

DIOCESAN CLERGY HANDBOOK

THE DIOCESE OF NEWCASTLE



February 2011

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NEWCASTLE DIOCESAN CLERGY HANDBOOK

As Diocesan Bishop, I have a great concern that my clergy receive the best and most effective support possible, to enable us to exercise our ministry as effectively as we can within our parishes and institutions of the Diocese. This new Diocesan Clergy Handbook will help those soon to hold office on Common Tenure to understand both their entitlements and their responsibilities. Clergy who do not enter into Common Tenure will still find much information here which will be helpful in their ministries. I pray that this booklet will help our common life and make our ministries more effective, in our service of Jesus Christ.

+ Martin

1. Introduction

At the end of January 2011, significant changes will occur in the way in which clergy hold office in the Church of England. These changes are the result of a number of years of careful deliberation concerning the way to deal appropriately with the issues that have developed from the increased level of employment legislation in the world, which affects the employment of individuals and groups.

The handbook contains both new information and existing information which has been brought together to form one document. The document is set out on the Diocesan website (www.newcastle.anglican.org) and will have links that enable other Diocesan documentation to be easily accessible.

Clergy who hold office under Common Tenure are entitled to a written Statement of Particulars that sets out the obligations and rights of office holders conferred by the Ecclesiastical Terms of Service Measure and Regulations. This is supported by the Diocesan Clergy Handbook which provides more detailed information.

The handbook also contains a range of matters that apply to all clergy and that are not directly linked to clergy terms of service. Some sections will be specifically for clergy in particular positions (stipendiary or non-stipendiary).

The handbook is a document which will develop and change over time as new policies are introduced and further information of interest and help to clergy becomes available.

It should be noted that neither the Statement of Particulars nor the Diocesan Clergy Handbook constitutes a contract of employment.

2. Common Tenure

Over the years, it has become apparent that the process for holding office that exists in the Church of England no longer sits comfortably with the process of employment. Therefore, the church has sought to maintain the system of office holding which is valued by both clergy and laity in the church while allowing for the introduction of rights that are equivalent to those rights enshrined in employment law for those in secular occupations.

Common Tenure is the new form of office holding introduced by the Ecclesiastical Offices (Terms of Service) Measure 2009. This form of holding office applies to all those appointed to office after the implementation date of 31st January 2011. It also applies to those who held office prior to that date but did not have the freehold.

Those who held the freehold at the date of implementation were invited to transfer to Common Tenure but were not obliged to do so.

This means that following the implementation of the Measure and Regulations the Church of England has a variety of arrangements for tenure of office.

Clergy on freehold will be able to opt into Common Tenure at any point following the implementation date.

2.1 Freehold

The traditional method of holding office in the Church of England for incumbents.

2.2 Common Tenure

The new method of holding office resulting from Ecclesiastical Offices (Terms of Service) Measure 2009. Common Tenure applies to both stipendiary and non-stipendiary priests.

2.3 Qualified Common Tenure

Under Regulations 29 some Common Tenure posts are on a fixed term or under terms which provide for the appointment to be terminated on the occurrence of a specific event and this is known as Qualified Common Tenure. It occurs in situations where the post is

2.3.1 created to cover the absence of another office holder held by a member of clergy over the age of 70

2.3.2 a training post

- 2.3.3 probationary
- 2.3.4 under Bishop's Mission Order
- 2.3.5 held with another office or employment
- 2.3.6 subject to limited leave to remain
- 2.3.7 a post designated as a Locally Supported Ministry Post*

*A post may only be designated as a Locally Supported Ministry Post if

- It is held by an assistant curate who is not in sole or principal charge of the parish in which he or she serves;
- The PCC has entered into a legally binding agreement with the DBF to meet all the costs, including stipend, expenses, pension and housing;
- The office holder, Bishop and PCC have all given their consent in writing.

Under regulation, 30 an office may be designated as subject to potential pastoral reorganisation and the Statement of Particulars must contain a declaration of this designation. Should the office cease to exist compensation will be based on the loss of one year's service.

2.4 Clergy Not Covered By Common Tenure

- 2.4.1 Those with Permission to Officiate (PTO)
- 2.4.2 Non-stipendiary Readers, Deaconesses and Lay Workers
- 2.4.3 Honorary Canons
- 2.4.4 Employed Clergy

There are some posts that are likely to be classed as employment when considered under the legislation and therefore these posts are held on contracts of employment and not Common Tenure.

3. Statement of Particulars

- 3.1. The Statement of Particulars (SOP) is a factual statement of the basic terms and conditions of service that apply to the office holder of a particular office.

- 3.2. Under the Ecclesiastical (Terms of Service) Regulations 2009 the Bishop is required to nominate officer(s) to prepare the Statement of Particulars.
The nominated officer for the Diocese is the Diocesan Secretary.
- 3.3. All clergy on Common Tenure will be issued a Statement of Particulars within one month of the date from which the office holder took up office or moved onto Common Tenure.
- 3.4. The information that must be provided in the Statement of Particulars is set out in the Ecclesiastical Offices (Terms of Service) Regulations 2009.
Further information can be found on the Common Tenure website:
www.common tenure.org

4. Role Descriptions

- 4.1 A role description is not mandatory under the Terms of Service legislation but it is good practice in the context of making appointments, MDR, grievance and capability.
- 4.2 Most Dioceses have introduced role descriptions in parallel with the Statements of Particulars and a revised MDR process. The Diocese of Newcastle involved clergy in the production of their own role descriptions through a series of workshops. These initial role descriptions will be refined through the MDR process.
- 4.3 Role descriptions will be revised when there is a vacancy. It will also be good practice for the new incumbent to review it with the Archdeacon after about 6 months in office.
- 4.4 In addition to the to the role description there are a number of other sources which define the role of the priest.
- 4.4.1 **The Ordinal** which describes the role of a priest in a number of different ways at ordination.
- 4.4.2 **Canon Law** sets out church legislation which governs the way a priest should carry out their role.
- 4.4.3 **The Licence** from the Bishop
- 4.4.4 **Guidelines for the Professional Code of Conduct for Clergy** is a more recent document, which provides guidance on acceptable conduct.

www.churchofengland.org/media/1168846/guidelines%20for%20the%20professional%20conduct%20of%20the%20clergy.pdf

4.4.5 **Legislation** of a more general nature that affects the role of the priest.

5. Stipend

- 5.1 Full time clergy receive an annual stipend of not less than the National Minimum Stipend or a stipend that together with any other income related to the office is not less than the National Minimum Stipend. The full-time clergy stipend for 2011/2012 will be £22,211.
- 5.2 The National Minimum Stipend is determined by the Archbishops' Council
- 5.3 The Diocesan Stipend is applicable to all stipendiary clergy (calculated on a *pro rata* basis for those working less than full-time).

6. Augmentation of Stipends

It is the responsibility of the Diocesan Board of Finance to ensure that all incumbents' stipends are made up to the Diocesan Stipend for incumbents after taking into account their income from the following:

- a) Guaranteed Annuities and Personal Grants
- b) Parochial Giving Direct for Stipends (including contributions towards the costs of heating, lighting and cleaning the parsonage house)
- c) Easter Offering
- d) Fees (both church fees and non-church fees)
- e) Income from Chaplaincies and Public and Educational Appointments (after allowing for agreed expenses properly incurred in earning this income)
- f) Income from Local Trusts

The computation of income for augmentation purposes does not include:

- a) Spare-Time Earning
- b) Spouse's Earning
- c) Private Income
- d) Approved Working Expenses

7. Allowances

The Diocese may pay the following allowance to clergy.

7.1 Housing Allowances

In some circumstances, the Diocese will pay a Housing Allowance to clergy who are not living in a Diocesan house.

Additionally Council Tax and water charges may be paid.

8. Grants

The Diocese pays the following grants to clergy.

8.1 First Appointment Grant

The Diocese pays a First Appointment Grant which is equal to 10% of the National Minimum Stipend. This is paid to Assistant Curates and Licensed Lay Ministers taking up their first appointment and is towards the cost of robes, theological books and any other equipment that they need for the new appointment. In 2011/2012 this grant will be equivalent to £2,140.

8.2 First Incumbency Grant

The Diocese pays a First Incumbency Grant which is equal to 10% of the National Minimum Stipend. This is towards the cost of setting up home for the first time in a house of the size normally provided for an incumbent or post of equivalent status. In 2011/2012 this grant will be equivalent to £2,140.

8.3 Removal Grants and Expenses

When moving into a vicarage or Diocesan house, the Diocese will pay removal expenses. Quotes from three contractors should be obtained, and agreed with the Accounts Department at Church House. One quote should be from Pickfords, as they have a discounted rate with the Diocese (0800 212 155). It is advisable to ensure contractors visit before making a quote.

The Diocese pays a resettlement grant which is 10% of the National Minimum Stipend. In 2011/2012 this grant will be equivalent to £2,140.

A modest redecoration grant is also available (in 2011/2012 this will be up to £1,070). Contact the Property Team at Church House.

8.4 Continuing Ministerial Education Grant

The Diocese will fund training required as a result of Ministerial Development Review, and other work required by the Bishop. Enquiries have to be made **before** going on a course, application forms are available from the Continuing Ministerial Development Officer. Parishes are also encouraged to contribute to their ministers' ongoing learning needs.

8.5 Other Grants

Various bodies offer financial help to clergy and their families. Further details should be sought from the Archdeacon.

9. Parochial Fees

9.1 Incumbents are entitled to receive fees in accordance with the Parochial Fees Order made under the Ecclesiastical Fees Measure 1986. The current level of fees can be found at:

<http://www.churchofengland.org/media/56804/Fees%20Table%202011%20both%20sides.pdf>

9.2 Currently, clergy are able to decide whether to assign these fees to the Diocesan Board of Finance. This is under review and the handbook and Statement of Particulars will be amended to take account of any changes to the legislation that may occur.

9.3 Whether clergy assign fees due to them or not, they must report all fees received to the DBF. If fees are not assigned then the amount received in fees will be taken into account in calculating the stipend that is to be paid.

9.4 It is Newcastle Diocesan Policy that retired stipendiary clergy are entitled to a casual duty fee for Sunday or mid-week services conducted in a parish in which they do not habitually worship. The casual duty fee is equal to one half of the incumbent's fee for a church funeral (or the whole fee in cases where 2 or more services are taken

on the same day).

- 9.5 Retired clergy who were previously in receipt of a stipend are also entitled to 2/3rds of the incumbent's fee for any occasional office conducted. In such cases the retired clergy are expected to undertake appropriate pastoral interviews associated with the relevant service. The remaining 1/3rd fee should be forwarded to the Diocesan Office.
- 9.6 Non-stipendiary ministers (lay or ordained) should pass on any fees received to the incumbent or priest in charge of the parish in which they serve, or in whose parish they conduct the service. In the case of a vacancy, fees should be passed to the Area Dean. Some exceptions to this rule may be agreed by the Bishop.
- 9.7 The reimbursement of expenses is separate from the fees, and should be paid by the appropriate body.

10. Expenses

- 10.1 The Central Stipends Authority's annual recommendations for the level of stipends are made on the basis that parochial expenses are reimbursed in full. If, therefore, clergy do not claim all their expenses, or their expenses are not fully reimbursed, they are receiving less than their full stipend. PCCs should be committed to reimbursing clergy expenses in full. In circumstances where PCCs are unable to reimburse appropriate expenses, clergy should inform their Archdeacon.
- 10.2 The Statement of Particulars for those on Common Tenure sets out the entitlement to be reimbursed for expenses reasonably incurred in connection with carrying out the office. It also makes it clear that reimbursement is the responsibility of the PCC(s)
- 10.3 A booklet that gives guidelines to parochial clergy and PCC treasurers about the reimbursement of expenses is available from the Church of England website using this link:
www.churchofengland.org/media/1165912/2006%20booklet.pdf
- 10.4 The Diocese recommends that the Inland Revenue rates for mileage be used. The rates for the current year including those for cycling can be found using this link:
www.hmrc.gov.uk/paye/exb/a-z/m/mileage-expenses.htm

11. Termination of Appointment

11.1 Full Common Tenure

The term of the office may only be terminated on the following grounds

11.1.1 Resignation

Clergy are required to give written notice of not less than 3 months to resign their office but this is variable by agreement with the Diocesan Bishop.

11.1.2 Capability

The Diocesan Bishop is required to give written notice of not less than 3 months to remove a member of clergy from office following a decision to do so under the Capability Procedure.

11.1.3 Discipline

A member of clergy can be removed from office following a finding of guilt under the Ecclesiastical Jurisdiction Measure 1963 or the Clergy Discipline Measure 2003.

11.1.4 Death

11.1.5 Reaching retirement age

The office terminates when the office holder reaches the retirement age specified in relation to the office in the Ecclesiastical Offices (Age Limit) Measure 1975 or the expiration of any period which the office holder is permitted to remain in office after retirement age.

11.1.6 The office ceases to exist because of a pastoral scheme or order.

11.1.7 The office is designated as held in conjunction with another office or employment which ceases to exist.

11.1.8 Where the office holder is a priest in charge and the vacancy ends.

11.2 Qualified Common Tenure

In addition to the reasons given in section 11.1 above Qualified Common Tenure may be terminated at the expiry of a fixed term.

11.2.1 Under Common Tenure a person may be appointed to office for a fixed term or under terms which allow the office to be terminated on the occurrence of a specified event. The circumstances under which this Qualified Common Tenure can be used are set out in paragraph 2.3 above.

11.2.2 Where a Qualified Common Tenure post is terminable under specified circumstances or is fixed term, the circumstances or end date of the fixed term must be included in the Statement of Particulars.

11.2.3 For Qualified Common Tenure appointments the compensation for loss of office is limited to a maximum of one year under schedule 4 of the Pastoral Measure.

12. Housing

The majority of clergy are required to live in accommodation provided for the better performance of their duties.

12.1 Incumbents

Incumbents generally occupy the parsonage house owned by the benefice, unless otherwise agreed by the Bishop. This is subject to the rights and duties set out in the Repair of Benefice Buildings Measure 1972 and its code of practice.

12.2 Other Clergy

Every office holder other than an incumbent who receives a stipend is entitled under the Ecclesiastical Offices (Terms of Service) Measure to be provided by the relevant housing provider with accommodation reasonably suitable for the purpose. This is known as a 'house of residence'. It is occupied for the better performance of the duties of the office holder. It does not create a relationship of landlord and tenant between the relevant housing provider and the office holder.

Details relating to the provision of housing and the duties and responsibilities of the housing provider and officer holder can be found at paragraphs 12-14 of the Ecclesiastical Offices (Terms of Service) Regulations.

The Regulations can be accessed at www.common tenure.org

12.3 Vacating the Premises

Clergy are required to vacate the house within one month of vacating office or within such longer period as the Bishop may allow.

12.4 Removals

When moving into a vicarage or Diocesan house, the Diocese will pay removal expenses. Quotes from three contractors should be obtained, and agreed with the Accounts Department at Church House. One quote should be from Pickfords, as they have a discounted rate with the Diocese (0800 212 155). It is advisable to ensure contractors visit before making a quote.

A modest redecoration grant is also available (in 2011/2012 this will be up to £1,070). Contact the Property Team at Church House.

12.5 Guidance on Housing

Further detailed information on Diocesan housing can be found in the "Houses Handbook" at <http://www.newcastle.anglican.org/diocesan-office/houses-and-glebe-committee1.aspx>

13. Ministerial Development Review

13.1 Under common tenure each Diocesan Bishop is required to provide a scheme for Ministerial Development Review and each office holder is required to co-operate and participate.

13.2 In providing a scheme, the Bishop has to have regard to Archbishops' Council Guidance.

13.3 MDR provides a guided discussion framed round the office holder's ministry. It should allow reflection on the last two years and the opportunity to plan for the future.

13.4 The basis and purpose of Ministerial Development Review is best summarised by quoting from the Ministerial Development Review Interim Guidance booklet:

'Ministerial Development Review is founded on the assumption that all office holders are responsible to God for the ministry entrusted to them and that they are accountable to the Church and to one another for the way in which it is exercised. Ministry is a gift and a trust for

which each individual holds account. Accountability is about preparedness to grow and develop on the basis of experience and the learning gained from it. It is also about how the work is done and how individual ministry can make a real difference. It is about affirmation and encouragement as well as challenge’.

www.churchofengland.org/media/56739/MDR%20updated%20120209.pdf).

13.5 Each Diocese is able to develop its own scheme which incorporates principles, which have been established nationally. It is important to develop a scheme that really supports clergy in the development of their ministry. The national principles include

- making it available to all,
- that it should be carried out not less than once every two years,
- reviewers to be appointed by the Bishop,
- should be one to one,
- it should include written feedback from a range of those who know about the person’s ministry,
- it should result in objectives being set,
- it should be recorded

13.6 In outline the Ministerial Development Review scheme for Newcastle Diocese includes:

- A requirement from the Diocesan Bishop to take part in MDR every second year. Those involved in conducting the reviews are selected and trained for this purpose. Every second review will be conducted by a member of the Bishop’s Staff.
- After personal reflection, the consultation with others and the review interview, a report is written together by reviewee and reviewer, which is sent to the Bishop. The report should highlight ministerial objectives for the next two years, and what learning and development opportunities will enable them to be met.
- A copy of the section of the report indicating learning and development opportunities is also sent to the CMD Officer. The Officer and the reviewee then work together in accessing what will contribute most to the identified ministerial objectives.

Full details of the scheme can be obtained from the CMD Officer.

The relevant forms can be found at:

<http://www.newcastle.anglican.org/mission-and-ministry/ministerial-development-review.aspx>

- 13.7 Although there is no requirement that those who remain on the freehold should take part, the Diocese will continue to offer MDR to everyone.

14. Continuing Ministerial Development

Continuing Ministerial Development is about equipping and developing the Church's ministers in order that they may stimulate and enable the whole Church to participate more fully in the mission of God in the world. It involves fostering a culture of lifelong learning which applies to clergy, readers and licensed lay ministers.

14.1 Aims for Continuing Ministerial Development (CMD).

- 14.1.1 To provide, resource and encourage professional development in ministry.
- 14.1.2 To ensure that authorised ministers are equipped to enable others to witness and minister.
- 14.1.3 To help clergy to engage in dialogue with scripture and tradition and to develop the skills of critical theological reflection.
- 14.1.4 To assist clergy to understand the society of today and how the gospel may be interpreted in relation to the key issues.
- 14.1.5 To provide particular resources at times of transition in ministry.

14.2 Expectations

The Bishop expects that clergy will set aside regular time for study and for professional development . Consideration of continuing education and professional development is a key aspect of Ministerial Development Review.

14.3 Current Continuing Ministerial Development Provision

Details of the current provision relating to CMD can be accessed on the Diocesan website at <http://www.newcastle.anglican.org/mission-and-ministry/continuing-ministerial-development.aspx>

14.4 Allowances

Some of the CMD budget is allocated for personal learning and development needs. These are usually highlighted in the report following the Ministerial Development Review process (or by the Reader's annual return). The CMD Officer can be approached at any time for information or advice.

14.5 Study Leave/Sabbatical

The purpose of a Sabbatical for those in stipendiary ministry is:

- Rest and recreation with family and friends
- A systematic and prayerful review of ministry to date and a setting of priorities for the coming years
- A course of theological / spiritual reading, and / or writing under guidance
- New experiences which could be gained through travel or by other means

An opportunity for this should be possible for a three month period in every ten years of ministry. Some funding (currently £1,100) is available to support it and information of other possible sources of funding can be provided. Those wishing to plan a sabbatical should contact the CMD Officer following their MDR. It is expected that sabbaticals will be planned at least one year in advance.

Clergy should discuss their sabbatical plans with fellow clergy in the parish, team, cluster or chapter, so that proper provision for cover can be organised. It is their responsibility to organise cover for periods of absence from the parish.

15. Well-Being

Clergy are encouraged to develop and maintain a good work-life balance. Ordained ministry is demanding – physically, emotionally, mentally and spiritually. No priest can ever 'switch off' his or her vocation and calling to serve Christ. However, periods of rest, refreshment and time off are important and should be taken. The Bishop recommends that clergy should have some relaxation time each day.

16. Annual Leave

- 16.1 Clergy as officer holders are responsible for planning their working lives and ensuring that sufficient time is allowed for holiday and rest. The Bishop and Archdeacons will support the clergy to achieve a proper balance.
- 16.2 Clergy are encouraged to discuss and coordinate their holiday plans and days off with fellow clergy in the parish, team, cluster or chapter, and to plan holiday absence well in advance so that proper provision for cover can be organised. It is their responsibility to organise cover for periods of absence from the parish.
- 16.3 Clergy should ensure that the Area Dean is informed of any absence from the parish.
- 16.4 Churchwardens and PCCs are encouraged to ensure that their clergy are taking time off in accordance with this guidance, and to help make this possible.
- 16.5 Clergy are encouraged to take time for an annual retreat (maximum of six days and not including a Sunday) and for CMD. This is in addition to the annual leave entitlement.
- 16.6 Clergy wishing to take other time away from the parish (for example attending non-CME conferences, leading parish weekends, participation in trips and visits) should discuss this with their churchwardens prior to making the arrangement.
- 16.7 Where there is any uncertainty about the appropriateness of clergy having time away from the parish this should be resolved with the involvement of the Area Dean in the first instance.
- 16.8 Clergy on Common Tenure
 - 16.8.1 Full time clergy on Common Tenure are entitled to take 36 days annual leave in each leave year.
This is in addition to the following bank holidays:
New Years Day,
Easter Monday,
May Bank Holiday Monday,
Spring bank Holiday Monday,
August Bank Holiday Monday,
Boxing Day
and any other Bank Holidays identified by the Government.

The 36 days include leave traditionally taken after Christmas and Easter, which should be taken within one month of Christmas and Easter respectively.

16.8.2 The leave entitlement for part time clergy is calculated *pro rata* based on a six-day working week. This is set out in the Statement of Particulars.

16.8.3 The leave year begins on 1st January each year. Clergy appointed part way through a leave year are entitled to take a *pro rata* amount of annual leave.

16.8.4 Normally, clergy may not take more than 4 Sundays leave per year.

Clergy may not take annual leave on the following days:

Any of the principal feasts of the Church of England as set out in Canon B paragraph 2

Ash Wednesday

Good Friday

16.9 Clergy on Freehold

For clergy on freehold, holiday arrangements continue as before Common Tenure was introduced, i.e. Clergy are encouraged to take the inside of a week off after Christmas and Easter, plus four full weeks holiday each year, including four Sundays.

17. Rest Period

17.1 Clergy on Common Tenure are entitled to a minimum rest period of 24 hours within any 7 days. Although this is not an entitlement for clergy on freehold, it is the policy of the Diocese to encourage all clergy to take this rest period.

17.2 Rest days must not be taken on;

A Sunday

Any of the principal feasts of the Church of England as set out in Canon B paragraph 2.

Ash Wednesday

Good Friday

17.3 Clergy are often required to work evenings and long, unsociable hours. They are therefore encouraged to take reasonable breaks within the working day.

18. Special Leave

Special leave is usually granted on compassionate grounds. It is subject to the Bishop's discretion and should be applied for by contacting the Archdeacon.

19. Entitlement to Statutory Maternity, Paternity and Adoption Pay

Stipendiary office holders are entitled to Statutory Maternity, Paternity and Adoption pay in the same way as employees, by virtue of their payment of National Insurance contributions. This applies to office holders on freehold and common tenure.

19.1 Maternity Pay

19.1.1 Statutory Maternity Pay

Statutory Maternity Pay (SMP) is payable for 39 weeks, at two different rates:

- for the first 6 weeks, 90% of normal weekly earnings;
- for the remaining 33 weeks £124.88 per week or 90% of normal weekly earnings, whichever is the lower.

For a woman to be eligible for SMP, the following conditions must be satisfied.

- (a) She must have been continuously employed for at least 26 weeks at the end of the Qualifying Week (the fifteenth week before the Expected Week of Childbirth ("EWC")). For office holders paid through NCIs' Clergy Payroll Services the number of weeks on the payroll is, in practice, treated as continuous service for this purpose;
- (b) Her normal weekly earnings are at least the lower earnings limit ("LEL") for National Insurance purposes (£97 from 6 April 2010);
- (c) She must give at least 28 days' notice (or as much notice as is reasonably practicable) of the date she intends SMP to start;
- (d) She must still be pregnant 11 weeks before the start of her EWC, or have already given birth;

- (e) She must supply, no more than 3 weeks after the birth, a certificate from a midwife or doctor confirming the date of her EWC;
- (f) She must have ceased to work.

19.1.2 Diocesan Maternity Pay

Subject to the eligibility below, clergywomen and licensed lay workers who express an intention to return to work will receive 39 weeks' paid maternity leave on full stipend.

To qualify for Diocesan Maternity Pay it is necessary to:

- a) have one year's continuous service at the beginning of the 14th week before the EWC;
- b) be in paid service at the time maternity leave begins;
- c) stop work at the earliest after the start of the 11th week before the EWC;
- d) give notice to the Diocesan office in writing of the intention to take maternity leave before the end of the 15th week before the EWC. The Commissioners' Clergy Payments Department should then confirm the date in writing, including the date when the clergywoman or licensed lay worker is expected to return to work. The clergywoman/licensed lay worker can change her mind about the dates but should give 8 weeks' notice of any changes, which should again be confirmed by the Commissioners' Clergy Payments Department in writing;
- e) give an undertaking of the intention to return to work for at least 9 months following the Maternity Leave;
- f) be pregnant at the 11th week before the EWC, or have had the baby.

Women whose babies are stillborn, or who miscarry after the 24th week of pregnancy, still qualify for the full scheme terms.

The payment of Diocesan Maternity Pay includes any entitlement to SMP.

If a woman who has claimed Diocesan Maternity Pay subsequently decides not to return to work for a period of at least 9 months, the Diocese will require her to refund the Diocesan Maternity Pay.

19.2 Paternity Pay

19.2.1 Statutory Paternity Pay

Statutory Paternity Pay is paid during periods of statutory paternity leave (see paragraph 22.2 below) at the prescribed rate set by the Government each tax year or 90% of the individual's normal weekly earnings whichever is the lower .

The eligibility conditions are

- (a) the individual must have been continuously employed between the Qualifying Week and the child's birth;
- (b) the individual must have at least 26 weeks' continuous service at the end of the Qualifying Week;
- (c) the individual is the father of the child or is married to, the civil partner or the partner of the child's mother;
- (d) the individual has, or expects to have, responsibility for the child's upbringing or (if not the child's biological father) expects to have main responsibility other than that of the mother for the child's upbringing;
- (e) the individual's absence is for the purpose of caring for the child, or supporting the mother in her care of the child;
- (f) the individual must have had normal weekly earnings of at least the LEL over the 8 weeks ending with the Qualifying Week
- (g) the individual must have ceased to work.

19.2.2 Diocesan Paternity Pay

The Diocese will give 2 weeks' paternity leave on full stipend, subject to the same conditions and eligibility criteria as apply to Statutory Paternity Pay and Leave set out above.

19.3 Adoption Pay

19.3.1 Statutory Adoption Pay

This mirrors SMP, except that the rate of pay is 39 weeks at the prescribed rate set by the Government each tax year or 90% of the individual's normal weekly earnings whichever is the lower.

The qualifications for statutory adoption pay are

- (a) the individual must be the child's adopter;
- (b) the individual must have continuous service for at least 26 week ending with the week the adopter is notified of being matched with a child;
- (c) the individual must have agreed the date of placement with the adoption agency.
- (d) over the eight weeks ending with the date on which the adopter is notified of the match, the individual must have had normal weekly earnings of at least the LEL
- (e) the individual must have ceased to work.

Within 7 days' of being matched with a child, the adopter must notify the employer of the expected date of placement and the date the individual intends the adoption leave to start.

19.3.2 Diocesan Adoption Pay

The Diocese will follow the Central Stipends Authority recommendations and give clergy and licensed lay workers who intend to return to work up to 39 weeks' adoption leave on full pay, followed by a further period of unpaid additional adoption leave, subject to the conditions and eligibility criteria.

Either partner may receive Adoption Pay, but not both. The other partner may receive Statutory Paternity Pay, if they have been continuously employed for the period between the end of the week in which the adopter is notified of being matched and ending with the day on which the child is placed for adoption and subject to eligibility conditions.

20. Entitlement to Maternity, Paternity, Adoption and Parental Leave

20.1 Office holders do not have a corresponding entitlement to Maternity, Paternity, Adoption and Parental Leave. The Archbishops' Council in the exercise of its function as Central Stipends Authority has made Directions for the grant of Maternity, Paternity, Adoption and Parental Leave for those under Common Tenure as employees are entitled to under the Employment Rights Act 1996. The periods and conditions of such leave are the same as for employees.

20.2 An office holder who exercises any entitlement to leave under these Directions shall make arrangements for the duties of the office to be performed by another person(s) during the period of leave. These arrangements shall be made in consultation with Churchwardens, any other clergy in the parish, and the Area Dean (or incumbent).

20.3 Maternity Leave

In addition to paid Maternity Leave clergy women or licensed lay workers may wish to take an additional 13 weeks' unpaid Maternity Leave after the end of the period of paid Maternity Leave.

In accordance with the recommendation of the CSA the Diocese gives clergy and licensed lay workers the right to return to work regardless of length of service following their Maternity Leave.

20.4 Paternity Leave

The individual is entitled to a maximum of 2 weeks within 56 days after the birth, subject to the same qualifying conditions that apply to Statutory Paternity Pay and Leave.

20.5 Adoption Leave

In addition to paid adoption leave clergy or licensed lay workers may wish to take an additional 13 weeks' unpaid Adoption Leave after the end of the period of paid Adoption Leave.

20.6. Parental Leave

20.6.1 The Diocese allows clergy and licensed lay workers to take Parental Leave, subject to the same conditions and eligibility criteria as applied by statute to employees.

20.6.2 The objective of Parental Leave is to enable employees with parental responsibility to have time off to spend time with and

to look after a child, or to make arrangements for the child's welfare.

20.6.3 Individuals are entitled to a maximum of 13 weeks unpaid leave (of which up to 4 weeks may be taken in any one year) before the child's 5th birthday or the 5th anniversary of the child's adoption. If the child is disabled, the entitlement is increased to a maximum of 18 weeks to be taken before the child's 18th birthday or the 18th anniversary of the child's adoption.

20.6.4 Leave must normally be taken in blocks of one week or more, up to a maximum of four weeks in a year for each child. If less than a week were taken at a time, under the statutory scheme, this would count as a whole week. However, parents of disabled children can take leave in blocks or multiples of one day.

20.6.5 The eligibility conditions are as follows:

- (a) the individual must have at least one year's continuous service;
- (b) the individual must have, or expect to have, responsibility for the child;
- (c) the individual must have given at least 21 days' notice of intention to take leave and the employer must not have postponed the leave.

20.6.6 Leave may be postponed by the Diocese for up to six months from the date requested where it is considered that an office holder's absence would be unduly disruptive.

If, because of postponement, the period of Parental Leave falls after the child's 5th birthday, the employee is entitled to take leave after that date.

Leave cannot be postponed where an office holder gives notice to take Parental Leave immediately after the time a child is placed with the family for adoption or the birth of a child.

20.6.7 The Diocese has the right to request sight of evidence that the office holder is the parent of a child or has parental responsibility for the child. Examples of what might be considered suitable evidence are:

- Information contained on the child's birth certificate

- Papers confirming a child's adoption or the date of placement in adoption cases
- In the case of a disabled child, the award of disability living allowance for the child.

20.6.8 At the end of any Parental Leave of up to 4 weeks' duration, an office holder is guaranteed the right to return to the same role as before.

If the leave is for a longer period than 4 weeks, the employee is entitled to return to the same role, or, if that is not reasonably practical, to a similar role, with similar or better conditions.

20.6.9 If Parental Leave follows Additional Maternity Leave, and it would not have been reasonably practical for the woman to return to her previous role, and it is still not reasonably practical at the end of Parental Leave, she is entitled to return to a similar role which has the same or better status, terms and conditions as the old role.

20.7 Pensionable Service

All unpaid Maternity, Paternity, Adoption and Parental leave should be pensionable, and pension contributions should continue to be paid during this period, as, under the present rules of the scheme, death in service payments can only be made during pensionable leave.

21. Time Off For Dependants

21.1 An office holder may make a request to the Bishop to allow him or her to take time off work or make adjustments to the office to care for a dependant.

21.2 For the purpose of the right to time off, a dependant is defined as follows:

"A partner, child or parent of the employee, or someone who lives with the employee as part of their family e.g. elderly aunt or grandparent"

In cases of illness or injury, or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.

21.3 The request should be made in writing.

- 21.4 The Bishop must consider the request and may agree to any adjustments or time off as they consider reasonable. There is no obligation to agree to the request.
- 21.5 The Bishop may impose conditions including an appropriate variation in stipend.

22. Time Off For Public Duties

- 22.1 Office holders are entitled to reasonable time off for public duties. This does not include time off for activities that would normally be considered to be part of the office.
- 22.2 Public duties are defined as
- (a) any work done for a public authority including membership of a court or a tribunal, or for a charity within the meaning of the Charities Act 2006 or a registered friendly society, and
 - (b) work done in connection with the activities of an independent trade union representing office holders of a description which includes the person in question.
- 22.3 In circumstances where there is compensation for loss of income when undertaking public duties, the office holder should claim from the appropriate body and notify the Diocese so an appropriate reduction can be made to the stipend.

23. Jury Duty

On receipt of notice of jury service, you should inform your Archdeacon. You are expected to claim the attendance allowance and that allowance will then be deducted from your stipend.

24. Sickness

24.1 Cover for Sickness

In times of illness, office holders must use all reasonable endeavours to make arrangements for the duties of the office to be covered by another person.

In parochial posts where the individual is unable to do this the responsibility lies with the churchwardens, in consultation with the Area Dean. In cases of serious illness, please ensure the Archdeacon is informed as soon as possible.

24.2 Sickness Payments

24.2.1 All stipendiary clergy are entitled to payment of Statutory Sick Pay by virtue of the payment of national insurance contributions.

24.2.2 In order to comply with the statutory requirements for Statutory Sick Pay you must report your sickness absence to the Accounts Assistant (currently Mrs Gillian Green) at Church House (the designated person for this purpose). This must be done by telephone or email on the first day of your sickness absence. You must also inform her when you return to work.

24.2.3 Clergy are entitled to receive in full any stipend which is payable in respect of their office if they are entitled to receive statutory sickness payments under part XI of the Social Security and Contributions and Benefits Act 1992(a)

24.2.4 Statutory sick pay (SSP) is payable for 28 weeks in respect of any one period of incapacity for work. One period of incapacity can be linked to another if they are separated by no more than 56 days. The linked periods constitute a single period for the purpose of calculating the maximum entitlement.

24.2.5 The payment of full stipend will include the entitlement to SSP.

24.2.6 If the sickness absence continues beyond the date when entitlement to SSP ceases (i.e. beyond 28 weeks), the continued payment of stipend will be at the discretion of the Diocesan Bishop.

24.2.7 In cases where the payment continues, it shall be reviewed every three months in the light of the medical evidence available.

24.2.8 After 28 weeks of SSP, the office holder is entitled to claim Employment and Support Allowance (ESA) directly from the government. Office holders will be notified by the Church Commissioners, Clergy Payments Dept when SSP ceases and will be given information on how to claim ESA. The stipend will be reduced by the amount of ESA received.

24.2.9 There is no entitlement to SSP during a phased return to work.

24.2.10 Where there is no prospect of the individual returning to work in the near future and all reasonable efforts have been made to resolve the situation, a decision may be taken by the Diocesan Bishop to cease payment of the stipend.

24.3 Long Term Sickness

The Diocesan policy on long-term sickness can be found at:

www.newcastle.anglican.org/mission-and-ministry/diocesan-handbook

under

‘The Newcastle Diocesan Handbook for Parishes’

2. Clergy Personal and Professional.

25. Pension

25.1 The service of stipendiary clergy is pensionable within the Clergy Pensions Scheme.

25.2 Non-stipendiary clergy are not covered by the Clergy Pensions Scheme.

25.3 If you retire at normal pensionable age and you have acquired full-time pensionable service in the Church of England, you will get a full pension which (from 1 April 2010) will be £13,486 pa plus a lump sum retirement benefit of £40,458. If, when you retire, you have less than full pensionable service, your pension and lump sum will be reduced appropriately. Pensions are linked to the National Minimum Stipend for incumbents and are reviewed annually by the Church of England Pensions Board taking effect from 1 April.

25.4 Under the Ecclesiastical Office (Age Limit) Measure 1975 clergy automatically vacate office on the day they attain the age of 70 (if they have not voluntarily retired earlier). With effect from 1 January 1992, all new entrants to the Clergy Pensions’ Scheme had a minimum normal pension age of 65. In 2010, clergy pension arrangements were reviewed and from 1st January 2011 the retirement age will increase to 68.

For further details of changes to the Pension Scheme see the Pensions Board webpage at

www.churchofengland.org/clergy-office-holders/pensions-and-housing/pensions/ceps/info/memberinfo.aspx

25.5 Clergy may retire earlier on a Clergy Pension within 5 years of normal retirement age.

25.6 Early retirement may also take place because of permanent ill health.

25.7 Additional Voluntary Pensions Contributions

It is possible to buy an increased pension by making additional voluntary contributions for this purpose.

There is an approved supplementary Pension Scheme operating under the C of E Pensions Measure. This scheme enables you to save regularly on a voluntary basis. You will obtain full income tax relief on the amounts you save at the highest rate of tax you pay on earned income and your savings will accumulate in fund free tax on income and capital gains.

The benefits built up by your savings will eventually emerge at retirement as tax-free cash sum or a pension, which will be in addition to all other benefits you are going to receive. As substantial tax reliefs are available, the contributions and benefits are subjected to certain limits set by the Inland Revenue.

The scheme is administered by the Pension Board who also act as Trustee.

For details apply to:

The Secretary
The Church of England Pensions Board
29 Great Smith Street
London
SW1P 3PS

Tel: (020) 7898 1800

25.8 Further details on the scheme can be obtained by accessing:
www.churchofengland.org/clergy-office-holders/pensions-and-housing/pensions/ceps/info/ypqaonline.aspx

25.9 The Pensions Department is responsible for the administration of the schemes and can be contacted as follows:

e mail: pensions@churchofengland.org

Telephone: 020 7898 1802

Fax: 020 7898 1801

By post at the address above at 25.7

25.10 From 1st January 2011 a number of changes to the scheme will be implemented. The information on the website will be updated to incorporate these alterations. The changes are summarised below.

- The Clergy Scheme will be contracted into the State Second Pension Scheme (S2P). This means that clergy will receive S2P in addition to the Basic State Pension. The full pension from the Clergy Scheme will, in consequence, reduce from two-thirds of National Minimum Stipend (NMS) to half of NMS for future service. This means members will thereby earn a smaller scheme pension but a higher State pension for future service. This change will have a broadly neutral effect on total pension entitlement from all sources.
- The Archbishops' Council, acting as the Central Stipends Authority, will adopt a policy that the NMS will, in future, increase on average in line with annual changes in the Retail Prices Index (RPI), subject to the need to review the position if high levels of inflation establish themselves and also once the deficit on the pensions fund has been cleared.
- The accrual period for future service from 1 January 2011 will be 41½ years rather than 40 years.
- In the context of the wider ill-health proposals endorsed by Synod in February, the CEFPS rule has been amended, in particular so that, in future, standard ill-health retirement pension will be based upon years earned without reduction for early payment plus a graduated enhancement calculated according to completed years of service.
- Pension rights in relation to Civil Partners will be the same as for spouses.

During the autumn, scheme members will receive a formal Notice of Intention to Surrender the Contracting Out Certificate currently in force in relation to the scheme. Changes to National Insurance Contributions will come into effect on 1 January 2011.

26. Retirement Housing

26.1 The Church's Housing Assistance for the Retired ministry (CHARM) came into operation in 1983 and the Pensions Board is able to assist beneficiaries with retirement accommodation through the Shared Ownership Scheme, with rental properties or in Supported Housing Schemes (formerly known as Residential Homes).

For details see:

www.churchofengland.org/about-us/structure/cepb/housing.aspx

- 26.2 The Pensions Board administers over 1000 properties which are available from time to time for letting to retired clergy or their widows/widowers who cannot afford, even with help of the pensions Board's Equity Sharing Scheme, to buy a house if their own. Occupants are required to pay a Maintenance Contribution which is a restricted percentage of gross income. If occupants have exceptionally high costs or low income, smaller contributions may be allowed at the discretion of the Board.
- 26.3 Details of the Equity Sharing Mortgage scheme are obtainable from the Pensions Board. The Board can extend a loan on an equity-shared basis to all clergy normally from 62 years of age – thus helping you to buy a house in advance of your retirement. Lower age limits apply in certain cases: the Pensions Board will advise on individual circumstances.

27. Disciplinary Measures

- 27.1 The disciplinary rules and procedures which apply to clergy on both freehold and common tenure are contained in the Ecclesiastical Jurisdiction Measure 1963 and the Clergy Discipline Measure 2003. Details can be found at: www.churchofengland.org/about-us/structure/churchlawlegis/clergydiscipline.aspx.

28. Capability Procedure

As part of Common Tenure, a procedure for dealing with capability issues has been introduced for those who hold office in this way.

Details of this procedure can be accessed at www.common tenure.org

29. Grievance Procedure

Common Tenure also introduces a new procedure for dealing with the grievances of the clergy.

Details of this procedure can be accessed at www.common tenure.org

30. Pastoral Care

To seek help at times of personal crisis and stress is a sign of strength not weakness. Moreover, for some people, skilled and professional help at an early stage can be the factor that prevents a major breakdown with all the hurt and waste that that involves. Therefore, it is important that clergy and their partners should know where appropriate help is available.

If you feel you need to talk to someone various options are open:

- the Bishops, Archdeacons and Area Deans
- the Diocese has a network of counsellors who are available through the Adviser in Pastoral Care and Counselling; Canon Peter Kenney (0191 229 0136)
- If you need someone outside the Diocese, you can turn to the Durham Pastoral Care and Counselling Adviser.

31. Spiritual Direction

For those looking for spiritual direction, Revd Ian Flintoft (0191 236 2280) is available to help people find somebody appropriate.

32. Grants

Grants to assist clergy in a wide variety of circumstances are available from a number of institutions. In applying for help, it is important to apply to those sources most likely to give help for your specific purpose and at the level you have in mind. The Directory of Grant Making Trusts contains all the relevant information. The Directory is also now available on CD or on-line.

33. Holiday Accommodation

Some charities will be prepared to help with holidays; the Church Army have some provision; St Deiniol's Residential Library are glad to welcome retired clergy for holiday and refreshment at special rates. Other places that offer holidays include retreat and conference houses listed in the Church of England Yearbook. The Friends of the Clergy Corporation offer holiday flats in Eastbourne.

34. Other Guidance and Policies

34.1 Equality and Diversity

The Diocese of Newcastle believes that God created all people equal and we try to make sure we follow that value in all that we do.

34.2 Bullying and Harassment

The Church is required by God to foster relationships of the utmost integrity, truthfulness and trustworthiness. Abuse, harassment and bullying – however rare - will not be tolerated in the Diocese of Newcastle. In cases of concern about abuse, harassment or bullying, clergy should speak to their Area Dean or Archdeacon.