

# Newcastle Diocesan Board of Finance Guidance for Clergy



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## Foreword

In these challenging times for our society and for our Church, each of us has been called by God, to this place, at this time. How we grow together in love, for a sustainable and fruitful ministry, is at the heart of our calling as a Church.

This revision of the Newcastle Diocese Guidance for Clergy was commissioned by Bishop Christine, and covers a wide range of issues relating to governance and terms and conditions of service. The legal nature of these things has shaped much of the language which has been used throughout the guidance, but our relationships with each other are much greater than the legal frameworks within which we operate. I trust that this guidance will be helpful in conveying information which you might need, and I hope that it will be read in the knowledge that behind all of this is a deep care and commitment to all those holding the Bishop's licence.

This Guidance contains information and policies, and I hope it will also prompt you to think about the amount of time you are investing in relationships, not just within the Diocesan family and the communities we serve, but also with God, and with your own family and friends. Getting the balance right is not always easy, especially in ministry, so please see this Guidance as permission and opportunity to check in with yourself about whether you are taking enough time out in the week, for annual leave, or making time for retreat.

Sometimes things do not always work out in the ways in which we would have hoped, and all of us can find these things very hard to talk about. If you find yourself in difficulty, at home or in ministry, please talk to your Archdeacon as soon as you can. We will do everything we can to help you.

Grace and peace,



Rt Rev'd Mark Wroe  
Bishop of Berwick, and Acting Bishop of Newcastle

Advent, 2021

## 1. Vision and Values

In Newcastle Diocese we recognise the significant challenges of decline in our churches: fewer people, less impact, less money, and dwindling numbers of children and young people. But we also see huge possibilities for change and transformation through the good news of Jesus Christ who brings new life from death, joy from sorrow, hope from despair.

We believe God's work of transformation changes communities through acts of kindness, justice and mercy; changes churches through growth in worship, imagination and generosity of spirit; and changes lives through deepening everyday faith in God and encouraging outreach to others.

Our Diocesan vision of 'growing church bringing hope: next steps' is about helping to create new space for God's transformation. You can find out more about this on the Diocesan website, [here](#)

All of our work is guided by the values that encapsulate how we would like to be in our mission and ministry:

- *Open* to God's transforming love;
- *generous* with God's transforming gifts;
- *engaged* in God's transforming work in the world.

## 2. About the Diocese

Framed by the rivers Tyne and Tweed, the Diocese of Newcastle is the Church of England's most northerly diocese. Formed in 1882, the Diocese covers 2,110 square miles across the local authorities of Northumberland, Newcastle, North Tyneside, and also small parts of County Durham and Cumbria. The twelve deaneries within the two archdeaconries of Lindisfarne and Northumberland serve a population of 800,000 people across a variety of communities ranging from sparsely populated rural to large inner-city areas of deprivation.

A cohort stipendiary clergy, under the episcopal leadership of the Diocesan Bishop, and the Suffragan Bishop of Berwick, are resourced by local teams of lay and ordained supporting ministers, and a small administration team based at Church House, North Shields, which also houses the Joint Education Team (a joint working initiative with the Diocese of Durham), the Lindisfarne College of Theology, and a Religious Resources Centre.

Newcastle Cathedral, under the leadership of the Dean and Chapter, provides a ministry to the city of Newcastle, and also to the Diocese as its 'Mother Church' and seat of the Bishop of Newcastle. Information about the Cathedral can be found [here](#)

## 3. Policy making: Leadership and Governance

### The Diocesan Bishop and Staff Team

The leadership and governance of the Church of England are often defined by the term 'episcopally led and synodically governed'.

In a Diocese the essence of its mission leadership and unity are locally focussed in the office and ministry of the Diocesan Bishop, who gathers around other leaders, both clerical and lay, to share in the Bishop's leadership oversight (episcopate).

The Diocesan Bishop gathers a **Bishop's Staff** team comprising the Suffragan Bishop of Berwick, the Dean of Newcastle, the Archdeacons of Northumberland and Lindisfarne, the Diocesan Secretary, the Director of Education, the Canon Director of Mission and Ministry, and the Bishop's Chaplain. This team shares the Bishop's episcopal oversight and tasks, offers counsel and support and acts as an advisory think tank to the Bishop and the Bishop's Council. This is especially the case in relation to strategic development, the deployment and pastoral support of the clergy, and the wider affairs of the diocese.

### Diocesan Synod

Episcopal leadership works in partnership with the democratically elected laity and clergy drawn from the parishes and deaneries of the diocese who make up the diocesan synod. Chaired by the Chairs of Houses of Clergy and Laity, this body considers the direction of the Diocesan mission and defines its broad policies.

### Bishop's Council

The **Bishop's Council** consists of appointed and elected leaders acting legally as the Standing Committee for the Synod and as the Board of Directors of the Diocesan Board of Finance. The Council is advised by a Finance Committee, whose role is to oversee budget formation, annual accounts and auditing and provide investment advice and management on behalf of the Council.

*Elected (tri-annually by Diocesan Synod):*

The Chair of the House of Laity  
The Chair of the House of Clergy  
Laity from the Archdeaconry of Northumberland  
Laity from the Archdeaconry of Lindisfarne  
Clergy from the Archdeaconry of Northumberland  
Clergy from the Archdeaconry of Lindisfarne

*In attendance:* The Diocesan Secretary, the Bishop's Chaplain, Director of Mission and Ministry

## **The Diocesan Board of Education**

The other major policy making body in the diocesan life is the Diocesan Board of Education (DBE), which as its name suggests deals with matters relating to our church schools. This is a statutory body which has a Chair appointed by the Diocesan Bishop and a membership elected from across the Diocese by the members of Diocesan Synod. The work of the Newcastle Board of Education is served by a Joint Education Team with Durham Diocese. Information about the Joint Education Team can be found [here](#)

## **Strategic Operation**

Once Diocesan policies are made, the responsibility for enacting, resourcing and communicating their outcomes lies with the Bishop's Staff team.

## **Diocesan Secretary and Church House staff**

The Diocesan Secretary and Church House staff are especially concerned to support and maintain good collaborative links with all deanery and parish leaders as well as secular partners and the wider Church of England to forward the Diocesan mission. Contact details may be found in section 5.

## **Archdeacons**

The Archdeacon of Northumberland and the Archdeacon of Lindisfarne act on behalf of the Diocesan Bishop. Their major tasks include the management of change, arranging clergy appointments and deployment, pastoral care for clergy and their families and specific support for Deanery leadership teams, and statutory legal, property and administrative responsibilities. They admit Churchwardens into office and deal with problems in parishes on the Bishop's behalf.

### **• The Archdeaconry of Northumberland**

Covering the city of Newcastle, much of South East Northumberland, North Tyneside, and parts of the Tyne Valley, the Archdeaconry of Northumberland is predominantly inner city and suburban, but also includes many of the post-industrial pit villages, ports of South East Northumberland and the rural fringes of the eastern parts of the Tyne Valley, much of which is being regenerated. Taken together, this is one of the most diverse areas of the North East, and is one of the most significant centres of business, manufacturing, sport and culture in the region.

Although geographically much smaller than the Archdeaconry of Lindisfarne, the Archdeaconry of Northumberland is home to the majority of the population in the Diocese and to the wide range of social issues associated with a thriving and diverse area of habitation, which includes areas of significant deprivation as well as areas of considerable wealth.

The Archdeaconry comprises the five deaneries of Tynemouth, Newcastle East, Newcastle Central, Newcastle West, and Bedlington.

## • The Archdeaconry of Lindisfarne

The Archdeaconry of Lindisfarne stretches Northwards beyond the River Tweed to the Scottish border and South West out to the Benefice of Alston Moor, parts of which are in Cumbria. In the South the Archdeaconry takes in a small number of parishes in County Durham. The Archdeaconry encompasses the whole of Northumberland but for Blyth Valley in the South East and the area around Ponteland.

Communities include former industrial and mining settlements, and more recently those linked to forestry, the military, and the water industries. They also include estate villages related to land owning patterns, commuter estates, and small towns sometimes styled as market or county towns. All these are complemented by a coastal way of life that draws many tourists, visitors and pilgrims who are attracted by the region's spirituality and heritage offer.

The Archdeaconry comprises the seven Deaneries of Norham, Bamburgh & Glendale, Alnwick, Morpeth, Bellingham, Hexham, and Corbridge.

## Deanery Leaders

Each deanery is made up of a number of parishes, each having its own **Deanery Synod**, a **Deanery Chapter** (for clergy fellowship and support) and a **Deanery Development Group**. Attendance at Deanery chapters is expected and is an important element in our pastoral support of one another and in our keeping in touch with the Diocese.

## 4. Diocesan offices and contact information

### Bishop's House

#### *Bishop of Newcastle*

Bishop Christine retired on 30<sup>th</sup> November 2021. During the Vacancy in See Rt Rev'd Mark Wroe, Bishop of Berwick, will be Acting Bishop of Newcastle.

#### *Bishop's Chaplain*

Rev'd Canon Pete Askew [p.askew@newcastle.anglican.org](mailto:p.askew@newcastle.anglican.org)

#### *PA to the Bishop of Newcastle*

Canon Lesley Towers [l.towers@newcastle.anglican.org](mailto:l.towers@newcastle.anglican.org)

#### *Admin Assistant to the Bishop's office: part-time*

Mrs Kathryn Beale [admin.bishopofnewcastle@newcastle.anglican.org](mailto:admin.bishopofnewcastle@newcastle.anglican.org)

#### *Bishop of Berwick*

Rt Rev'd Mark Wroe [bishopofberwick@newcastle.anglican.org](mailto:bishopofberwick@newcastle.anglican.org)

#### *PA to the Bishop of Berwick*

Mrs Elena Rose [pa.bishopofberwick@newcastle.anglican.org](mailto:pa.bishopofberwick@newcastle.anglican.org)



## **Archdeacons' Office**

*Archdeacon of Northumberland*

The Venerable Rachel Wood [northumberland@newcastle.anglican.org](mailto:northumberland@newcastle.anglican.org)

*Archdeacon of Lindisfarne*

The Venerable Catherine Sourbut Groves [lindisfarne@newcastle.anglican.org](mailto:lindisfarne@newcastle.anglican.org)

*Secretary to the Archdeacons*

Mrs Katherine Govier [k.govier@newcastle.anglican.org](mailto:k.govier@newcastle.anglican.org)

## **Newcastle Cathedral**

*Dean of Newcastle*

The Very Rev'd Geoff Miller [dean@newcastlecathedral.org.uk](mailto:dean@newcastlecathedral.org.uk)

## **Church House**

*Diocesan Secretary*

Canon Shane Waddle [s.waddle@newcastle.anglican.org](mailto:s.waddle@newcastle.anglican.org)

## **Communications Team**

*Director of Communications*

Mr Rod Stuart [r.stuart@newcastle.anglican.org](mailto:r.stuart@newcastle.anglican.org)

## **Education Team**

*Diocesan Director of Education*

Mr Paul Rickeard [paul.rickeard@drmnewcanglican.org](mailto:paul.rickeard@drmnewcanglican.org)

## **Safeguarding Team**

*Diocesan Safeguarding Adviser*

Ms Carol Butler [c.butler@newcastle.anglican.org](mailto:c.butler@newcastle.anglican.org)

## **Finance Team**

*Finance Manager*

Mr Phil Ambrose [p.ambrose@newcastle.anglican.org](mailto:p.ambrose@newcastle.anglican.org)

## **Housing Team**

*Property Manager*

Mr Ian Beswick [i.beswick@newcastle.anglican.org](mailto:i.beswick@newcastle.anglican.org)

## **Mission and Ministry Team**

Lead: Canon Director of Mission and Ministry, Rev'd Canon Rob Saner Haigh  
[R.SanerHaigh@newcastle.anglican.org](mailto:R.SanerHaigh@newcastle.anglican.org)

*Lay Ministry Development Officer*

Mrs Nicola Denyer [n.denyer@newcastle.anglican.org](mailto:n.denyer@newcastle.anglican.org)

*Diocesan Director of Ordinands*

Rev'd Claire Robson [ddo@newcastle.anglican.org](mailto:ddo@newcastle.anglican.org)

*Director of Initial Ministerial Education*

Rev'd Canon Dr Jennifer Cooper [j.cooper@newcastle.anglican.org](mailto:j.cooper@newcastle.anglican.org)

*Continuing Ministerial Formation*

Dr Ce Pacitti [c.pacitti@newcastle.anglican.org](mailto:c.pacitti@newcastle.anglican.org)

*Bishop's Spirituality Adviser*

Rev'd Lesley Chapman [lesley.chapman414@btopenworld.com](mailto:lesley.chapman414@btopenworld.com)

*Interns Officer*

Rev'd Jo Trickey [j.trickey@newcastle.anglican.org](mailto:j.trickey@newcastle.anglican.org)

*Generous Giving Team*

Mrs Joanne Christie – [j.christie@newcastle.anglican.org](mailto:j.christie@newcastle.anglican.org)

Mrs Leanne Conway-Wilcox [l.conwaywilcox@newcastle.anglican.org](mailto:l.conwaywilcox@newcastle.anglican.org)

*Youth and Children's Team*

Team Leader – vacant

Youth Adviser – vacant

Rev'd Rachel Scheffer – [r.scheffer@newcastle.anglican.org](mailto:r.scheffer@newcastle.anglican.org)

## **Diocesan Registry**

*Diocesan Registrar*

Ms Laura Peace [laura.peace@sintons.co.uk](mailto:laura.peace@sintons.co.uk)

## 5. Varieties of Tenure

At the end of January 2011, significant changes occurred 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.

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 Guidance which provides more detailed information.

The guidance 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 guidance 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 Guidance constitutes a contract of employment.

### 5.1) Common Tenure

Over the years, it became apparent that the process for holding office that had existed in the Church of England no longer sat comfortably with the process of employment. Therefore, the church 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 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 (“the appointed day”) of 31<sup>st</sup> 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 are able to opt into Common Tenure at any point following the implementation date.

A comparison of Freehold with Common Tenure is included at Appendix A.

All new appointments made after 31<sup>st</sup> January 2011 are on common tenure.

## 5.2) Freehold

The traditional method of holding office in the Church of England for incumbents. Clergy who did not opt into common tenure will remain on freehold. In the case of Team Rectors where the current appointment is for a limited term, it will come to an end when the term ends, unless the Team Rector opts to transfer to common tenure before the expiry of the term.

## 5.3) Appointments Under Regulation 29

Under Regulations 29 some Common Tenure posts are time limited or under terms which provide for the appointment to be terminated on the occurrence of a specific event. It occurs in situations where the post is:

- created to cover the absence of another office holder
- held by a member of clergy over the age of 70
- a training post
- subject to sponsorship funding
- probationary
- under Bishop's Mission Order
- held with another office or employment
- subject to limited leave to remain
- a post designated as a Locally Supported Ministry Post. \*
- Interim ministry

\*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.

No compensation is payable to clergy when a fixed term office under Regulation 29 comes to an end.

## 5.4) Posts Not Covered by Common Tenure

- Those with Permission to Officiate (PTO)
- Non-stipendiary Readers and Lay Workers
- Honorary Canons
- 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.

5.5) Appointments subject to pastoral reorganisation under Regulation 30 of the Ecclesiastical Offices (Terms of Service) Regulations 2009. This is a new kind of appointment that could be made after the appointed day. Where views of interested parties have been invited before submitting proposals to the diocesan bishop, then, as an alternative to suspending presentation and appointing a priest in charge, the post may be designated under Regulation 30 of the Ecclesiastical Offices (Terms of Service) Regulations 2009 as held subject to pastoral reorganisation, and an incumbent may be appointed on a limited term basis. A date should be fixed when the post would revert to full common tenure if a pastoral scheme had not taken effect (must not be longer than 5 years from the start date of the appointment). Should the office cease to exist compensation will be based on the loss of one year's service.

## **6. Statement of Particulars** - not applicable to Clergy with freehold

The Statement of Particulars (SOP) is a factual statement of the basic terms and conditions of service that apply to the post holder in a particular office, and is issued within one month of taking office or moving on to Common Tenure. All clergy ministering under Common Tenure within the diocese, with the exception of those having Permission to Officiate, should have received their Statement of Particulars (SOP) for their specific ministry appointment.

In the case of dual-role posts, it may be necessary to issue two SOPs. Regulation 29 of the Ecclesiastical Offices (Terms of Service) Regulations 2009 allows a common tenure office which is held in conjunction with another office or employment to be expressly linked to that other office or employment, so that it may be terminated if the other element of the role comes to an end. A priest who holds two posts, one of which is as an office holder, and the other being as an employee of the Diocesan Board of Finance will have both a Statement of Particulars as an office holder, and a Statement of Terms and Conditions (an employment contract) as an employee.

The particular duties of the post are not covered in the SOP, but should be described in a Role Description. It is intended that Role Descriptions will be developed using a common format for all posts, as part of the Ministerial Development Review (MDR) process.

The nominated person for the purpose issuing Statements of Particulars is the Diocesan Secretary

## **7. Curacies**

The terms and conditions for curacies are contained within the offer letter sent by the Bishop when first arranged. The term is four years.

## **8. The Licence / Deed of Appointment**

The Licence is the Bishop's authority to the office holder to exercise his or her ministry, under Canon C8. The Licence and the SOP should be consistent with each other.

## 9. The Canons and the Ordinal

The Canons and the Ordinal remain, together with The Ecclesiastical Offices (Terms of Service) Measure and Regulations 2009, the legal reference points for the clergy in the performance and practice of their duties. Reference should also be made to Common Worship and the Ordinations Service 2007.

'**Guidelines for the Professional Code of Conduct for Clergy**' provides guidance on acceptable conduct, and can be found on the national church website [here](#)

## 10. Guidance

Guidelines to clergy on specific issues concerning the practical outworking of ministry such as holy communion, marriages, confirmation, licensings and pastoral ministry, are issued to all clergy by the Bishop and Archdeacons.

## 11. Role Descriptions

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.

Most Dioceses have introduced role descriptions in parallel with the Statements of Particulars and a revised MDR process.

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.

In the case of Self Supporting Ministers, the combination of the Statement of Particulars with the Role Description replace any previous working agreements documents.

## 12. Ministerial Development Reviews (MDRs)

‘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.’

MDR provides a guided discussion framed round the office holder’s ministry, and will allow reflection on the last two years and the opportunity to plan for the future. The Diocese of Newcastle is committed to supporting Clergy participation in the requirement for ongoing professional and personal development through the Ministerial Development Review process.

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

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.
- A review of Role Description.
- 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 Continuing Ministerial Formation 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 Continuing Ministerial Formation Officer. Although there is no requirement that those who remain on the freehold should take part, the Diocese will continue to offer MDR to everyone.

## **13. Continuing Ministerial Formation (CMF)**

Continuing Ministerial Formation 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. It is also a requirement for Office holders under Common Tenure, regulation 19 of the Ecclesiastical Offices (Terms of Service) Regulations 2009.

### **Aims for Continuing Ministerial Formation (CMF).**

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

### **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.

### **Current Continuing Ministerial Formation Provision**

Details of the current provision relating to CMF can be accessed on the Diocesan website [here](#)

### **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. Sabbatical / Retreats

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 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 CMF 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.

Clergy are encouraged to take an annual retreat

## 15. Clergy Transitions

The Clergy Transitions Service (CTS) provides confidential, personal, support for Clergy who are at a vocational crossroad, or who are looking for a fresh opportunity. Catering for all backgrounds and traditions in the Church of England including sector ministry, new forms of church and mission agencies, as well as ordained people currently employed or engaged in contexts other than the church. It is open to those serving in self-supporting posts, who are seeking a stipendiary role.

As well as practical help with developing a personal profile, job applications, and interview skills, the service can work with individuals to develop a deeper understanding of their strengths and talents. By encouraging participants to develop greater self-awareness, reflect on personal values and think prayerfully about context and culture CTS can support the process of transition.

More details can be found on the CTS website [here](#)

Contact: [clergy.transitions@churchofengland.org](mailto:clergy.transitions@churchofengland.org)

## 16. Trade Union / Professional Association Representation

All Clergy are entitled to be a member of a Trades Union or Professional Association. Members of a Trades Union or Professional Association may be accompanied in matters affecting them as individuals by their Trades Union or Professional Association representative.

## 17. Stipends

The Central Stipends Authority reviews stipends annually, setting the national minimum stipends and national stipends benchmark. The Diocesan Synod sets the stipend for this Diocese each year. Under Regulation 11 of the Ecclesiastical Offices (Terms of Service) Regulations 2009 full time stipendiary clergy must receive at least the national minimum stipends level, or a stipend that together with any other income related to the office is not less than the National Minimum Stipend.

### 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) Income from Chaplaincies and Public and Educational Appointments (after allowing for agreed expenses properly incurred in earning this income)
- e) 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

Part-time stipendiary Clergy receive stipends pro-rata to the requirements of the post, as shown on their Statement of Particulars.

Responsibility for payment of the stipend is that of the Newcastle Diocesan Board of Finance. Stipends are paid monthly through Payroll Services (National Church Institutions), by means of BACS payments.

### Housing Allowance

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 also be paid by the Diocese.

## 18. Expenses

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.

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)

Guidance about the about the reimbursement of expenses is available from the Church of England website [here](#)

The Diocese recommends that the Inland Revenue rates for mileage be used.

## 19. Grants

The Diocese pays the following grants to clergy.

### **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.

### **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.

### **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. 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.

A modest redecoration grant is also available (5% of the National Minimum Stipend). Contact the Property Team at Church House.

### **Continuing Ministerial Formation 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 Formation Officer. Parishes are also encouraged to contribute to their ministers' ongoing learning needs.

## 20. Parochial Fees and Other Income

Current information and guidance concerning parochial fees can be found on the Diocesan website [here](#) and the Church of England website [here](#)

Any other income arising from the exercise of the office must be reported.

## 21. Time off for public duties

The following provisions apply to Clergy on Common Tenure.

This section (Regulation 26(4) of the Ecclesiastical Offices (Terms of Service) Regulations 2009) does not apply to any public role which is part of the office-holder's normal duties e.g. as governor of a school in the benefice. Nor does it include public duties which the office holder is legally bound to undertake e.g. jury service or obeying a witness summons. If called for Jury Service, clergy should claim the maximum allowance for loss of earnings, which will be offset against their stipend.

Regulation 26(4) is intended to allow the office holder scope to engage in activities for the public benefit which is outside of his or her office, while providing a means of ensuring that time spent on such activities is kept within reasonable bounds. Such additional activity should not have an adverse effect on the performance of his / her normal duties. What is 'reasonable' will be decided in discussion with the Bishop.

Public duties includes work done for:

- a public authority, including membership of a court or tribunal
- a charity or registered friendly society
- a trade union representing ecclesiastical office holders.

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 Finance Office so an appropriate reduction can be made to the stipend.

### Jury Service

Clergy are now eligible for jury service on the same basis as other people and can only seek excusal or deferral for good reason. Jurors receive an allowance for their attendance at Court and the employer is entitled to recover this amount from their pay. As a juror you are also entitled to receive the allowance for your attendance at Court, and an equivalent adjustment can be made to your stipend.

In consultation with the Commissioners' Clergy Payments Department and the Deployment, Remuneration and Conditions of Service Committee of the Archbishops' Council the following guidance has been produced.

- Time off with pay will be granted
- On receipt of the jury service notice, you should inform the Bishop, the Archdeacon, the

Diocesan Secretary and the Churchwardens of the period when you will be absent on jury service

- You should claim the attendance allowance (which is paid on a net pay basis)
- The loss of earnings form (provided by the Court) should be sent to the Church Commissioners' Clergy Payments Department for completion before the jury service starts.

The form will be completed and returned to you to enable you to claim back the allowance.

- When the jury service has been completed you should inform the Finance Team at the Diocesan Office of the amount of attendance allowance received. The Diocesan Office will then instruct Clergy Payments to reduce the stipend by the amount of the net pay saved, adjusted for tax and national insurance contributions.

## **22. Income arising other than from the exercise of this office**

If a member of the stipendiary clergy wishes to take up additional paid activities or employment, it is the individual's responsibility to request permission of the Bishop in writing before taking up additional paid activities or employment.

Any other income arising from additional paid activities or employment must be reported to the Diocesan Secretary.

## 23. Housing

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

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.

Every office holder other than an incumbent who receives a stipend is entitled to be provided with accommodation according to the terms set out in Regulations 12-14 of the Ecclesiastical Offices (Terms of Service) Regulations 2009, where the relevant housing provider owns the house. Where the house is owned by someone other than the relevant housing provider, the terms under which the house is occupied will be a matter for agreement as set out in the SOP. It does not create a relationship of landlord and tenant between the relevant housing provider and the office holder.

Office holders are required to vacate the accommodation provided within one month of leaving office. Should the office holder die in service, the period after which their family is required to vacate the accommodation is extended to three months. Any extension to these time limits is at the discretion of the Bishop.

More information about housing can be found in the Diocesan Houses Handbook, on the Diocesan website [here](#)

### **People staying in a parsonage house**

The parsonage house is both a clergy person's home and a place "for the better performance of their duties". It is assumed that clergy would not routinely have people to stay on a regular basis. Therefore, it is important that clergy do think about the implications of having people to stay overnight who are not family or close friends. It is wise to assess any potential risks and contact their Archdeacon, especially where it involves a pastoral emergency, that might raise concerns about the safeguarding of children or vulnerable adults.

## 24. Annual Leave Entitlement

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.

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.

Clergy should ensure that the Area Dean is informed of any holiday or sabbatical absence from the parish.

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.

Clergy are encouraged to take time for an annual retreat (maximum of six days and not including a Sunday) and for CMF. This is in addition to the annual leave entitlement.

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.

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.

### Clergy on Common Tenure

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 Year's 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.

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.

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

Normally, clergy may not take more than 6 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

### **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 six Sundays.

## **25. Rest Period**

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.

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 para 2.
- Ash Wednesday
- Good Friday

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

In addition, and in recognition of the above, clergy are encouraged to take one additional rest day once per calendar month to give an extended rest period of 48 hours within that month. The extra day cannot be carried forward to the next calendar month and if it is not used it is lost. It is subject to the guidance above and it should not be added to period of annual leave.

## **26. 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.



## 27. Office Holders and Parental Rights

Under Regulation 23 of the Ecclesiastical Offices (Terms of Service) Regulations 2009 which was revised in 2018 office holders are entitled to a corresponding entitlement to maternity, paternity, parental, adoption or shared parental leave as employees are entitled to under the Employment Rights Act 1996. This revision provided that any further changes to the entitlement of employees to maternity, paternity parental, adoption or shared parental leave should apply automatically to clergy office holders.

Stipendiary office holders already have a right to statutory maternity, paternity, shared parental and adoption pay because of their National Insurance Contributions. This applies to office holders on freehold and common tenure.

Holding of office is distinct from employment in a number of ways that affect consideration of office holders' entitlements in connection with maternity, paternity, parental and adoption leave.

- Office holders remain in office while they are on leave – which means they retain the rights and responsibilities that go with the office, for example the right to remain in any accommodation provided for the better performance of their duties and the obligation to ensure that the duties of the office are carried out on their behalf.
- This also means that, unlike an employee, an office holder does not have the right to be found an equivalent post when she returns from maternity leave. She has not left her office whilst on maternity leave and therefore returns to work in her existing post as of right unless she resigns or is removed from it.
- Clause 2 (2) of the Directions confers a requirement on office holders 'in consultation with a responsible person or authority' to 'use all reasonable endeavours to make arrangements for the duties of the office to be performed by another person or persons during the period of leave'. This may simply involve a discussion with the Archdeacon about how best to ensure that cover is provided whilst the office holder is on leave. Regulation 29 allows for someone to be appointed to a post designated as created in order to cover for an office holder's authorised absence from work. This may be held for a fixed term or under terms which provide for the appointment to be terminated on the occurrence of a specified event, such as the return of the original office holder from maternity leave

### **Training posts**

The length of a training post may be extended to take account of maternity or adoption leave or additional paternity leave.

### **Keeping in Touch Days**

It is possible to work for a total of 10 days during maternity leave without losing the entitlement to SMP for the week in which the work is undertaken. The days may be for work, training or any other activity that has the purpose of keeping in touch with the workplace. The days do not need to be taken consecutively. They may not be taken within two weeks of childbirth.

## **28. Pregnancy and Maternity Rights**

### **Ante-Natal Care**

Reasonable time off work for pregnant office holders to attend ante-natal care at appointments made on the advice of a registered medical practitioner, registered midwife or registered health worker. If requested, a certificate of pregnancy and an appointment card must be provided.

### **Statutory Maternity Pay (SMP)**

On stopping work and meeting all of the following conditions an office holder is entitled to receive SMP. She must:

- have continuously held office for at least 26 weeks at the end of the 15th week (the qualifying week) before the Expected Week of Childbirth (EWC).
- have average weekly earnings of not less than the figure set by the Government for the payment of National Insurance contributions
- still be pregnant at the 11th week before the EWC or have given birth by that time
- give at least 28 days' notice that she intends to stop work
- provide medical evidence of the EWC no more than 3 weeks after the birth, in the form of a certificate from a midwife or doctor confirming the date of her EWC
- have ceased work

For the first six weeks SMP is payable at 90% of normal weekly earnings and for the remaining 33 weeks at the statutory rate as set annually by the Government or 90% of normal weekly earnings, whichever is the lower.

### **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:

- have one year's continuous service at the end of the 15<sup>th</sup> week before the EWC
- be in paid service at the time maternity leave begins
- stop work no earlier than the start of the 11th week before the EWC;
- give notice to the Diocesan office in writing of the intention to take maternity leave before the end of the 15<sup>th</sup> 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;

- give an undertaking of the intention to return to work for at least 9 months following the Maternity Leave;
- be pregnant at the 11<sup>th</sup> week before the EWC, or have had the baby.

Women whose babies are stillborn, or who miscarry after the 24<sup>th</sup> 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 to resign from office within 9 months of the end of her maternity leave, she will be required to refund the Diocesan Maternity Pay to the diocese.

## **Maternity Leave**

If an office holder stops work no earlier than the 11<sup>th</sup> week before the EWC, and meets the following conditions, she is entitled to 52 weeks' maternity leave. To comply she must notify the diocese (in writing if requested) by the 15<sup>th</sup> week before the EWC unless that is not reasonably practicable, of the following:

- that she is pregnant (preferably by submitting a MAT B1 form);
- the EWC;
- the date on which she intends her ordinary maternity leave to start; and
- if requested, provide medical evidence of the EWC.

The diocese will confirm in writing the date upon which the 52-week maternity leave period will end.

The office holder must not work during the 2 weeks immediately after the birth; this is known as the "compulsory maternity leave period" and is considered part of the ordinary maternity leave period.

If an office holder gives birth before the intended maternity leave start date, the maternity leave will start automatically on the day after the birth of the child.

If the office holder wishes to return to work before the end of the 52-week period of maternity leave she must give at least 8 weeks' notice of her intended date of return.

## **29. Statutory Paternity Leave (SPL) and Statutory Paternity Pay (SPP)**

### **a) Statutory Entitlement**

Office holders are entitled to choose to take either one week or two consecutive weeks' paternity leave (not odd days), subject to the following conditions:

- The office holder must have held office continuously for at least 26 weeks by the end of the 15th week before the expected week of childbirth (EWC).
- The office holder must have, or be expected to have, responsibility for the upbringing of the child.
- The office holder must be the child's biological father or married to or the partner of the child's mother.
- The leave must be taken for the purpose of caring for the child or supporting the mother in the care of the child.
- The leave, can start on any day of the week on or following the child's birth but, must be completed within a period of 56 days beginning with either the child's birth or the first day of the EWC, whichever is the later. The diocese will allow up to two weeks to be taken in one period if that is more convenient.
- If an office holder is entitled to SPL he will also qualify for SPP provided that his normal weekly earnings are not below the lower earnings limit applying to NI contributions, and, he gives at least 28 days' written notice of the date liability to pay SPP is expected to begin.

### **b) Notice and Evidence Requirements**

The office holder must give written notice of the intention to take paternity leave in or before the 15th week before the EWC.

The notice must state the EWC, whether the office holder intends to take one or two consecutive weeks leave and the date on which they want the leave to start.

Note: If, after providing this notice, the office holder has a change of mind as to the commencement date or the amount of leave to be taken, further notice of at least 28 days must be provided (or, in cases where this is not reasonably practicable, as soon as is reasonably practicable).

The office holder must provide evidence of entitlement to statutory paternity pay at least 28 days before the date on which they wish the pay period to start or as soon as reasonably practicable. The notice must state the office holder's name, the EWC or date of birth if the child has already been born, whether paternity is to be payable for one or two weeks and the date on which the pay period is to start.

As part of the above notice a declaration must be signed that the conditions of entitlement to statutory paternity leave and statutory paternity pay are fulfilled and that the purpose of

the leave is to care for the child or to support the child's mother and that they are the child's father or the mother's partner and expect to have responsibility for the upbringing of the child.

SPP will be at the rate determined by the government or 90% of weekly earnings (calculated at an average of the eight weeks preceding the Qualifying Week), whichever is the lower.

#### **d) Diocesan Paternity Leave at full 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. This payment will include any entitlement to Statutory Paternity Pay and Leave.

### **30. Adoption Leave and Adoption Pay**

There is a statutory entitlement to adoption leave and adoption pay when adopting a child, providing certain qualifying conditions are met.

#### **Statutory Adoption Pay**

Statutory Adoption Pay is payable for up to 39 weeks

Qualifying employees will receive 90% of average earnings for the first six weeks followed by the statutory rate or 90% of average weekly earnings if this is less than the statutory rate for the remaining 33 weeks.

- the individual must be the child's adopter;
- the individual must have continuous service for at least 26 weeks ending with the week the adopter is notified of being matched with a child;
- the individual must have agreed the date of placement with the adoption agency.
- 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 lower earnings limit for national insurance contributions
- 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.

#### **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 up to 13 weeks 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.

An office holder who is planning to adopt should discuss this with the relevant Archdeacon.

Where both adoptive parents are either office holders or employees, then they must choose which of them is to benefit from Adoption Leave, or agree how it is to be shared.

## **31. Ordinary Unpaid Parental Leave**

Clergy and licensed lay workers are allowed to take Parental Leave, subject to the same conditions and eligibility criteria as applied by statute to employees.

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.

If you are a parent of a child born or placed with you for adoption and have one year's service with the Diocese you are entitled to up to 18 weeks unpaid leave for each child for the purpose of caring for the child. This entitlement must be exercised before the child's 18<sup>th</sup> birthday.

Or

If you are a parent of a child entitled to a disability living allowance and have one year's service with the Diocese you are entitled to up to 18 weeks unpaid leave for the purpose of caring for the child up to the child's 18<sup>th</sup> birthday.

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.

The eligibility conditions are as follows:

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

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.

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.

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.

Clergy as office holders do not leave the office during a period of family leave and therefore do not need to exercise the right to return to the same or similar role.

Parental Leave can be taken by both mothers and fathers. Leave taken with any office or employment counts towards the maximum entitlement.

## **32. Adjustments to working arrangements and time off to care for dependants**

Holders of parochial offices already have a high degree of flexibility over how they carry out their duties, which is not always the case with employees, who will generally have defined hours of work. Office holders may not always need therefore to request flexible working to care for a dependant, in the way that an employee might. However, office holders still need to bear in mind the need to arrange appropriate cover if they are taking time off. For example, if they wish to take half term as leave, they should check with the Area Dean that one of their colleagues is available to provide cover during this period. Similarly, an Incumbent or Priest in Charge still has a responsibility to ensure that someone is available to take weddings on Saturdays, despite any family commitments.

Where office holders need to vary their duties in order to care for a dependant (for example reducing a post from full time to part time with a commensurate reduction in stipend), they should use the procedure below.

The request may only be made in order to help care for a dependant not for any other purpose. "Dependant", as defined within the meaning of section 57A of the Employment Rights Act 1996, embraces a spouse or civil partner; a child; a parent; a person living in the same household as the office holder (other than a tenant, employee, lodger or boarder) or anyone who reasonably relies on the office holder for assistance or provision of care in the event of illness or injury. The provision therefore covers a wide range of possible arrangements, from a few days' time off in an emergency to a longer-term adjustment of duties to accommodate, for example, the need to care for an elderly parent or a disabled child.

Regulation 23 as amended in the Church of England (Miscellaneous Provisions) Measure 2018 confers the right to make a request – and have the request properly considered. It is not a right to be granted time off, or have an adjustment to duties. The request may be refused if there is no other reasonable way of meeting the pastoral needs of the parish and the requirements of the office.

The Archbishops' Council has agreed that the procedure for making a formal request should be as follows, and that the office holder should:

- make the request in writing
- set out the date of the request
- make no more than one request during a twelve-month period
- state that the request is being made under the 2009 Ecclesiastical Offices (Terms of Service) Regulations.
- state the nature of the office holder's relationship with the dependent and confirm that the person is dependent on the office holder.
- set out the reasons for needing the time off or an adjustment to the duties of the office
- set out the change requested
- state whether they have made any previous requests in their current post
- identify the effect the proposed change will have on the provision of ministry to the parish
- suggest how such an effect could be mitigated (the office holder may wish to consult colleagues and church wardens about this first so that he or she is in a position to indicate that the proposed solution might have their support in principle)
- give a proposed start date
- indicate whether the proposed adjustment is intended to be permanent, or, if not, for how long it might be expected to last.

The bishop, on receiving the request, is required by Regulations 23(5) to consult the PCC(s). The bishop may also wish to consult any of the office holder's colleagues who are likely to be affected by the request.

Once the bishop has received a reply from the PCC(s) (and the office holder's colleagues where applicable), the office holder's request should be considered promptly.

If the bishop agrees to the request, the office holder and the PCC(s) should be informed in writing of the bishop's agreement. When granting the request, the bishop may, pursuant to Regulation 23(6)(b), impose reasonable conditions on the grant of the request, including any appropriate variations of the stipend that would otherwise be payable.

If the bishop is not in a position to agree immediately, the bishop should arrange to meet the office holder as soon as possible to discuss the request. The office holder may bring a colleague or trade union representative to the meeting.

In good time after the meeting (normally within 14 days), the bishop should inform the office holder of the decision. If he does not accept the request, he must give the reason in writing and give reasonable time (normally 14 days) for the office holder to appeal. The appeal should be held and the office holder informed of the result within reasonable time (in both cases, normally 14 days).

A revised statement of particulars should be issued to reflect any changes made, unless they are very temporary and short term. The office holder will need to be informed that this will



be a permanent change to the duties of the office, and there is no automatic right to have the duties adjusted back to the original terms at a later point, unless this has been agreed in advance.

The bishop should not refuse the request simply because the PCC does not support it or the proposed solutions. Potential grounds for refusing a request include:

- the extra cost incurred to accommodate the request
- inability to reorganise duties among existing clergy
- inability to recruit additional clergy to do the work
- potential effect on the office holder's performance of his or her duties.

The bishop may delegate consideration of such requests to the Bishop of Berwick or the Archdeacon.

The length of a training post may be extended to take account of any significant length of time off work, or any reduction in the duties of the office, agreed pursuant to Regulation 23

## **33. Absence for Sickness**

### **Cover for sickness**

Office holders should notify their Churchwardens, Area Dean and Archdeacon if they are unable to perform their duties because they are unwell.

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.

### **Sickness Payments**

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

In order to comply with the statutory requirements for Statutory Sick Pay you must report your sickness absence to the Finance Office (the designated person for this purpose is Gillian Green) at Church House. 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.

For absences of more than seven days the office holder should obtain a fit note (medical certificate) from their GP and send this to the Finance Office.

Under Regulation 27 of the Ecclesiastical Offices Terms of Services Regulations clergy who qualify for statutory sickness payments under part XI of the Social Security and

Contributions and Benefits Act 1992(a) are entitled to receive in full any stipend which is payable in respect of their office for a period of six months.

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.

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

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.

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

The Diocesan Bishop may direct under Regulation 28 of the Ecclesiastical Offices (Terms of Service) Regulations 2009, if he/she has reasonable grounds for concern, that the office holder undergoes a medical examination.

After lengthy sick leave, surgery or a serious or ongoing diagnosis, an occupational health referral may be considered as part of a return to work strategy.

## **34. Dignity at Work**

The Diocese is committed to creating a harmonious working environment, which is free from harassment and bullying and in which everyone is treated with respect and dignity.

It is committed to ensuring that individuals do not feel apprehensive because of their religious belief (including theology or church tradition), political opinion, gender, marital status, sexual orientation, race, age, or disability, or through any inappropriate behaviour towards them.

Harassment and bullying are regarded as unacceptable behaviour.

### **Definition of Harassment**

Harassment, in general terms, is unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, race, disability, religious belief (including theology or churchmanship), nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The important thing is that the actions or comments are viewed as demeaning or unacceptable to the recipient.

Harassment may take many forms. It can range from extreme forms such as violence to less obvious actions such as persistently ignoring someone at work. The following, though not an exhaustive list, may constitute harassment:

- physical contact ranging from touching to serious assault
- verbal and written harassment through jokes, offensive language, gossip and slander, letters, emails, etc.
- isolation or non-cooperation at work, exclusion from social activities
- intrusion by pestering, spying, following etc.

## **Definition of Workplace Bullying**

Workplace bullying is defined as repeated inappropriate, offensive behaviour, which is often an abuse of power or position. It can be direct or indirect, either verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work. It should be noted that it is the impact of the behaviour which is relevant to the decision of whether it constitutes bullying and not the motive or intent behind it.

The following list of behaviours is not exhaustive but gives an indication of the sorts of actions that constitute bullying or harassment.

### **Examples of Bullying Behaviour**

- Removing areas of responsibility without discussion or notice.
- Isolating someone or deliberately ignoring or excluding them from activities.
- Consistently attacking someone's professional or personal standing.
- Making someone appear incompetent.
- Persistently picking on someone in front of others.
- Deliberate sabotage of work or actions.
- Deliberately withholding information or providing incorrect information.
- Overloading with work / reducing deadlines without paying attention to any protest.
- Displays of offensive material.
- Use of e-mails to reprimand, insult or otherwise inform someone of their apparent failing, either to the individual or to third parties.
- Repeatedly shouting or swearing in public or in private.
- Spreading malicious rumours to third parties.
- Public humiliation by constant innuendo, belittling or 'putting down'.
- Personal insults and name-calling.
- Aggressive gestures, verbal threats and intimidation.
- Making false accusations.
- Aggressive bodily posture or physical contact.
- Talking / shouting directly into someone's face.
- Direct physical intimidation, violence or assault.
- Inappropriate text messages.
- Inappropriate use of social media targeting an individual

It is important to distinguish between bullying and behaviour that is reasonable in a particular context. For example, there may be occasions where shortcomings in performance are being addressed in a reasonable manner, but this is interpreted as bullying

simply because the recipient is unused to being challenged or asked to account for their actions.

### **Procedure for dealing with Alleged Harassment or Bullying**

An office holder who believes that he / she has been the subject of harassment or bullying, should, in the first instance, ask the person responsible to stop the behaviour, as it is unacceptable to him / her. Person to person reproof at an early stage will often be sufficient to stop the behaviour which is causing the offence, without involving third parties.

Where both the perpetrator and the target is a clergy person or a licensed lay minister, complaints of bullying or harassment may, with the target's consent, be brought under the Grievance Procedure for Licensed Ministers. It has been developed by the church to deal with grievances of various kinds between ministers. When the perpetrator is a clergy person, it may be more appropriate for the target, or an Archdeacon with the target's consent, to make a complaint under the Clergy Discipline Measure 2003.

When the perpetrator is a layperson, and the target is either ordained or lay, complaints of bullying or harassment may, with the target's consent, be dealt with in one of a number of ways according to the circumstances.

### **False accusation**

False accusations are a serious matter. The behaviour of anyone who is found to have made an unfounded, deliberately malicious complaint or accusation will be regarded with the utmost seriousness and where possible formal action taken. In the case of a clergy person this may be a complaint under the Clergy Discipline Measure 2003. A member of either the clergy or the laity could be subject to an action for defamation if they have made false accusations against someone else.

## **35. Grievance Procedure**

An office holder with a grievance may seek redress under the Grievance Procedure, which is in accordance with the Code of Practice issued under Section 8 of the Ecclesiastical Offices (Terms of Service) Measure 2009. Details of this procedure can be accessed at [www.churchofengland.org](http://www.churchofengland.org)

However, you are encouraged to take the matter up informally in the first instance, and, if appropriate, consider mediation. This will not affect an office holder's right to require formal consideration of the grievance under the procedure.

## **36. Disciplinary Procedure**

All clergy office holders (freeholders included) are subject to the Clergy Discipline Measure 2003 and (for offences relating to doctrine, ritual and ceremony) the Ecclesiastical Jurisdiction Measure 1963. The disciplinary rules and procedures applicable are contained in these measures and information and guidance can be found on the Church of England website at [www.churchofengland.org](http://www.churchofengland.org)

## **37. Capability Procedure**

Office holders on common tenure may be subject to a Capability Procedure. The Code of Practice under Regulation 31 of the Ecclesiastical Offices (Terms of Service) Regulations 2009 can be found at [www.churchofengland.org](http://www.churchofengland.org)

## **38. Right to be accompanied**

In any meetings concerning a formal Grievance, or Capability / Disciplinary Procedures, the office holder may be accompanied, upon making a reasonable request, by a lay or ordained colleague or trade union representative.

HR advisers and registrars may be present at such meetings to advise the bishop or DBF, and they can explain how policies and procedures work.

## **39. Respondent in any Employment Tribunal proceedings**

It is hoped that any dispute or grievance will be resolved internally before an office holder considers making an application to an Employment Tribunal. However, the respondent in any such proceedings will be the Diocesan Board of Finance, except in the case of a person holding office in a cathedral, where it will be the Chapter of the Cathedral.

## **40. Health and Safety**

Office holders are responsible for their own health and safety and for safe working practices. In considering this and undertaking appropriate risk assessments, they may wish to refer to their own PCC's Health and Safety policy.

The Guidelines for the Professional Conduct of the Clergy ([here](#)) acknowledges that there is risk in all pastoral work. The Guidelines go on to advise that: 'The place of the meeting, the arrangement of furniture and lighting, and the dress of the minister are important considerations in pastoral care. The appropriateness of visiting and being visited alone, especially at night, needs to be assessed with care.'

In some special cases, where Clergy are particularly vulnerable in the housing which has been provided by the Diocese, help may be available from the Diocese.

## 41. Wellbeing

### 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 households should know where appropriate help is available. You can talk to your Area Dean, Archdeacon, or Bishop, or you can access the diocesan counselling service.

### Counselling Service

At times of crisis or difficulty, those holding the Bishop's licence and members of their household are entitled to a number of free sessions of counselling and can self-refer to the Diocesan Counselling service. Details of the service can be found on the Diocesan website [here](#)

### Spiritual Direction

For those looking for spiritual direction, the Rev'd Lesley Chapman is available to help people find somebody appropriate. ([lesley.chapman414@btopenworld.com](mailto:lesley.chapman414@btopenworld.com))

## 42. Email and Social Networking Sites

Clergy should regulate their own use of email, 'twitter' and social networking sites so as not to have a detrimental effect on their parish, the diocese, or individuals. Safeguarding Guidance and policies concerning websites and social media can be found on the Diocesan Website [here](#) If you are contacted by the media about any issue you should advise the Diocesan Communications Team as soon as possible.

## 43. Safeguarding Policy

All clergy office holders (including those with freehold) are subject to the satisfactory completion of a confidential Disclosure and Barring Service (DBS) check. DBS checks have to be renewed every five years and licence holders must co-operate fully with such clearance checks. All clergy are expected to be aware of and follow the Safeguarding procedures in their benefice and the Diocese, and attend Safeguarding training.

All clergy having any licence to minister in the diocese, including Permission to Officiate, are required to refresh their Safeguarding training at least every three years. A record is kept of attendees at Diocesan Safeguarding training sessions, and this will be kept under review by the Archdeacons.

Further information about Safeguarding policies and advice can be found on the Diocesan website [here](#)

## 44. Termination of Appointment

### Common Tenure

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

- 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.
- 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.
- 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.
- Death
- 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.
- The office ceases to exist because of a pastoral scheme or order.
- The office is designated as held in conjunction with another office or employment which ceases to exist.
- Where the office holder is a priest in charge and the vacancy ends.

### Appointments Under Regulation 29

In addition to the reasons given above, Appointments Under Regulation 29 may be terminated at the expiry of a fixed term.

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 can be used are set out in section 6.

Where a post under Regulation 29 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.

There is no compensation for loss of office for appointments made under Regulation 29.

## **Appointments Under Regulation 30**

For an office appointed in accordance with Regulation 30 and that ceases to exist because of a pastoral scheme or order, the compensation for loss of office is limited to a maximum of one year under Schedule 4 of the Pastoral Measure.

## **45. Retirement and Pensions**

Pre-retirement courses are available through CMF, and can be arranged through the CMF officer

### **Pension**

Stipendiary service is pensionable with the terms of the Church of England Funded Pensions Scheme. Details of the clergy pension scheme can be found on the Church of England website [here](#)

Self-supporting clergy are not covered by the clergy pension scheme.

There is no contracting-out certificate in force stating that the office is contracted-out employment for the purposes of Chapter 1 of Part III of the Pensions Schemes Act 1993.

If any member of the Clergy feels they may need to retire on the grounds of permanent ill health, they should talk to the relevant Archdeacon in the first instance.

### **Retirement housing**

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 a number of options which include the Shared Ownership Scheme, with rental properties or in supported housing schemes (formerly known as Residential Homes). For further details you should access the booklet on the Church of England Website: [Your Guide to Retirement Housing](#). It is advisable to approach the Pensions Board about five years before planning to retire.

## **46. Alterations and Additions**

The provisions of this Guidance may be altered as occasion requires or as legislation /regulations demand. Such changes as are mandatory on the diocese will be deemed to take effect as at the effective date of the legislation/regulations. However, the terms of any other proposed alteration or addition will be discussed as appropriate and notified to all office holders.

Please contact the Bishop's Chaplain concerning any errors or broken hyperlinks in the text.



## Appendix A

### CLERGY TERMS OF SERVICE Comparison of Freehold with Common Tenure

	<b>Incumbents with freehold</b>	<b>Incumbents on Common Tenure</b>
The Canons	Apply	Apply
Capability Procedure	Does not apply	Applies
Clergy Discipline Measure	Applies	Applies
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
Grievance Procedure	No legal entitlement to make use of Grievance Procedure	Legal entitlement to seek redress for grievances under procedure set out in a 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 Clergy Terms of Service Regulations
Parsonage house	Legal title vested in incumbent as corporation sole	Legal title vested in incumbent as corporation sole
Removal from office	Only following: <ul style="list-style-type: none"> <li>• a breakdown of pastoral relationships;</li> <li>• after pastoral reorganisation;</li> <li>• ill health;</li> <li>• reaching retirement age</li> <li>• disciplinary proceedings</li> </ul>	Only following: <ul style="list-style-type: none"> <li>• a decision to remove from office under the capability procedure</li> <li>• after pastoral reorganisation;</li> <li>• reaching retirement age</li> <li>• disciplinary proceedings</li> </ul>
Severance	Schedule 4 of the Pastoral Measure	Schedule 4 of the Pastoral Measure
Sale of parsonage house	An absolute veto over the sale of the parsonage house	An absolute veto over the sale of the parsonage house

	<b>Incumbents on Freehold</b>	<b>Incumbents on Common Tenure</b>
Statement of rights and responsibilities conferred by the Regulations	Clergy on freehold not covered by the Ecclesiastical Offices (Terms of Service) Measure and Regulations	Statement of particulars has to be provided within one month of starting the post
Right to a minimum stipend	No	Yes – full time stipendiary clergy must be paid at least the National Minimum Stipend
Right to specified time off	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 removed from office following capability procedure