

Comparison of Freehold with Common Tenure

	Incumbents – current	Incumbents on Common Tenure	Priests in charge - current	Priests in charge – Common Tenure
The Canons	Apply	Apply	Apply	Apply
Continuing Ministerial Education	No legal requirement to participate	Bishop has duty to ensure opportunities are afforded to participate in appropriate education or training. Office holders required to participate under Clergy Terms of Service Regulations where it is required by the Bishop following MDR	No legal requirement to participate	Bishop has duty to ensure opportunities are afforded to participate in appropriate education or training. Office holder required to participate under Clergy Terms of Service Regulations where it is required by the Bishop following MDR
Grievance Procedure	No legal entitlement to make use of grievance procedure	Legal entitlement to seek redress for grievances under procedure set out in code of practice	No legal entitlement to make use of grievance procedure	Legal entitlement to seek redress for grievances under procedure set out in code of practice
Ministerial Development Review (MDR)	No legal requirement to participate	Bishop has duty to set up and keep under review a scheme for MDR. Office holders required to participate in MDR under Terms of Service Regulations	No legal requirement to participate	Bishop has duty to set up and keep under review a scheme for MDR. Office holders required to participate in MDR under Terms of Service Regulations

	Incumbents – current	Incumbents on Common Tenure	Priests in charge - current	Priests in charge – Common Tenure
Capability Procedure	Does not apply	Applies	Does not apply	Applies
Clergy Discipline Measure	Applies	Applies	Applies	Applies
Removal from office	<p>Only following:</p> <ul style="list-style-type: none"> • a breakdown of pastoral relationships • after pastoral reorganisation • ill health • reaching retirement age • disciplinary proceedings 	<p>Only following:</p> <ul style="list-style-type: none"> • a decision to remove from office under the capability procedure • pastoral reorganisation • reaching retirement age • disciplinary proceedings 	<ul style="list-style-type: none"> • After summary revocation of licence (but with appeal) or revocation on notice • after pastoral reorganisation • disciplinary proceedings 	<p>Only following</p> <ul style="list-style-type: none"> • a decision to remove from office under the capability procedure • pastoral reorganisation • reaching retirement age • disciplinary proceedings • on filling of the vacancy
Severance	Schedule 4 of the Pastoral Measure	Schedule 4 of the Pastoral Measure	None	Schedule 4 but for a maximum of one year
Sale of parsonage house	An absolute veto over the sale of the parsonage house	An absolute veto over the sale of the parsonage house	No rights at all	A right of objection to the Church Commissioners in the event of a proposed sale. DPB would need to convince the Commissioners that the sale was appropriate, as their consent is required.

	Incumbents – current	Incumbents on Common Tenure	Priests in charge - current	Priests in charge – Common Tenure
Statement of rights and responsibilities conferred by the Regulations	No	Statement of particulars has to be provided within one month of starting the post	No	Statement of particulars has to be provided within one month of starting the post
Parsonage house	Legal title vested in incumbent as corporation sole	Legal title vested in incumbent as corporation sole	Legal title vested in corporation sole, not the priest in charge	Legal title vested in corporation sole, not the priest in charge
Right to a minimum stipend	No	Yes	No	Yes
Right to specified time off	Not stated	A minimum of 36 days' annual leave and one day off per week	Not stated	A minimum of 36 days' annual leave and one day off per week
Unfair dismissal	No right of appeal	Right to appeal to Employment Tribunal if dismissed following capability procedure	No right of appeal	Right to appeal to Employment Tribunal if dismissed following capability procedure

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