality Advisory Support Service for advice on freephone 0808 8000082.
- Keep a log of incidents, phone calls, messages and meetings, along with who was present.
- Consider the need for campaigning for equality.
- Consider contacting the police if there you have evidence of discrimination.

What if I am treated differently because of my age? (e.g. made to retire against your wishes at a set age)

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Keep a log of incidents, phone calls, messages and meetings, along with who was present.
- Consider the need for campaigning for age equality.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8oooo82.
- Consider the need to campaign to have decent pensions so that people do not have to work when they are old.

What if I am treated differently because of my education, class, social contacts, height or eye colour?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Keep a log of incidents, phone calls, messages and meetings, along with who was present.
- Try and identify any other protected characteristic that may be the reason for the discrimination (e.g. being White European, Polish, as the real reason for being discriminated against for being working class)

What if I am treated differently because of my marital status?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8oooo82.
- Keep a log of incidents, phone calls, messages and meetings, along with who was present.

What if I am treated differently because I am disabled?

- Contact the branch helpline on 0333 1230021 for support.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8oooo82.
- Keep a log of incidents, phone calls, messages and meetings, along with who was present.

What if I am treated differently because of my association with someone?

Response:

- Contact the branch helpline on 0333 1230021 for support if you are discriminated against because you associate with someone who has a protected characteristic under the Equality Act 2010.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8000082.
- Make a record of every instance of discrimination, whether in person, or by electronic media or phone.
- Be aware that secretly recording conversations is regarded very unfavourably by some faith organisations.
- Seek advice from the branch helpline on 0333 1230021 and a regional officer or union solicitor.

What if I am treated differently because someone thinks that I am gay?

- Perceptive discrimination is illegal under the Equality Act 2010, for example if you are treated differently because someone thinks you are gay.
- Contact the Equality Advisory Support Service for advice on freephone o8o8 8000082.
- Contact the branch helpline on 0333 1230021 for support if it happens in your work environment.
- Consider reporting the offence to the police.

2.xvii. Harassment.

It is vital that you inform the harasser that the actions s/he is taking are unwelcome, must cease immediately, are considered by you to be harassment and will be reported to the police if they recur. Contact a union solicitor via the branch helpline on 0333 1230021 for a form of words to use.

What if I am being harassed by an individual?

Response:

- Keep a diary or log of emails, letters, phone calls, and conversations, as well as actions that might constitute harassment.
- Let the individual know that their attention is unwelcome and constitutes harassment and that you may report them to the police if they continue.
- Contact the branch helpline on 0333 1230021 for support.

What if I am receiving malicious phone calls?

Response:

- Keep a diary or log of emails, letters, phone calls, and conversations, as well as actions that might constitute harassment.
- Install a call blocker system to prevent nuisance calls by blocking withheld numbers, international numbers and to allow individual numbers to be blocked.
- Ensure that you have caller display on your phone line
- Consider having a private phone line.
- Contact the branch helpline on 0333 1230021 for support.
- Contact your telephone provider and ask for their nuisance calls department so that they can investigate the malicious calls.

What if I am receiving malicious texts or emails?

Response:

- Consider blocking individual email addresses.
- Inform the sender that you consider their emails to be malicious communications and harassment.
- Keep a record of the emails and consider reporting the person to the police.
- Block individual numbers on your mobile phone.

What if I am being harassed by a group of people?

- Keep a diary or log of emails, letters, phone calls, and conversations, as well as actions that might constitute harassment.
- Consider letting them know that their attention is unwelcome and constitutes harassment.
- Consider reporting incidents to the police.
- Contact the branch helpline on 0333 1230021 for support.

What if I receive anonymous letters?

Response:

- Keep them as evidence of harassment, but don't read them constantly or brood over them
- Consider whether their content is obscene or otherwise illegal.
- Consider throwing them in the bin if you do not wish to give them houseroom.
- If the letters are work related contact the branch helpline on o333 1230021 for support.

What if anonymous letters are being posted about me to neighbours?

Response:

Take photos of their location, keep a copy and inform the police if the content is obscene or otherwise illegal.

Ask friends to keep an eye out and watch over you and your property if you wish.

Contact the branch helpline on 0333 1230021 for support if these letters are affecting you at work.

What if I am being followed or pestered by someone?

Response:

- Do not confront the individual.
- Record evidence of the stalking using CCTV cameras or mobile phones.
- Contact the police for advice.

What if my home is being watched?

- Do not confront the individual.
- Record evidence using CCTV cameras or mobile phones.
- Contact the police for advice and consider reporting the individual for voyeurism.

• Contact the branch helpline on 0333 1230021 for support in dealing with the consequences.

What if my car is keyed or has the tyres slashed or the petrol lines or brake lines cut?

Response:

- If criminal damage is done to your property call the police (use 999 only in an emergency) to report it.
- Contact your insurers. Arrange for the damage to be repaired.
- Consider installing CCTV cameras if the damage happened at the home you occupy as part of the duties of your office (e.g. vicarage, manse).

What if dog faeces are put through my letter box?

Response:

- Record evidence using a phone or camera.
- Report the incident to the police on a non-emergency number.
- Dispose of the mess.
- If you occupy your property as part of the duties of your office consider contacting the properties department or person responsible for the house and request help with cleaning the carpets and installation of CCTV.

What if offensive graffiti is sprayed on the house?

Response:

- Record evidence of the graffiti using a phone or camera.
- Report the incident to the police using a non-emergency number.
- If you occupy your property as part of the duties of your office contact the person responsible for the house and ask them to arrange for it to be removed.

What if graffiti is sprayed on the house saying that I am a paedophile?

- Record evidence of the graffiti and report the incident to the police.
- Consider whether there is any immediate threat and contact the police for advice..
- If you occupy your property as part of the duties of your office contact the property department for help removing the graffiti.
- Contact the branch helpline for advice on conducting a risk assessment to assess whether it is safe to remain.
- Ask what control measures can be put in place to keep you safe by minimising risk or whether another property is available for you to live in.

2.xviii. Health and Safety in the Home.

Where a worker is required to live in a property because of the office that they hold the appointing organisation has a duty of care in the occupation of that property. That duty of care is exercised through through regular inspection and remedial works or a process of risk assessment and control of hazards in response to particular risks.

What if I feel unsafe in the vicarage/manse/ tied accommodation that I am required to live in because of the office I hold?

Response:

- Contact the branch helpline on 0333 1230021 for support
- Assess the risk to your personal safety from the hazard
- Identify the person or people legally liable for your health safety and welfare at work.
- Report the issue informally, though in writing, to a line manager, property department or person named in your written statement of particulars to give them opportunity to deal with the problem. Be careful to communicate the level of fear that you feel.
- Ask for temporary or permanent control measures to be put in place to safeguard you.
- Consider lodging a grievance if the issue is not dealt with, and if you have given the person a reminder and asked what action will be taken.

What if the vicarage, manse or other tied accommodation that I am required to live is dangerous because of electrical faults?

- Contact the branch helpline on 0333 1230021 for support
- Assess the risk to your personal safety from the hazard
- Identify the person or people legally liable for your health safety and welfare at work.
- Report the issue informally, though in writing, to a line manager, property department or person named in your written statement of particulars to give them opportunity to deal with the problem. Be careful to communicate the level of fear that you feel.
- Ask for temporary or permanent control measures to be put in place to safeguard you.
- If there is immediate danger to yourself your family, friends and visitors ask for temporary accommodation or a holiday while the electrical installation is made safe.
- Consider lodging a grievance if the issue is not dealt with, and if you have given the person a reminder and asked what action will be taken.

What if the vicarage, manse, or tied accommodation that I am required to live is dangerous because of uneven stairs, floors, collapsing ceilings?

Response:

- Contact the branch helpline on 0333 1230021 for support
- Assess the risk to your personal safety from the hazard
- Identify the person or people legally liable for your health safety and welfare at work.
- Report the issue informally, though in writing, to a line manager, property department or person named in your written statement of particulars to give them opportunity to deal with the problem. Be careful to communicate the level of fear that you feel.
- Ask for temporary or permanent control measures to be put in place to safeguard you.
- Consider lodging a grievance if the issue is not dealt with and if you have given the person a reminder and asked what action will be taken.

What if the vicarage, manse, or tied accommodation that I am required to live is dangerous because it is poorly lit and there is a risk to my personal safety, or that of my family or visitors?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Assess the risk to your personal safety from the hazard
- Identify the person or people legally liable for your health safety and welfare at work.
- Report the issue informally, though in writing, to a line manager, property department or person named in your written statement of particulars to give them opportunity to deal with the problem. Be careful to communicate the level of fear that you feel.
- Suggest control measures that can remove or minimise the hazard e.g. security lighting, cutting back trees, relocating doors, adding security fencing.
- Ask for temporary or permanent control measures to be put in place to safeguard you.
- Consider lodging a grievance if the issue is not dealt with, and if you have given the person a reminder and asked what action will be taken.

What if the vicarage, manse, or tied accommodation that I am required to live is burgled?

- Contact the branch helpline on 0333 1230021 for support.
- Identify the person or people legally liable for your health safety and welfare at work.
- Report the issue informally, though in writing, to a line manager, property department or person named in your written statement of particulars to give

- them opportunity to deal with the problem. Be careful to communicate the level of fear that you feel.
- Suggest measures that can be taken to remove the fear of living there e.g. burglar alarm, security lighting, fencing, or a change of property if it is in an unsuitable location.
- Consider lodging a grievance if no action happens as a result of your informal discussion.

What if the vicarage, manse, or tied accommodation that I am required to live is in an unpleasant location and that makes me feel unsafe?

- Contact the branch helpline on 0333 1230021 for support.
- Identify the person or people legally liable for your health safety and welfare at work.
- Report the issue informally, though in writing, to a line manager, property department or person named in your written statement of particulars to give them opportunity to deal with the problem. Be careful to communicate the level of fear that you feel.
- Suggest measures that can be taken to remove the fear of living there e.g. burglar alarm, security lighting, fencing, or a change of property if it is in an unsuitable location.
- Consider lodging a grievance if no action happens as a result of your informal discussion.

2.xix. Occupational Health and Safety at Work.

What if I feel unsafe in a place of worship?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Identify who is responsible for health and safety of that place of worship as controllers or owners of the building.
- Approach them informally and explain the problem.
- If you are partly responsible as chair of a committee, for the building consider training as a Unite Health and Safety rep.
- Suggest you work with them to conduct a risk assessment and put in place control measures that could make you, and others, feel safer.

What if I have to visit somewhere that I feel very unsafe?

Response:

- Look for alternative places to meet.
- Try not to go alone.
- Let someone know where you are going and what time you will call them to say you are safely back.
- Phone them when you are back.
- Ensure you have a mobile phone, and consider the need for legal personal safety products.

What if I am attacked at work?

- Consult your G.P. or go to Accident and Emergency.
- Go to a place of safety with people you know.
- Inform your line manager, or named person in your statement of particulars.
- Contact the police and report the crime.
- Contact the branch helpline on 0333 1230021 for support.
- Assess risk in where you go, with whom and when.
- Ensure you have a mobile phone, and consider the need for legal personal safety products.
- Consider whether it is safe to remain in your house or place of work.
- Consider the importance of taking a regular day off, time off each day, holidays and retreats.

What if I am told that I am not fit to do the job?

Response:

- Assuming that this is not your G.P. Consider whether this may be bullying using positional power.
- Keep a record of all such incidents.
- Try not to get angry or retaliate.
- Contact the branch helpline on 0333 1230021 for support.
- Consider rereading the job description and personnel specification to help you understand the expectations of those who appointed you.

What if my mail is redirected without my knowledge and my phone contracts and internet access cancelled?

Response:

- Rarely bullying takes the form of pretending to be a faith worker and redirecting their mail or cancelling their phone or broadband contacts, impersonating them on the phone or letter.
- Contact the branch helpline on 0333 1230021 for support in your place of work.
- Consider contacting the police as a criminal offence may have taken place.

What if I am told that I have applied for a job in another diocese or region?

Response:

- Rarely bullying takes the form of pretending to be a faith worker and applying for jobs in their name some distance away, impersonating them on the phone or letter.
- Contact the branch helpline on 0333 1230021 for support in your place of work.
- Consider contacting the police as a criminal offence may have taken place.

What if I am treated like an employee and my work is directed for me?

- Contact the branch helpline on 0333 1230021 for support as only employees and workers should have the manner of their work directed.
- Ask your line manager for guidance on why s/he is directing when and how you fulfil the duties of your office.
- Consider submitting a grievance.

What if I am told that I can't take time off on holiday?

Response:

- Contact the branch helpline on 0333 1230021 for support as everyone is entitled to holidays, though not usually to say when they should be.
- Consider whether you have been taking a regular day off, time off each day, holidays and retreats, and the possible impact of not doing so.
- Ask your line manager or the person you asked to respond to your request in writing so you have a record.
- Consider submitting a grievance.

What if I am expected to work 7 days a week?

Response:

- If you are an employee read the Working Time Regulations.
- Read your written statement of particulars for guidance on the hours you should be working. (There may be no guidance there).
- Contact the branch helpline on o333 1230021 for support as these unreasonable expectations can be bad for your health as well as your productivity.

What if I am expected to work late nights and early mornings?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Consider the needs of any dependent adults or children.
- Reflect on whether this is indirect discrimination against you.
- If you are an employee read the Working Time Regulations.

What if I am expected to work late nights and early mornings but have a child and can't get a baby-sitter?

- Contact the branch helpline on 0333 1230021 for support.
- Try to arrange your diary so that your duties are, as far as possible, when your child is at school.
- Enquire about your organisation's family friendly policies.
- Consider the impact of this on your child and how this might look to an outsider.
- Consider whether this is indirect discrimination against you.

2. xx. Social Media and the Internet.

The use of social media is an increasingly common cause of difficulty for faith workers as the line between work and home life becomes more blurred.

What if I posted a photo or comment on social media and this is causing me difficulties?

Response:

- Delete photos and posts on social media.
- Consider using an automated tweet delete application.
- Change your privacy settings on Facebook or Twitter so your page is not public.
- Consider deleting your accounts on social media.
- Consider contacting search engines and ask for information that they hold about you to be deleted.
- Try not to make the same mistake again.
- Consider having separate social media accounts for work and social life.
- Change the passwords on social media accounts if you think that they may have been hacked and other people have posted on your accounts.
- Make sure that you know who you are chatting with on social media is someone you can trust.

What if I have an account on a dating websiteand my profile is causing me difficulties?

- Contact the branch helpline on 0333 1230021 for support.
- Consider the ethos of the website and the ethos of your faith organisation.
- Check your profile and photograph and if you would mind your parents seeing them.
- Consider deleting photos and posts on social media, depending on their content.
- Consider requesting search engines remove any private information that they hold about you.
- Consider changing your privacy settings so your page is not public, or deleting your profile.
- Change the passwords on social media accounts if you think that they may have been hacked.
- Make sure that you know who you are chatting with is who they say they are.
- Be guarded in case of entrapment.

2.xxi. Redundancy

Employment law permits employers to hire and fire employees. All faith organisations also have their own procedures for beginning and ending the terms of office of office holders. It is important to know your own procedures since outside scrutiny through an employment tribunal may not be available.

What if I am made redundant?

Response:

- Technically the job you do is being made redundant.
- Contact the branch helpline on 0333 1230021 for support.
- Ensure that the faith organisation has considered alternative employment or posts for you.

What if my fixed term contract of employment ends, am I entitled to redundancy?

Response:

- As long as you were an employee contact the branch helpline on 0333 1230021 for the support of a union regional office.
- Read the government website about redundancy payments.
- Consider the need to ensure a good reference.

What if I am told that my contract is changing but I don't agree to the changes?

Response:

- Do not resign, even if you feel that you have been constructively dismissed.
- Contact the branch helpline on 0333 1230021 for support.
- Unilateral changes to your contract are difficult to cope with so speak to a union regional officer.
- Consider saying that you object to the changes and lodge a grievance.
- Do not resign without speaking to a union regional officer.

What if I am asked to relocate to a different location?

- Contact the branch helpline on 0333 1230021 for the support of a regional officer or union solicitor.
- If it is within daily travelling distance you are not being made redundant.
- Consider whether you are being indirectly discriminated against because of your gender, age, or other protected characteristic.
- Consider caring responsibilities and if these lead you to being unreasonably discriminated against.

What if the post I hold may disappear due to reorganisation of buildings?

Response:

- Contact the branch helpline on 0333 1230021 for support.
- Each faith organisation has its own rules for amalgamating buildings.
- Formal consultation is a requirement in the Church of England it is important to reply in time.
- An alternative post may be offered, or 6 months postponement to the scheme may be given to allow you to find another post.
- Compensation may be paid if no alternative post is offered.
- This can feel a lot like being made redundant, but each scheme is different, and although your post may disappear it may be replaced by another.
- Working in a team is a positive experience for some, rather than something to be feared, though if you have a colleague who tries to line manage you that may not be your experience.

What if I am a probationer and things are going wrong?

- Contact the branch helpline on 0333 1230021 for support.
- This can lead to unemployment so should be taken seriously.
- The introduction of competencies may be welcomed if they are specific, measurable, achievable, realistic and a time scale is given. Attitudes of mind can never be SMART objectives or appropriate 'competencies'.
- Each faith organisation has its own rules and procedures which should be followed.
- The Methodist Church has a Handbook for Ministerial Probation which is available online: http://www.methodist.org.uk/ministers-and-office-holders/leadership-and-ministry/probationers
- Consider reading the ACAS Guide to Managing Performance.

2.xxii. Considering a move.

What if I am asked to resign or am being pressured into it?

Response:

- Do not resign or say you will resign, or say that you will look for another post.
- Consider asking why the person wants you to resign.
- Contact the branch helpline on 0333 1230021 for advice.

What if I have had enough and want to resign?

Response:

- Do not resign or say you will resign or say that you will look for another post.
- Contact the branch helpline on 0333 1230021 for advice.
- It can be a mistake to make a decision while anxious or depressed.
- Do not resign while your health is impaired.
- It is natural to be upset and this is a fight or flight response.
- Consider seeing your G.P. to talk about your health.
- Consider the importance of taking a regular day off, time off each day, holidays and retreats.
- Consider whether you have a disability and what impact it is having on your work, and what changes would be needed to make reasonable adjustments for that disability.
- If you resign the union can probably not reverse this decision.

What if I am tired and depressed and want to see what options I have?

- See your G.P. to see whether you are fit for work and to get help with your depression.
- Contact the branch helpline on 0333 1230021 for advice (though it cannot give financial advice).
- Consider asking a rep to explore whether a settlement agreement might be appropriate.
- Look at your pension statement and take independent financial advice to see if you can afford to retire.

What if I would like to agree a settlement agreement to end my term of office?

Response:

- Contact the branch helpline on 0333 1230021 for advice and for help from a regional officer to negotiate this with your faith organisation.
- Do not resign, or say that you will resign since the settlement agreement will include ending your current job.
- Keep all such discussions about a settlement agreement confidential.

What if I can't face work?

Response:

- Contact the branch helpline on 0333 1230021 for advice.
- Work with a Health and Safety rep to discover the main causes of work related stress upon you, and how these might be controlled or removed.
- Consider the importance of taking a regular day off, time off each day, holidays and retreats.
- Consider seeing your G.P. to discuss your health and whether you are fit for work or not, especially if your family and friends are concerned about your health.
- Occupational Health can be an ally if they agree with your G.P.

What if it is suggested that I have a sabbatical?

- Read your faith organisation's policy about sabbaticals you may be overdue for one.
- Have you had a sabbatical previously? Are you due a sabbatical, or is this an unusual suggestion?
- Do not give an immediate answer.
- Consider whether there have there been any difficulties in your present post?
- Are you currently off work sick? Do you need a sabbatical or some time off work sick?
- Do you think this is a genuine offer of support or a step towards easing you out of your current post
- Consider the importance of taking a regular day off, time off each day, holidays and retreats.
- Contact the branch helpline on 0333 1230021 for support.

3. After being in Post.

What if I can't get a reference?

Response:

- Where it is normal to require a reference you are entitled to be given one.
- You are entitled to be given a fair reference.

What if my reference says that I was about to be subject to capability proceedings when I left my last job?

Response:

- You are entitled to be given a fair reference.
- The organisation you are applying to has a legal right to be told the truth.
- Consider if this was true and consult the branch helpline on 0333 1230021 and union solicitor if it is not true.

What if I can only get a written reference but not a verbal reference and the new employer requires one?

Response:

- You are entitled to be given a fair reference.
- Your new employer is not obliged to require a verbal reference.
- Do not disclose the terms or existence of a settlement agreement if you have signed one.

What if I have agreed to a Settlement Agreement and accidentally disclose its terms or break its conditions?

- Take advice from the independent solicitor that advised you about your settlement agreement.
- Or take advice from the branch helpline on 0333 1230021 and a union solicitor.
- If this hasn't happened yet, but you are about to breach the confidentiality clause don't.

4. During Retirement.

What if I want to become a rep for Unite but I am retired?

Response:

- Consider attending a taster day and becoming a rep.
- The Faith Workers Branch is the only branch in Unite with retired members as reps so you are very welcome to explore becoming one.
- Details on how to become a rep are in section seven of this guide.

What if I am retired and I am disciplined. Can this affect my pension?

Response:

- Unite has a pensions expert that can be consulted to answer this question.
- Contact the branch helpline on 0333 1230021 for advice.
- The answer is usually 'no' as your pension is invested in a trust that is independent of your "employer"

What if I can't get permission to officiate?

Response:

- Permission to officiate is in the gift of the diocesan bishop in the Church of England. It can not be appealed.
- It is usually withheld for 6 months or so after retirement to allow retired clergy to acclimatise to their new status.
- Contact the branch helpline on 0333 1230021 for advice.

What if I want to participate in local church committees?

Response:

- Read the Church Representation Rules if you are in the Church of England to see which local committees you can and can't participate in if you are a retired minister of religion.
- If you are a member of another church contact the helpline for advice.

What if I want to visit friends in the places where I used to live and work?

- You have a human right to a family life, freedom of association and freedom of movement.
- Consider how your actions will impact on your successor and whether this will change how your faith leaders will relate to you.

What if I want to minister in a place where I used to live or work?

Response:

- You have a human right to a family life, freedom of association and freedom of movement.
- Each religious organisation can make its own rules so take advice from the branch helpline on 0333 1230021.

What if I become mentally ill and can't take care of my finances?

Response:

- Consider contacting your local Church or its retirement department to see if they can help.
- If you have been sectioned contact an organisation like the Citizens Advice Bureau for financial advice, which the branch cannot give.

What if I want to earn some money by doing funerals at the crematorium?

Response:

- Be aware that if you are retired you may be expected to send the fee to your local faith organisation and then claim a payment from the faith organisation.
- Consider asking for a cheque made out to your faith organisation if you want to avoid any difficulties.

What if I want to earn some money by doing funerals at the crematorium, or funeral directors' chapels, as an independent minister?

Response:

- Contact the branch helpline on 0333 1230021 for advice on avoiding false representation in how you describe yourself.
- If you wish to remain in good standing with your own faith organisation discuss this with them in advance and only do so with the relevant permissions.
- If you wish to take services as an independent minister there is nothing to prevent you doing so.

What if I am accused of theft for keeping fees for services that I have done?

Response:

• Contact the branch helpline on o333 1230021 for support, but note that if you are acting as a self-employed contractor the union may not be able to access legal support for you.

- If you are retired you may have reason to believe that you can offer to undertake a contract for services and receive the agreed sum on fulfilment of the contract.
- Check the policies for your motor and household insurance to see if you have legal expenses cover.

5. General Advice.

i. On finding out there is a problem:

Response:

- Stay calm and don't panic.
- Don't resign. Even if you are at fault don't resign. You are not in a position to know what is in your own best interests, nor what would constitute an appropriate penalty.
- Make sure that you and your family are safe, and that no third parties are put at risk by your behaviour, or by what you say or write.
- Phone the branch helpline on 0333 1230021 for advice sooner rather than later. Don't wait till it gets worse.
- Don't resign. If you have resigned we can't help you.
- Don't appoint a solicitor to act on your behalf the union will have to withdraw if you do that.
- Make sure your union subscriptions are up to date.

ii. Before a rep is appointed:

- Don't resign.
- Don't go to meetings with management without a rep being present. Ask to reschedule the meeting once a rep is appointed.
- Don't phone or email managers, except to postpone a meeting.
- Do not use a work email address (e.g. thevicar@nameofyourchurch.org) as this may be accessed by your faith organisation.
- Don't panic.
- Keep a record of what has happened when.
- See your GP if you are unwell.

iii. When a rep has been appointed:

- Listen to the advice you are given by your rep. Trust your rep and take them seriously. Make sorting this out your number one priority.
- Don't resign. Don't say you will resign. Don't say you will look to move.
- "Never get out of the boat." (Coppolla, 1979, Apocalypse Now).
- Don't contact the other party by phone or email without your rep making sure you won't cause yourself difficulties.
- See your G.P. if your loved ones, are concerned about your health.
- Communicate with your rep in a timely manner. Talk to them and give them the information that they need to run your case.
- Answer your emails from your rep. Set up a personal email account and access it daily if you don't already have one or do so.

6. Union Sources of Support.

24 Hour Legal Helpline.

Free expert legal services for Unite members and their families. Call 0800 709 007 for legal advice and support and personal injury claims. This is a freephone number.

The Branch helpline on 0333 1230021.

This is for all enquiries stemming from the duties of the office you hold, or the job that you do. Call 0333 1230021 between 9am and 8pm. Leave a message if there is no answer. Please leave your name and number clearly and you will normally be called back within 24 hours. The helpline will find a rep if you need one and subsequently can arrange for the support of a regional officer or union solicitor.

The benefits of union membership are for members of Unite. Do not let your membership lapse, and make sure that your subscription is paid up to date. Consider the advantages of Enhanced Membership.

The support of a rep is available from day one of membership, but legal support from regional officers and union solicitors is only available once you have been a member for a month, and excludes issues that pre-date your membership. Instructions to contact the branch helpline, for the advice of a regional officer or union solicitor, only apply on the above conditions.

A Regional Officer.

A Regional Officer is a paid official of Unite with specialist skills, training and experience in representing and organising members. Regional officers do not deal with grievances and they have a specialist focus on employment law.

Your Unite Regional Office.

All members of the Faith Workers Branch are in the London and Eastern region for administrative purposes but should contact the regional office covered by their workplace postcode if they are unable to access support through the branch helpline on 0333 1230021.

London and Eastern: 0208 8004281	South East: 01753 313820
South West: 0117 9230555	Wales: 02920 394521
West Midlands: 0121 5536051	East Midlands: 01332 548400
North West: 0151 2031907	North East, Yorkshire and Humberside:
	0113 2364830
Ireland: Belfast 02890 020418	Scotland:
Dublin: 01873 4577	0141 4045424

7. Becoming a Rep.

i. The Work of an Accredited Representative.



The role of a Rep:

- An advocate, friend and supporter, especially at grievance and disciplinary hearings.
- A listening ear, learning about members' problems and concerns.
- A voice for equality and dignity.
- A negotiator and campaigner.

What makes a good Rep?

- Reps need time to represent members, and to learn how to do it better.
- Reps need to be confident and willing to challenge injustice
- Reps need to be able to recognise bullying, discrimination and harassment
- Reps need to be able to work unsupervised, but still be accountable to the Union.
- Reps need to know how to represent members at grievance & disciplinary proceedings.
- Reps need to be resilient and to have a sense of humour.
- Reps are not counsellors, thought they may listen and support members.
- Reps advise members, but encourage members to be responsible for making their own choices.

Could you be a Rep for the Unite Faith Workers Branch?

- Are you interested in justice and fairness?
- Do you want to help colleagues?
- Thinking about becoming a rep?

A Rep is a member of Unite and the Faith Workers Branch who has been elected and accredited to represent branch members by Unite, s/he has been trained and is a faith worker or retired faith worker.

Being a Rep is a vital role which involves supporting colleagues through grievances and disciplinaries and promoting the values of fairness, justice, equality and compassion. Training begins with a taster day to learn about the work of a rep.

The Faith Workers Branch represents members from all religious organisations and faiths. Contact <u>Adrian.Judd@unitetheunion.org</u> for more details.



ii. The Work of a Health and Safety Rep.

Could you be a Health and Safety Rep for the Faith Workers Branch?

- Are you interested in learning about health and safety and how it impacts upon faith workers and learning to assess and control health and safety risks?
- Do you want to make your workplace safer for you and all who access it?
- Do you want to learn about the trade union approach to working safely and stress management?

A Heath and Safety Rep is accredited by Unite and elected by members of the branch to implement a culture of workplace occupational health and safety.

The Faith Workers Branch has a network of health and safety reps who work to promote safer workplaces. Contact Adrian.Judd@unitetheunion.org for more details.



iii. The Work of an Equality Representative.

Could you be an Equality Rep for the Faith Workers Branch?

- Are you interested in promoting equality of opportunity?
- Are you interested in learning about the Equality Act 2010?
- Are you interested in learning more about discrimination?
- Do you want to make your workplace more equal?
- Do you want to learn about the trade union approach to equality?

An Equality Rep is someone who is accredited by Unite, and elected by members of the branch to actively promote equality of opportunity and counter discrimination in the workplace. Equality reps work to counter discrimination in all its forms. Contact <u>Adrian.Judd@unitetheunion.org</u> for more details.



iv. The Work of a Listening Rep.

Could you be a Listening Rep for the Unite Faith Workers Branch?

- Could you spare an hour a week for four weeks?
- Could you do this once or twice a year or more?
- Are you a good listener?
- Can you empathise with other faith workers in difficulty?

Being a member of the Listening Support Network involves supporting colleagues through weekly phone calls for a month. It does not involve advising on cases or difficult situations, just listening to a member once a week, for up to an hour, at a time to suit you, for up to four weeks. The Faith Workers Branch represents members from all religious organisations and faiths. Contact Adrian.Judd@unitetheunion.org for more details.

v. What procedures do reps follow?

Reps follow the Unite rule book, Executive Council guidance, the ethos of their workplace, for example the need to work for reconciliation and justice, and the procedures of the Faith Workers Branch. Reps also follow the training that they receive and the procedures that the union has in place to ensure the best possible representation for members.

vi. What is CECA?

CECA is the workplace organisation in Unite for Church of England members who have a bishop's licence or permission to officiate. It stands for Church of England Clergy Advocates. It is a professional association of clergy. It has its own values and mission statement, as well as a workplace committee and organisation.

vi. What is AMFW?

The Association of Methodist Faith Workers is a professional association of Methodist Faith Worker members of Unite. It is a workplace, in union terms, and has its own committee. It also has its own values and mission statement.

Appendix 1: The Equality Act 2010.

The Equality Act, 2010 identifies prohibited conduct towards people with relevant protected characteristics.

i. Prohibited Conduct.

- Direct discrimination (where a person is affected directly by an action).
- Indirect discrimination (where a person is affected more than others who do not share their protected characteristic).
- Associative discrimination (where a member is affected because they associate with someone who has a protected characteristic)
- Harassment (which also has a legal definition).
- Victimisation (discrimination subsequent to a complaint about unlawful discrimination).
- Failure to make 'reasonable adjustments to accommodate a person's disability'.

ii. Protected Characteristics.

- Age.
- Disability.
- Gender reassignment.
- Marriage & civil partnership.
- Race.
- Religion or belief.
- Sex.
- Sexual orientation.
- Pregnancy and maternity.

The Act is complex, and to some extent the above is a simplification. It also gives religious organisations exemptions permitting them to discriminate in circumstances which are wider than those required in the European Council Directive 2000/78/EC which it transposes into law. Where exemptions are claimed the advice of a union officer or solicitor should be sought via the branch helpline on 0333 1230021.

Appendix 2: Other Sources of Help and Support.

i. The Office of the Information Commissioner.

https://ico.org.uk/for-the-public/personal-information/

ii. The Citizens Advice Bureau.

https://www.citizensadvice.org.uk/

iii. The Disclosure and Barring Service.

https://www.gov.uk/disclosure-barring-service-check/appeals-and-disputes

iv. The Equality Advisory Support Service.

https://www.equalityadvisoryservice.com/app/ask Freephone o8o8 8oooo82.

v. The Society of St Martha and St Mary.

http://www.stsmarthaandmary.org/Contact%20Us.htm

vi. Your own faith organisation.

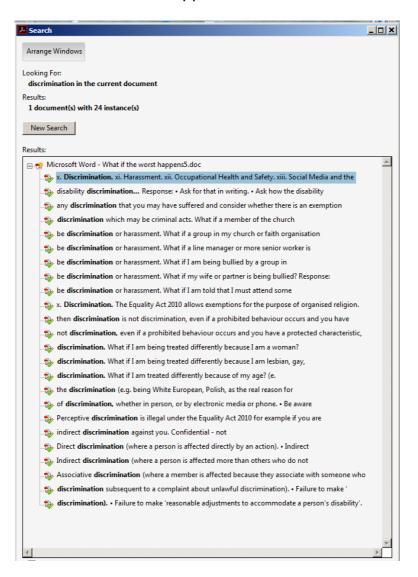
Many faith organisations have funds available to them for charitable purposes. Often this is at the discretion of senior management.

Appendix 3: Searching this document.

To search this pdf document:

- 1. Left click on 'Edit'
- 2. Left click on 'Advanced Search'
- 3. Enter the search term in the text box "What word or phrase would you like to search for?"
- 4. Click "Search"

The term you have searched for will appear:



Appendix 4: Compliments and Complaints Procedures.

We hope you will always be happy with the way our reps assist you but if you feel particularly appreciative - or unappreciative - of the help you have received please tell your rep, or use the forms in appendix five to tell the branch committee or wider union. The compliments and complaints procedures are designed to help members express gratitude or dissatisfaction and assist the branch committee with its record keeping and database of training needs.

A serious view of compliments and complaints.

The branch committee has appointed a complaints and compliments officer whose responsibility it is to assist the branch committee in applying the union rulebook (Rule 27) and Executive Council guidance on rule 27. All Unite members are subject to its rulebook. The Faith Workers Branch has compliments and complaints procedures based on the ACAS Code of Practice for Grievances and Disciplinaries. Each procedure begins with speaking to the member concerned informally, then there is a written procedure to highlight it to the branch committee's compliments and complaints officer, and finally a way of an appeal being heard by the wider union.

Compliments Procedure.	Complaints Procedure.
Stage 1: Informal	Stage 1: Informal
To make an informal compliment please speak to the rep who helped you, to express your appreciation of all that he or she did for you.	To make an informal complaint please speak to the rep who helped you to see whether you can resolve the issue.
Stage 2: Formal	Stage 2: Formal
To make a written compliment complete the form Appendix 5a and email it to faithworkers@unitetheunion.org with the subject line "FAO Compliments & Complaints Officer, Faith Workers Branch."	To make a written complaint complete the form in Appendix 5b and email it to faithworkers@unitetheunion.org with the subject line "FAO Compliments & Complaints Officer, Faith Workers Branch"
This will enable the branch committee to monitor what good work the reps do and will bring the rep to the attention of the branch committee in a good way.	This may lead to a disciplinary hearing in accordance with rule 27. It will also enable the branch committee to comply with the law.

Stage	3: /	Api	peal

To appeal please email the form in Appendix 5b to faithworkers@unitetheunion.org with the title "Stage 3 Complaint (Appeals) FAO Siobhan Endean" in the subject line. Siobhan is National Officer for the Community, Youth and Not for Profit Sector.

What happens once the complaint is received?

The complaints officer will review the complaint and ask for a response from the member you are complaining about. S/he will then either dismiss it the complaint or convene a disciplinary hearing at which your complaint will be considered.

Which complaints may be considered?

The following are valid reasons for complaints:

- 1. Acting in any way contrary to the rules or any duty or obligation imposed on that member by or pursuant to these rules whether in his/her capacity as a member, a holder of a lay office or a representative of the Union.
- 2. Being a party to any fraud on the Union or any misappropriation or misuse of its funds or property.
- 3. Knowingly, recklessly or in bad faith providing the Union with false or misleading information relating to a member or any other aspect of the Union's activities.
- 4. Inciting, espousing or practising discrimination or intolerance amongst members on grounds of race, ethnic origin, religion, age, gender, disability or sexual orientation.
- 5. Bringing about injury to or discredit upon the Union or any member of the Union including the undermining of the Union, branch or workplace organisation and individual workplace representatives or branch officers.
- 6. Obtaining membership of the Union by false statement material to their admission into the Union or any evasion in that regard.
- 7. Breach of the Union's policies on diversity, bullying and harassment in the workplace, which will include cyber bullying and harassment.

Although reps do their best they sometimes make mistakes. A rep can win your case, even though they handle it badly, and lose your case even though they handle it well. Reps do their best for you, and they are volunteers, but not all cases are winnable. It is perfectly natural to be happy when your problem is sorted, and angry or disappointed if your problem is not resolved to your satisfaction. Dissatisfaction with the way your case was handled is not in itself a valid reason for a complaint.

Which complaints may not be considered?

- Where the complaint does not allege a breach of union rule 27.
- Where the complaints procedure was not followed.
- Where the complaint was not made within a reasonable time.
- Where your membership lapsed and the complaint was made subsequently.

Substantive complaints will be considered by the branch committee in accordance with rule 27. The compliments and complaints officer convenes and chairs hearings. You will be informed if your complaint is dismissed by the complaints officer and the reason for doing so.

What can happen as a result of my complaint?

The maximum penalty available to the branch committee is that of censure. After the hearing you will be informed of the result of the hearing.

A rep will be considered to have mitigation if s/he declined to represent you for one of the following reasons:

- Where there was thought to be risk of reputational damage to Unite.
- Where you contacted your own solicitor for advice.
- Where your problem predated your union membership.
- Where you did not follow the advice given by your rep.
- Where a rep did not complete forms that you must complete yourself.
- Where you did not communicate in a full and timely manner.
- Where you failed to disclose key information to your rep.
- Where a regional officer or union solicitor was appointed.
- Where a rep was asked to consider an issue that did not occur in the course of a member's work.
- Where the complaint may be vexatious.

You will be informed whether any of the above mitigating circumstances apply.

Do I have the right of appeal?

Yes, if you are dissatisfied with the result of your complaint you may appeal in accordance with the Unite rulebook. Please do not contact the General Secretary of Unite without going through these stages. Thank you.

Appendix 5a: Compliments Form.

Name	
Membership Number	
Email address	
Phone number	
Postcode	
Date of Joining Unite	
Brief description of the problem	
When did that problem begin?	
Did you discuss this with your own solicitor?	Yes / No
Did you make an enquiry by email?	Yes / No
Did you contact a rep direct?	Yes / No
What date did you contact the helpline?	
Was a rep appointed?	Yes / No
Was a pastoral rep appointed?	Yes / No
Who do you want to thank by making a compliment?	
What is your compliment?	
Have you spoken to the rep to discuss this?	
What would you like to happen as a result of this?	
Are you interested in becoming a rep and helping others?	
Date	

Appendix 5b: Complaints Form.

Yes/No
Yes / No
Yes / No
Yes / No
Yes / No
Yes/ No
Yes / No
Write the number below clearly, then a description of your complaint and an explanation of how the member is in breach of the section.

1 Acting in any way contrary to the rules or any duty or obligation imposed on that member by or pursuant to these rules whether in his/her capacity as a member, a holder of a lay office or a representative of the Union.	
2 Being a party to any fraud on the Union or any misappropriation or misuse of its funds or property.	
3 Knowingly, recklessly or in bad faith providing the Union with false or misleading information relating to a member or any other aspect of the Union's activities.	
4 Inciting, espousing or practising discrimination or intolerance amongst members on grounds of race, ethnic origin, religion, age, gender, disability or sexual orientation.	
5 Bringing about injury to or discredit upon the Union or any member of the Union including the undermining of the Union, branch or workplace organisation and individual workplace representatives or branch officers.	
6 Obtaining membership of the Union by false statement material to their admission into the Union or any evasion in that regard.	
7 Breach of the Union's policies on diversity, bullying and harassment in the workplace, which will include cyber bullying and harassment.	
8 Other	
Have you spoken to the rep to discuss this?	
Was a regional officer appointed for you?	Yes / No
If yes, what was their name?	

What advice did they give?	
Was a union solicitor appointed to advise you?	Yes / No
What firm were they from and what was their name?	
What would you like to happen as a result of this?	
Are you interested in becoming a rep and helping others?	
Signed	
Date	

Appendix 6: What information will my rep ask for?

Your rep will need different information depending on your circumstances.

A guideline for an office holder: (e.g. Church of England clergy, Methodist minister.)

- Your Unite membership number and date of joining Unite.
- Letter of appointment.
- Date when you began working for your faith organisation.
- Job description.
- Role description.
- Copies of your latest ministerial development review reports.
- A copy of your written statement of particulars.
- The job advert.
- Your licence (or contract of employment) or similar.
- A timeline summary of your problem, on not more than 2 pages of A4, preferably typed, which says what happened when.
- A list of the main people involved and the offices that they hold.
- Copies of emails or letters from managers.
- Notes from meetings, reporting the main things said e.g. by your line manager, superintendent, bishop or faith leader.
- Copies of reports from Occupational Health.
- Copies of Statements of Fitness to Work.
- Details of your health and disability if relevant.
- Details of anyone that you care for, and their disability.

A guideline for an employee:

- Your Unite membership number and date of joining Unite.
- Letter of appointment.
- Date of starting employment
- The job advert.
- A copy of your written statement of particulars.
- Copies of emails or letters from managers.
- Details of your grievance or disciplinary procedure.
- Copies of reports from Occupational health.
- Copies of Statements of Fitness to Work.
- Details of your health and disability if relevant.
- Details of anyone that you care for, and their disability, if any.
- Any information relating to redundancy that you have been given.

You could get this information ready for your rep in advance in case s/he asks for it.

Glossary.

ACAS – Advisory, Conciliation and Arbitration Service.

AMFW - Association of Methodist Faith Workers.*

CDM - Clergy Discipline Measure.

CECA - Church of England Clergy Advocates.*

CYNFP - Community Youth Workers and Not for Profit Sector.*

DBS – Disclosure and Barring Service.

EDO - Education and Development Organiser.*

ERA - see Employment Rights Act 1996, s.23.

ET – Employment Tribunal.

EAT – Employment Appeal Tribunal.

RIO / RO Regional Industrial Officer / Regional Officer.*

TUC – Trades Union Congress.

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^{*}Denotes that the acronym is a Unite the Union term.

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