BENEFICED CLERGY, LICENSED CLERGY AND CLERGY WITH PERMISSION TO OFFICIATE

This note [*by the Diocesan Registrar*] gives general guidance as to the form of authority which is likely to be granted to a member of the clergy seeking to exercise ministry within the Diocese of St. Albans. It has not been drafted as a legal document.

Beneficed Clergy
Leasehold Clergy
Licensed Clergy
Clergy with permission to officiate

1. Beneficed Clergy

These are the clergy who have been instituted and inducted into their benefice, either as rector or vicar. A benefice is considered in law as a form of property in the nature of a trust, or sometimes as an office, and the institution deed is the title deed to that property which the incumbent holds as trustee for the benefit of the people. A beneficed priest has the strongest form of security of tenure of his/her office as incumbent ("the parson's freehold"). He/she can only be suspended or deprived of his/her living following disciplinary proceedings or in the case of full pastoral breakdown, a special tribunal established for that purpose. It goes without saying that a beneficed priest will be engaged in the full-time ministry in his/her parochial cure.

2. Leasehold Clergy

Ministers in Team Ministries (the Team Rector and Team Vicars) generally have a leasehold tenure for a specified term of 7 years. The Team Rector is the beneficed incumbent for the duration of that term.

3. Licensed Clergy

This is a large class of individuals and encompasses both priests and deacons, male and female, and those who are engaged in full-time or part-time ministry, stipendiary or non-stipendiary. The common factor for each of them is that they hold the Bishop's licence under his seal. A licence is a territorial document. The most common form is that of an assistant curate's licence

which would license a priest or a deacon to the office of assistant curate in a particular parish to work under the incumbent for the time being who has the cure of souls there. The curate (like his/her incumbent) cannot work in the neighbouring parish without the permission of the minister having the cure of souls in that neighbouring parish, except at the homes of persons whose names are entered on the electoral role of the parish which he or she serves. The assistant curate has ex-officio membership of the Parochial Church Council of the parish in which he or she is licensed to serve, and membership of the house of clergy for the deanery in which that parish is situate. An assistant curate is required to reside within the parish, unless granted a dispensation by the Bishop. The office of assistant curate continues even during a vacancy in the benefice or the institution of a new incumbent. If the post is stipendiary then, like that of the beneficed clergy, the office carries with it an entitlement to a clergy pension.

The assistant curate's licence is by far the most common licence issued, but there are other licences such as those granted under the Extra-Parochial Ministry Measure 1967, which generally relates to colleges, schools, hospitals or public or charitable institutions. An industrial chaplain may be granted a public preacher's licence for the whole of the diocese, enabling him or her to preach and minister in any place where he or she is invited by the incumbent. A priest who is licensed in charge of a benefice during a vacancy under the provisions of the Pastoral Measure 1983 has the full ministerial authority of an incumbent within that benefice until such time as an incumbent is appointed there. This form of licence has become more common due to pastoral reorganisation.

Licences may be terminated by the Bishop summarily for any cause which appears to him to be good and reasonable, with a right of appeal to the Archbishop. Otherwise the proper termination period is three months' notice by either the Bishop or the clerk. An incumbent who wishes to dispense with the services of his/her curate is advised first to obtain the Bishop's permission and then to give six months' notice.

It may occasionally happen that an industrial chaplain will form an attachment to a local parish church by assisting with the services there. He/she may desire to become more closely associated with that parish by obtaining a licence as assistant curate, which would make him/her an ex-officio member of the PCC. I would advise against this because of the confusion that it can cause with synodical voting arrangements. The clergyman/clergywoman should remain in one clearly defined class for voting purposes, and that should be the class most closely connected with his/her duties. The Parochial Church Council is still entitled to co-opt him/her as a member if they wish under the terms of the Church Representation Rules.

Sometimes clergy holding office outside the diocese, such as the secretary of a church society, will be found to reside within the diocese and will wish to have either the Bishop's licence under seal or his permission to officiate. Care should be taken that they only hold one such licence, so they do not become entitled to vote in more than one diocese.

4. Clergy with permission to officiate

This is the class of persons which has the least connection with the synodical government of the diocese. It covers clergy who are on the retirement list, or who are engaged whole time in secular work and are not connected to any particular parish. Permission can be withdrawn at any time and there is no right of appeal. There is provision for clergy holding PTO and resident (or worshipping) in a deanery to choose one of their number for every ten to be a member of the deanery synod and the person(s) elected have voting rights in General Synod elections.

5. Generally

The authority granted by a Licence or the Bishop's permission to officiate can be further explained or reduced by a letter of direction from the Bishop. Such a letter is frequently used when preparing a "job description" for a particular member of the clergy. This sort of detail would not normally appear in a public document such as a Licence.

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CHILD PROTECTION IN THE DIOCESE OF ST. ALBANS

Appointment Process

Since April 1996, all parishes in the Diocese of St. Albans have been required to implement child protection procedures. The current guidelines and recommendations for practice are contained within the House of Bishops' Child Protection Policy for the Church of England – "*Protecting all God's Children 2004*." This policy document was produced in response to the Children Act 1989 and "*Safe From Harm 1993*" (the Home Office Code of Practice for Safeguarding the Welfare of Children in voluntary organisations), the Protection of Children Act 1999 and Working Together to Safeguard Children 2006. The House of Bishops' policy document contains recommendations as to how the policy on child protection may be implemented and is obtainable from:-

Church House Book Shop
Church House
31 Great Smith Street
London
SW1P 3BN
Tel 020 7898 1301
e.mail www.chpublishing.co.uk

Price £5.95 plus pp.

It is important that all parishes are fully conversant with the recommendations in the policy document *Protecting all God's Children 2004*. It is each parish's responsibility to ensure compliance with the Policy. Failure to take steps necessary for the protection of children, young people and vulnerable adults in their care could have serious implications for the effectiveness of parish insurance.

The Bishop's Representative for Child Protection was appointed in order to safeguard and promote the welfare of our children and young persons. This is achieved by ensuring compliance with safe recruiting procedures of both paid and voluntary staff and providing training to identified people in basic child protection procedures. The appointed officer will advise of the procedures to be followed when allegations of child abuse are made or issues that may impede a child's health or development. He will also provide advice when concern is expressed about an adult's behaviour towards a child or young person, and carry out a risk assessment where this is appropriate. Support may be provided to parishes in drawing up an agreement with an adult who may pose as a risk to children, provided the level of

risk is acceptable and realistically manageable.

The Bishop's Representative is responsible, in consultation with diocesan officers, for providing training and advice to clergy, paid staff, PCCs and parish child protection representatives about good practice, in order to limit opportunities for abuse and to minimise the risks of wrongful accusations being made. He will also advise the Bishop on practical arrangements concerning both survivors and alleged offenders and provide advice and professional support for clergy, paid staff and volunteers who may have concerns about pastoral situations in which they find themselves.

Appointment Process

The process for appointing people to work with children, young people and vulnerable adults is fully set out in the document *Protecting all God's Children 2004*. In addition, regular training sessions are held throughout the diocese. They offer guidance in the recruiting process, and basic training in child protection procedures.

Those responsible for the appointment of volunteers and employees should follow the principles outlined in "*Safe from Harm 1993*" and referred to in *Protecting all God's Children 2004*, when seeking to appoint to a post involving direct contact with children, young people and vulnerable adults.

In summary, prospective appointees should:-
1. Be regarded as job applicants and have a defined role.
2. Complete an application form
3. Name two referees, one of which should be from the current employer or previous church.
4. Complete a confidential declaration form
5. Have an appropriate interview.

If the decision is made to appoint, the appointee should:

- Provide a disclosure at an Enhanced Level from the Criminal Records Bureau.
- Have the appointment confirmed in writing by the authorizing body.
- Be offered a post subject to a probationary period.
- Be formally commissioned for their role.

In the event of a disclosure following an enhanced check, details of the offence will be passed to an appointed panel based at the Diocesan Office, who will consider the suitability of the person for the post applied for. Consideration will be given to a number of factors, including, the seriousness of the offence, the plea entered, the age of the conviction, and any other circumstances that may be relevant. Advice as to the suitability of the applicant, and any safeguards which should be put into place, will be offered to the parish concerned. The decision will be advisory only; it will be a matter for the parish to accept the guidance or not. It should be noted that

a criminal record may not automatically render an applicant unsuitable: the record might be irrelevant (e.g. a minor driving offence.)

Any person expressing an interest in working with children or young people must have an Enhanced Disclosure for the post applied for within this Diocese; portability of disclosures from other organisations is not accepted.

If staff move from a position with no access to one which involves access to children and young people, then they must apply for clearance at an Enhanced Level with the Criminal Records Bureau.

For further information on diocesan policy and the House of Bishops' policy document *Protecting all God's Children 2004* please contact the current Child Protection Officer for the Diocese of St Albans, whose details are available in the Diocesan Directory, or by e-mail: childprotection@stalbans.anglican.org

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READERS

Oversight of Readers is the responsibility of the Warden, appointed by the Bishop. For many years one of the Suffragan Bishops has served as Warden.

Day to day administration is undertaken by the three Joint Secretaries of the Readers' Association, who are also appointed by the Bishop.

Each Deanery has an Adviser, Clergy or Lay, appointed by the Warden, to exercise pastoral oversight of the Readers in their Deanery. Vocations Advisers, one Lay and one clergy, in each Archdeaconry advise enquirers as part of the process for selecting candidates for Reader Ministry.

For deployment purposes, the Deaneries are grouped into eight Areas, each of which has a secretary who acts as a point of contact for clergy who require the services of a Reader. The secretary may also arrange Area meetings for Readers and trainees.

Details of the current Warden, Joint Secretaries, Advisers and Area Secretaries are contained in the Diocesan Directory.

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YOUTH WORKER/MINISTERS

[Also issued to clergy as Ad Clerum 1.8]

A growing number of parishes throughout the diocese are employing youth worker/ ministers in order to increase and develop their work with young people. This is an exciting and encouraging development. However, when a parish embarks on the employment of a youth worker/minister it needs to be aware of the legal, financial and personnel implications of doing so.

A diocesan working party has produced a set of guidelines concerning the employment of youth worker/ministers to assist parishes in this particular aspect of their work. It needs to be noted that:

- It is the responsibility of the employer to ensure that they comply with current legislation and that a detailed contract of employment is entered into with the youth worker.

- The Diocesan Secretary and the diocese's personnel advisers (via the Diocesan Secretary) are happy to give advice.

It also needs to be emphasised that if a parish is anticipating the employment of a youth worker/minister, it is expected that a copy of the diocesan guidelines will be obtained and its recommendations strictly adhered to. We have a moral duty to ensure that all we do as parishes is within the law and, more than that, is an example of excellence.

Thank you for all you are doing to develop youth work and youth ministry in your parish.

For any advice about youth work/ministry or to obtain a copy of the diocesan guidelines, please contact the Diocesan Youth Officer at the Diocesan Office.

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THE AUTHORISATION OF MINISTRY IN THE LOCAL CONGREGATION

[Also issued to clergy as Ad Clerum 3E.1]

Background
The present position
The way forward
Guidelines

Background

Over the past hundred years or so there has been an increasing emphasis in the Church on the value of lay ministry. This has been partly out of necessity, with the decline in the number of stipendiary clergy posts, but also largely – and thankfully – out of a renewed understanding of what is sometimes called "all member ministry." In addition, there has been recognition of the diversity of Christian vocation. So the Church has trained and authorised the ministries of Church Army Officers, Readers and Accredited and Diocesan Lay Ministers several of whom trained with ordinands on our diocesan Ministerial Training Scheme.

In more recent years parishes (and deaneries?) have appointed other "ministers" including youth workers, administrators and parish assistants. These may be paid or unpaid, full-time or part-time and should have been given training prior to authorisation and as the particular ministry develops.

Since the approval of the Diocesan Local Ministry Scheme in 1999, we have also encouraged the development of this formal expression of ministry as an example of the way God's mission and ministry should be shared by all who are baptised.

The present position

The question is often asked about the authorisation of those exercising God's ministry and mission approved by the PCC or other equivalent body. Could they not all have the Bishop's authorisation? Such a question is welcomed, as it expresses a desire not just to "go it alone" but to have the full support of the bishop and the diocese.

The difficulty lies in where to draw the line? If the Bishop authorizes youth workers and lay assistants, should he not also do the same for leaders of Children's Church or house-group leaders? It is clearly impractical for the bishop to authorize all

forms of ministry exercised across the diocese. So, there need to be principles for determining when Episcopal authorisation is necessary or helpful.

The way forward

We believe that ministry should be rooted locally, within or, better, across parishes and denominations. It is also best practised within a ministry team than by individuals. In most cases, therefore, it is for the parish priest, with the PCC (or equivalent) to approve lay ministries within Sunday worship where the local congregation(s) can be present to pray for and support those being authorised and to be reminded that God calls us all to share His ministry and mission.
Local churches can then develop their own way of providing shared ministry depending on the local needs and gifts available.

Guidelines

By way of support, we would suggest the following guidelines where this local and "informal" ministry is shared:

- Training prior to authorisation should be given as appropriate
- Ongoing support should be provided
- There should be a time limit for any authorisation
- A job description may be helpful, which could be reviewed if and when the period of authorisation is extended
- Authorisation should not continue beyond the ago of 70, which is the age when clergy and Readers cease to be licensed
- Safe-guards, including child protection and protection when working with others who are vulnerable, need to be in place
- Authorisation would clearly not be transferable to another parish.

As well as the informal ministries referred to above, there are some formal ministries which do require authorisation and/or permission from the Bishop.

These include the distribution of the elements during Holy Communion and the taking of Holy Communion to the sick – using the prescribed order of service. In addition, formal Local Ministry Teams receive the Bishop's Mandate and, most recently, the Bishop's Permission is to be sought before Holy Communion by Extension is administered.

In all such cases, training is given – either "in house" or provided with the support of the appropriate Diocesan Officers – and there is a time limit attached to the authorisation.

Finally

As one of the aims of Vision for Action says, we want to: "encourage, support and develop the ministry of each person" and we welcome initiatives which put this into practise. We pray for the day when this vision is clearly put into action in all our parishes.

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LOCAL MINISTRY

The Diocesan Synod approved a Local Ministry Scheme in the autumn of 1998. There are about thirty dioceses in the country which have Local Ministry Schemes, Lincoln being the first to introduce theirs in 1984. All vary somewhat, but all have the same aim which is to encourage and develop the ministry of the whole Body of Christ. A National Consultation in 1994, organised by the Edward King Institute and held at High Leigh, Hoddesdon, showed that Local Ministry is:

"A way of unfreezing the whole people of God for collaborative ministry."

Firmly based on New Testament principles [see e.g., Romans 1: 3 - 8, 1 Corinthians 3 : 9 - 13 and 1 Peter 2 : 9] interest in formal Local Ministry Teams continues to increase within our diocese and to date we have six which have been mandated by the Bishop. Such interest does not detract from the good examples of collaborative ministry in many parishes and the Local Ministry Officer is happy to work with all those who want to develop shared ministry whether or not it is formal.

The Local Ministry Scheme does, however, provide for a more formal structure and means of support in those localities where they are considered to be appropriate. A formal Local Ministry Team, for example, is authorised (mandated by the Bishop) for a period of up to six years even when a Vacancy occurs during that period. Continuity is assured as the priest appointed to a benefice in which a formal L.M.T. exists will work as a member of that Team. Support and encouragement are provided throughout the life-time of the Team as well, through a consultant approved by the Board for Christian Development.

Ecumenical Teams are encouraged wherever appropriate and in all cases "local" is key. This means that each L.M.T. will be unique, meeting local needs through the ministry of those whose gifts are recognised and are appropriate.

The Local Ministry Scheme in this diocese provides a framework in which Teams can work through:

- *exploring the needs and possibilities in a given locality*
- *initial training, especially through the "Growing Together in Christ" Course*
  (See under Adult Learning elsewhere in this Handbook)
- *formal constitution and mandate, with the encouragement of the local*

Deanery Pastoral Committee and the Board for Christian Development which oversee the Scheme and the work of the Local Ministry Officer.

For further details contact the Local Ministry Officer at the Ministry Development Department
Holywell Lodge, 41 Holywell Hill, St Albans, Herts. AL1 1HE

Telephone 01727 818151

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VOCATIONS

The Diocesan Director of Ordinands and Assistant Diocesan Director of Ordinands have overall responsibility for vocations initiatives in the Diocese. There are various opportunities to explore vocation, both in the broader sense (how does God want me to express my discipleship in my working life, in the community, at church?) and in the narrower sense (specific forms of ministry within the church). For those wanting to explore the broader sense, the Diocese organises a course entitled 'Seeking the Way', while St. John's College Nottingham Extension Studies holds weekend conferences under the title 'Fit for the Purpose'. Conferences for those wanting to consider ordination, religious life or the work of an evangelist are organised by the Ministry Division of the Archbishop's Council, the Church Pastoral Aid Society (CPAS), Additional Curates Society (ACS), Affirming Catholicism, the Catholic Societies of the Church of England, the Society and Community of St. Francis, Church Army and various theological colleges and religious communities. Further information can be obtained from the DDO or Assistant DDO or through the Vocations Officers (listed in the Diocesan Directory) who are also available for consultation by those who wish to explore vocation in a general sense.

Parish clergy are encouraged to help members of their congregations to think through issues of vocation and where appropriate to put them in touch with one of the Vocations Officers. Both the DDO, who is responsible for candidates who are considering stipendiary ordained or accredited lay ministry, and the Assistant DDO, who is responsible for candidates considering non-stipendiary ordained and accredited lay ministry are happy to accept invitations to preach on the subject of Vocation. The Vocations Officers may also be able to suggest suitable preachers or be available themselves.

The Vocations Officers are also available to advise, encourage and support parishes and deaneries in planning vocations initiatives.

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CONTINUING MINISTERIAL EDUCATION (CME) 1 – 4

The Bishop requires all those whom he licenses for ministry (clergy, Readers and accredited lay ministers) to commit themselves to a four-year programme of structured learning and development. It is expected that all those who are engaged in ministry during the first four years will be given enough freedom from ministry or parish duties to engage in the required training. This will be especially difficult for those who have limited time to give to ministry due to employment or other commitments. The importance of this training however requires the investment of time in order to build on initial training and to establish a pattern of life-long learning and development.

The four-year CME 1-4 programme has five aims:

- to provide a structure to support and to review learning and development;
- to provide a wider context, outside the parish, for mutual support, encouragement, and reflection on the experience of ministry;
- to encourage the development of self-directed learning;
- to develop particular skills and competencies which are important in ministry;
- to offer support and guidance to training incumbents.

These aims are pursued in a programme that has four strands:

(1) Support for the training that is given **in the parish context**. This diocese starts from a clear acknowledgement that the primary place of continuing learning and development is the title parish, and that, with the exception of a very few cases where a person is ordained with the clear expectation that most of their ministry will, from the beginning, be in a place of secular employment, the relationship between the licensed assistant and his or her training incumbent is fundamental. The Ministry Development Office as well as the specific Officers who oversee different forms of licensed ministry all have their part to play in establishing and supporting that relationship, but in the end it is up to the licensed minister and the incumbent to take very seriously their joint commitment to learning and growth. Aspects of this relationship are facilitated through the *working agreement*, the *local training agenda*, and the *training reviews*; details regarding these are found in the respective training manuals (*A Training and Learning Manual for Newly Admitted and Licensed Readers* and *A Training and Learning Manual for First Post Curates*).

(2) Newly licensed persons are encouraged (ordained clergy, required) to form into **year-groups**. Each year-group meets between five and nine times a year under the

direction of its convenor, who is an experienced minister appointed by the Ministry Development office. The group has considerable freedom to draw up its own programme.

(3) Each year, the Ministry Development Office publishes a programme of **workshops.** Those who hold the Bishop's license for ministry on CME 1-4 are expected to attend at least three workshops each year. Workshops will tend to recur in a four-yearly cycle. Some workshops are time-tabled on weekdays, and some at weekends. Some may be more obviously directed at a particular constituency, e.g. those ministering in a place of secular employment, or those on the Church Commissioners' payroll, but any workshop is in principle open to any who wish to come.

(4) All those who are licensed to ministry are entitled to various allowances, grants and bursaries. Information regarding specific entitlement can be obtained from the Ministry Development Office or in the relevant training manual.

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CONTINUING MINISTERIAL EDUCATION

DIOCESAN SABBATICAL SCHEME

This document sets out the diocesan policy on Sabbatical leave, as agreed at the Board of Ministry on 2 October 1997 and the Bishop's Council on 17 January 1998.

1. Sabbatical Leave (formerly known as Study Leave) is normally offered to stipendiary clergy after every ten years in ministry, provided three years have been completed in their present appointment.

2. The decision to offer Sabbatical Leave always lies with the suffragan bishop, who may decide to delay or to bring forward an offer of leave. The scheme is administered by the Ministerial Development Officer, from whom the bishops receive every year a list of clergy eligible for study leave under the normal criteria.

3. The normal criteria are as follows:

   (a) Ten years full-time ministry have elapsed since ordination to the diaconate, or since the last grant of sabbatical leave/study leave (full-time service in another diocese, and leave granted in another diocese, are both counted).

   (b) Three years have been completed in present appointment.

   (c) Either the person has not passed his or her 60th birthday, *or*, if a person was more than 28 years old at the time of ordination, he/she has neither passed his/her 65th birthday nor completed 32 years pensionable service in the Church of England.

4. In the case of full-time stipendiary lay ministers, the ten years qualifying service is counted as years of full-time stipendiary ministry in an English diocese.

5. An offer is made for a specific year, and a person is said to be (e.g.) "on the sabbatical list for 2006". Leave can then be taken in that year, or in either of the two following years. Thus, a person on the 2006 list has until the end of 2008 to take their sabbatical leave, after which the entitlement lapses. The decision about the actual timing of the sabbatical within this three year

"window" is a matter for consultation with family, colleagues, PCC, Rural Dean, and MDO. The window allows absences to be staggered when several clergy in the same deanery are on the same list, and allows the needs and circumstances of family and parish to be taken into account.

6. Sabbatical Leave may be taken between appointments, so long as both the old and the new appointments are within the diocese. This is permitted, but not encouraged. When it happens, the costs of the parish stipend contribution and the parish's 25% contribution to the sabbatical grant are divided equally between the old and the new appointments.

7. Sabbatical Leave is for a continuous three-month period. Normal holiday is counted in addition to the three months. Only in exceptional cases can a shorter period of leave be taken, or the three months be broken up into successive periods of leave.

8. The Board for Christian Development determines each year the level of sabbatical leave grant. This is currently 50% of the extra costs of the study leave project, up to a maximum of £700. Parishes are expected to provide 25% of the extra costs up to a maximum of £350; they are free to be more generous if they wish. The balance is to be found from external sources (bursaries, trust fund grants) and private resources.

9. The Sabbatical Leave Scheme is extended to NSMs under the age of 65 as follows:

(a) NSMs who work full-time in parish ministry, or who contribute more than 15 hours a week to the parish to which they are licensed and who are able to negotiate leave from their secular employment, are treated identically with stipendiary clergy.

(b) NSMs who contribute more than 15 hours a week to the parish to which they are licensed, but cannot take leave from their secular employment, or have taken early retirement, may apply for a period of between three and six months' leave from parish responsibilities to pursue an agreed programme of study and training. Instead of the normal sabbatical leave grant, the Ministry Development office will make discretionary grants to supplement the Personal Training.

NSMs wishing to apply for leave should contact the MDO in the first instance.

10. It is the diocesan bishop's policy to allow clergy not less than four and not more than six weeks' 'service leave' when they move from one appointment to

another within the diocese. This does not affect entitlement to sabbatical leave and is a separate matter: except that one cannot take both kinds of leave between two appointments.

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CONTINUING MINISTERIAL EDUCATION

ONGOING LEARNING AND DEVELOPMENT (CME 5+)

The diocese of St Albans has a policy to encourage continuing learning and development among its active clergy. In order to facilitate this, the Ministry Development Officer and the Ministry Development Team (Local Ministry Officer, CME 1-4 Officer, and the Administrator) provide advice, resources and events. We try to help people to take responsibility for their own continuing learning and development. We will help people to identify their needs, to find resources that address those needs, and to help with funding. There are a very large number of groups and agencies inside and outside the diocese that provide high-quality training. Our aim is to encourage and support them, rather than to compete with them, and most of our direct provision is therefore to do with professional "nuts-and-bolts", and is aimed at clergy in particular stages of ministry.

CME 5+ Study Day Programme
A yearly diocesan programme of **workshops, seminars and consultations** (CME 5+) is arranged for any interested clergy and Readers (sometimes including lay persons as well) on a variety of subjects. The programme comes out each autumn for a year ahead. It is expected that Clergy attend several of these.

Every year, each Archdeacon organises an **archdeaconry study day**. Clergy in the respective archdeaconry are expected to attend.

Every other year, the Bishops call together the licensed clergy and Readers for a **Bishop's Day Conference**. In alternate years, the Bishop invites all those in ministry to attend a major **Ecumenical Study Day**. This is organised by an ecumenical group that includes the Ministry Development Officer.

CME for individual clergy
All clergy who hold the Bishop's license are entitled to a **personal training allowance** (currently £100 a year), to put towards a course or conference of their choice. This can be rolled over to the next year on two occasions, making it possible to build a maximum balance of £300. You apply for the money on a form, which is circulated every December in the Bundle for use the following year or forms may be obtained from the Ministry Development Office. The criteria for defining eligible courses/events are very flexible.

There is also a yearly **reading grant** (currently £40) towards the cost of a journal subscription or book purchase. This is for a work of recent theological or biblical scholarship or of importance to the development of your ministry. This does not

include prayer books, worship resources, or *The Church Times.* Application forms are distributed each year in the autumn for the coming year; additional forms are available from the Ministry Development office.

Clergy in stipendiary posts are normally invited to take three months paid **Sabbatical Leave** once every ten years. Further details regarding this can be found elsewhere in the Handbook.

For those who embark on a postgraduate degree course (MA, PhD, and similar), there is a **postgraduate bursary** (currently £500 per calendar year). This fund is also used to support recognised courses in spiritual direction or counselling. You must contact the Ministry Development office to apply for the bursary before you apply for any such course.

Retired clergy may apply for one-third of the cost of a course or conference on a first-come first-served basis. Forms can be obtained from the Ministry Development office.

CME for groups of clergy and others in ministry at particular stages or in new roles
Twice a year we run a **New to the Diocese** briefing day for those who recently moved into the diocese and for those taking pastoral charge of a parish/benefice for the first time ("new incumbents").

A programme of professional development and support is provided for those in their **First Incumbency**. This has three dimensions: a peer support group, mentoring, and topical workshops. A residential regional conference is also offered. Details are available from the Ministry Development Office.

The Ministry Development Office together with the DDO and ADO also provide regular training events for those who are **Training Incumbents**.

Together with the Eastern region dioceses, we run several residential conferences. At present, there is the **New Posts Conference** for those who have moved to a new parish in the last 6-18 months, the **Rural Deans Conference** for those who are experienced or newly appointed to this role, the **Managing Conflict Workshop**, and the **Retirement Preparation** conference for those who are nearing retirement. Information regarding these conferences can be obtained from the Ministry Development office.

Readers, Licensed Lay Ministers, and those in recognised lay ministry
The Ministry Development office provides a grant towards one-third the cost of a course or conference on a first-come first-served basis. Other ongoing learning and development for Readers is organised by the Warden of Readers.

Other CME Provision

If you plan to go to a course or conference outside the UK, you may apply for a discretionary grant from the **travel bursary fund**. This will typically pay half the travel costs, up to a maximum grant of £200. There are also grants available to **Deanery Chapters** as well who wish to organise a CME event for the whole chapter or with another chapter.

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Clergy Extended Leave

The Diocese's policies on parental leave and sick leave for clergy are as follows:

a) Maternity leave is given in accordance with the Central Stipends Authority Guidelines which provide that clergy and licensed layworkers, who have completed at least one year's service and intend to return to work, should be paid maternity or adoption leave of full pay for 39 weeks. A further 26 weeks unpaid maternity leave may be taken thereafter.

b) Paternity leave of 2 weeks on full stipend is also provided for within the policy.

In these cases, the parish may have to meet the cost of providing cover for services and pastoral care even though, under the Parish Share scheme they are expected to meet the stipend contribution in full. This includes the stipend itself, National Insurance and pension contributions, less a share of diocesan income from investments, glebe and fees. During a vacancy the contribution falls to 80% for the first nine months and 40% thereafter. However the current scheme makes no allowance for a parish with a priest who is on extended leave, such as maternity leave or long term sick leave.

There are relatively few cases of extended leave and it has been suggested that parishes affected in this way should receive assistance where they have to meet additional costs so that in these exceptional cases the costs are shared by all parishes.

By minute 8 of the meeting of the Board of Finance held on 22nd May 2007 it was agreed that:

- From the beginning of maternity leave or after one month's sick leave, the parish will be entitled to recover up to 20% of the stipend contribution (ie no more than the allowance made during a vacancy)
- This provision specifically excludes any recovery of costs during sabbatical leave
- Any amounts should be claimed on a quarterly basis, by a letter to the Financial Secretary stating x number of services plus expenses of £y at the rates in force, and will be reimbursed by cheque

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August 2007

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Deployment of Non-stipendiary Ministers (NSMs) after Ordination

[Also issued to clergy as Ad Clerum 1.7]

Introduction:

It was, at one time, the tradition in St Albans for NSMs to serve their titles in their home parishes after training. There are certain strengths in this system - not least of which is familiarity with the parish - but there are some serious weaknesses as well. It can mean that NSMs have only a very limited knowledge of one particular expression of Anglicanism. It can also mean that they experience confusion of rôle (once they were 'lay' and now they are 'ordained' and people's reactions to them can switch from one to the other uneasily and unhelpfully).

It is important in a Church which is not congregationalist but claims itself to be 'part of the one, holy, catholic and apostolic church' that NSMs should be seen as having been called by God to serve Him and His world as representative figures of that Church. For NSMs, as for stipendiaries, ordination is to the service of God and the world, and not simply to a particular parish. The minister, through ordination, explicitly makes himself or herself available to the Church to serve where the needs are greatest.

It is clear that for NSMs deployablity may be substantially limited, but the principle nevertheless remains: ordination is about serving God and the world in the name of Christ and doing so through His Church.

Deployment:

For practical reasons it is right that, where possible, NSMs should serve their titles in parishes other than the ones in which they received their vocation to ordained ministry. They can then encounter different forms of theological, liturgical and pastoral expression and thus grow in their awareness of the catholicity and diversity of the Church. They can perhaps discover new forms of mission, new ways of education and new ways of learning. All of this will enrich their ministry, both now and in the future.

There may be times when this general principle has to be ignored, but this is likely to happen rarely and only after full consultation with the appropriate Bishop's adviser.

If recommended for training, the candidate's incumbent should make it clear to the

PCC of the home parish that the candidate is called to serve the whole Church and will not, in all probability, return to the sponsoring parish immediately after ordination.

Decisions about the training parish will be made by the Bishop, in consultation with the Assistant DDO, the candidate and the appropriate Deanery Pastoral Committee.

Some NSMs see the chief focus of their ministry as the work-place. This will be honoured in the job description which is drawn up for each NSM. They will have to serve a title in a parish, though the hours they offer there may be very limited. The policy about deployment applies to ministers in secular employment as to other NSMs.

The first three years of ministry are to be seen as a continuation of training for NSMs, as they are for stipendiaries. Priority will be given to the training needs of the newly ordained NSM when a title post is being chosen. NSMs will be expected, as part of their training, to take part in the Continuing Ministerial Education (CME) programme.

Conclusion:

It will be seen that this policy is designed to emphasise the importance of our understanding of the Church and of ordination and also to establish that non-stipendiary ministry, whether that be focussed in a parish or in the workplace, is an expression of the mission of the whole Church. There is no doubt that non-stipendiary ministry can be very demanding. It is earnestly hoped that these arrangements will further strengthen and support individual priests and ministers, and the life of the Church as a whole.

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Revised March 2005

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CLERGY SPOUSES

Although the majority of clergy spouses in the diocese, both male and female, have paid employment outside the home, their relationship with their spouse's work is inevitably more far-reaching than is the norm because most of them live in tied accommodation.

With this in mind, the Bishop and his wife have produced a *Useful Guide for Clergy Spouses*, which may be obtained from Abbey Gate House. It contains information and guidance on the following matters:-

Housing
Illness
Money matters
Schools and colleges
Time off
Spiritual Refreshment
Bereavement
Retirement
Relationships including marriage breakdown

The Guide includes advice and details about the support, counselling, financial assistance and housing provision which are available to meet the kinds of circumstance which may arise from time to time.

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THE DEANERY CHAPTER

[Also issued to clergy as Ad Clerum 1.6]

1. The bishops consider the deanery chapter to have a vital pastoral and educational role to play in the care of the church's ministers, even though it has no statutory existence in the synodical government of the church.

2. Membership of the chapter includes all stipendiary and non-stipendiary clergy, men and women, accredited lay ministers and retired clergy. By agreement it may include Readers. Alternatively occasional meetings may include Readers, diocesan lay ministers and other key lay people, such as the lay chairman of the deanery. Please remember to include those who are outside parochial ministry such as hospital, school and other chaplains and those with permission to officiate.

3. In order to facilitate this wider fellowship, meetings should be arranged at a variety of times during the day and in the evening so that all members can attend on at least some occasions in the year.

4. Chapters should normally meet monthly or bi-monthly. In areas where there are strong ecumenical ministerial gatherings, or group or team meetings, thought needs to be given to the care of those less involved: while it may be wise to hold the chapter less frequently to avoid proliferating meetings, it may be that alternative arrangements should be made for those who minister on their own. In other areas a monthly meeting should be the norm. Dates should be fixed a year ahead and circulated in writing to all members.

5. It is our wish that all members of the chapter should give a high priority to attendance, and should not normally accept funerals or other engagements at the time of chapter meetings. The bishops regard attendance as vital for the mutual support and benefit of ministers, to maintain good communication and to combat isolation.

6. The programme of the chapter needs to be planned well in advance, preferably a year ahead, and should include opportunities for study, prayer and the sharing of experiences, opportunities and problems. Many deaneries value an annual Quiet Day and some arrange an occasional social event (to which the bishops and archdeacons are always glad to be invited). Many chapters appoint a clerk from among their number to help the Rural Dean organise the chapter programme.

7. Chapter meetings can play an important role in the continuing education of the church's ministers. It is for each chapter to decide their own approach: some chapters have a regular programme of biblical or theological study, while others arrange for visiting speakers or for discussions led by the

member who is hosting the meeting. The Ministerial Development Officer is always willing to advise on this aspect of the chapter's life. The organisation of chapter studies should not necessarily fall on the rural dean.

8. The chapter is an important channel of communication between the diocese and the clergy, and there will usually be matters of business which the rural dean has to report, as well as concerns which the clergy may wish the rural dean to convey back to the diocese. The arrangement of cover for services in holidays and vacancies should be made well in advance. The suffragan bishop and archdeacon welcome invitations to meet with the chapter from time to time.

9. The chapter must recognise the limits of its authority, and in exchanging information and expressing opinions, members must be careful not to make or pre-empt decisions which belong to the Deanery Synod.

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TEAM AND GROUP MINISTRIES

The Archdeacon of Hertford is the Adviser for Team and Group ministries in the Diocese of St. Albans and is willing to be consulted on any matters relating to Teams and Groups.

In Teams and Groups there are special provisions for consultation over vacancies. Team Rectors are normally appointed to the leasehold for a term of years although this will change under the provisions for Common Tenure in the *Clergy Terms of Service* proposals. The patron's duties are exercised by a special Patronage Board including Team representatives. The Pastoral Scheme establishing the Team will give details. The procedure for appointments of Team Vicars is usually set out in the Constitution of a particular Team or the Pastoral Scheme may make provision for the Appointment of Team Vicars. The leasehold term served by a team vicar will be replaced by Common Tenure in the new provisions under *Clergy Terms of Service*.

In Group ministries, there will be provisions in the particular Pastoral Scheme for other parishes and clergy in the Group to be consulted over the appointment of one of the participating incumbents. There will also be provisions for the appointment of a Group Chairman.

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F16

VACANCIES

Also issued separately as Guidance for the Churchwardens

Section A: General and preparatory
Section B: Formal procedures: also for the PCC Secretary
Section C: The Vacancy Account: also for the PCC Treasurer
Section D: The parsonage house
Section E: The new appointment

Section A: General and preparatory

In the vacancy the Churchwardens are legally in charge of the parish and act on behalf of the Bishop in looking after the interests of the parish. If you have any questions, the Rural Dean, the Archdeacon and the Diocesan Secretary will be pleased to assist.

Pre-vacancy meeting

When the vacancy is announced, the Archdeacon holds a meeting with the churchwardens and the Rural Dean to explain the procedure and to deal with arrangements for cover during the vacancy.

Vacancy meeting

An informal vacancy meeting is arranged by the Archdeacon at an early stage and is attended by members of the PCC(s), the Archdeacon, the Suffragan Bishop and the Patron. At this meeting the procedures to be followed in making a new appointment will be explained and any particular issues clarified. The procedure for the appointment of a freehold incumbent is governed by a piece of legislation called *The Patronage (Benefices) Measure 1983* [**See Section B**]. A different procedure applies where the living is suspended and a priest-in-charge is to be appointed.

Parish Profile

The Archdeacon makes arrangements for a profile of the Benefice to be written by representatives of the parish(es). He or she will consult the outgoing priest separately. The profile should contain information about the local community as well as the life of the congregation. The draft is sent to the Archdeacon who includes a Diocesan perspective and then returns it to the PCC Secretary for final approval. [*The Parish Profile must be agreed at the PCC(s)'s Section 11 meeting if the appointment is of a freehold incumbent. Where the Crown is the Patron, the*

PCC has a right to send a copy of the Parish profile to the Patron to assist in making an appointment, even though the main provisions of the Patronage (Benefices) Measure do not apply. Where the appointment is of a priest-in-charge, the Profile is still an important part of the process.]

Cover during the vacancy

If there are assistant ministers in the parish (including non-stipendiaries), the Rural Dean convenes a meeting with the outgoing priest, the assistants, the Churchwardens and the Rural Dean to discuss practical arrangements for the conduct of the vacancy, and these are set out on paper [**See F19 and F20**]. Where there are no assistant ministers, the Bishop will nominate a neighbouring priest to be available for pastoral emergencies, and send the name to the churchwardens. It may also be helpful for the churchwardens to ensure they have an up-to-date copy of the Diocesan Directory giving contact details for other clergy in the deanery.

Church Services

Church services are arranged by the Churchwardens in consultation with the Rural Dean, and the Churchwardens are responsible for ensuring that a minister is available to conduct each service. You should not wait for the vacancy to begin before putting this matter in hand. While no major innovations or alterations in the pattern or nature of services should be made in a vacancy, it is sometimes necessary for the parish to be flexible about service times to enable other clergy to assist. Service times should be clearly advertised on the church notice board, in the porch and elsewhere.

Advertising the vacancy

The Archdeacon writes a short notice of the vacancy which is circulated to all the clergy of the diocese in the monthly mailing known as "the Bundle". It is also the practice in this diocese to advertise vacancies on the diocesan website, in the Archbishops' Appointments Adviser's List and in the church press.

The hand-over from the outgoing priest

When the outgoing priest leaves, it is the responsibility of the churchwardens to ensure that the incumbent has handed over to them all files, records and keys, including Diocesan Handbooks, and that the parsonage house meters have been read and bills paid. The utilities (gas, electricity and telephone) should be put in the name of the churchwardens during the vacancy. The churchwardens should check that the house is clean and empty, and arrange for cleaning and removal of left-behind furniture if necessary.

Section B: Formal procedures

Special arrangements for the appointment of an incumbent

Under the *Patronage (Benefices) Measure 1986*, when an incumbent's resignation is announced, the Designated Officer (who in this diocese is the Diocesan Secretary or Registrar) sends a formal notice of the forthcoming vacancy (**Form 31**) to the Patron and the PCC Secretary. (More detailed guidance on the vacancy procedure is sent out at this stage to the PCC Secretary)

Once the formal notice from the Designated Officer (**Form 31**) has been received, a special meeting of the PCC must be held within four weeks. If there is more than one parish in the benefice, the meeting must be a joint meeting of all the PCCs. At this meeting (from which the outgoing incumbent and spouse and the patron are excluded) the following matters must be dealt with:

(i) The Benefice must formally agree the profile of the Parish(es), [or individual profiles for each parish] together with a statement about the new incumbent's task and priorities as they see them. This profile is returned to the Archdeacon for distribution to the Patron (if not the Bishop) and also to the Bishop of the Diocese, the Suffragan Bishop and the Diocesan Secretary.

(ii) The PCC will normally elect two of its lay members to act as its representatives in the selection of the new incumbent. These representatives need not be the Churchwardens, though in practice PCCs usually find it is convenient to appoint the Churchwardens. Where there are more than two parishes in the benefice, at least 4 parish representatives are appointed including at least one from each parish. It is helpful if one can be identified as a "lead" representative for contact purposes.

(iii) The PCC may request the Patron to advertise the post [*in addition to the standard adverts mentioned above*], and may ask for a joint meeting with the Bishop and the Patron where they feel that this is necessary [*normally matters for discussion at such a meeting will have been covered at the informal vacancy meeting*].

(iv) The PCC must consider whether to pass resolutions under the Priests (Ordination of Women) Measure 1993 or, if such resolutions have been passed, whether to rescind them.

Where the Crown (or the Duchies of Lancaster or Cornwall or the Lord Chancellor) is the patron, the main provisions of the *Patronage (Benefices) Measure* do not apply and the PCC does not need to hold a special meeting or appoint representatives. However, the PCC has a right to send a copy of the Parish Profile to the Crown Appointments Adviser.

Special arrangements for the appointment of a priest in charge

If there is a new proposal to 'suspend' the patron's right of presentation to the

benefice, the Diocesan Pastoral Committee will consult the parishes. In the case of a 'suspended' benefice the Bishop invites the parishes to produce a profile and asks the churchwardens of the benefice to assist him in making the appointment of a priest-in-charge. In practice an informal vacancy meeting will always be held and the patron will be consulted over the appointment of the priest-in-charge. The PCC must still consider item (iv) above concerning resolutions under the Priests (Ordination of Women) Measure. Further information about the process of suspending presentation is given in **F17**.

Special arrangements for the appointment of a team vicar

The appointment of a team vicar is not covered by the provisions of the *Patronage (Benefices) Measure* but will be the responsibility of the Rector and Bishop acting jointly or the special Patronage Board for the Team, depending on how the Team is constituted. There are special provisions to ensure that the other Team clergy, and the parishioners within the Team area who will be in the special care of the new team vicar, are consulted and separate details will be given. However, the process for the appointment of a team vicar is similar to that in other vacancies. Please see also **F20** for further information about special arrangements in a team ministry.

The PCC

During the vacancy the PCC is chaired by the Lay Vice-Chairman.

Section C: The Vacancy Account

The parish's Stipend Contribution will be reduced in the vacancy by 20% and this saving should be used to cover additional costs incurred during the vacancy and in relation to the appointment (visiting clergy; interview expenses, etc.).

In principle, during a vacancy the incumbent's portion of any wedding, funeral or monument fees is due to the Diocesan Stipends Fund. However, in practice churchwardens are instructed to hold that money on the Diocese's behalf for the period of the vacancy. This is in order that certain expenses relating to the vacancy can be met, to the extent that they have not been covered by the 20% reduction in the Stipend Contribution.

The Parochial Church Council should open a Vacancy Account which is operated by the churchwardens. A separate bank account is not necessary, though the Treasurer must keep a separate record in the books. Movements on the Vacancy Account are not part of the receipts and payments (or income and expenditure) of the PCC, but could be shown as a note to the PCC accounts.

Income

The incumbent's portion of any wedding, funeral or monument fees is paid into the

Vacancy Account.

Expenditure
The Vacancy Account is used for certain parsonage house expenses (**see Section D**). The account may also be used to cover the expenses of Sunday and weekday services and of occasional offices (baptisms outside regular services, marriages and funerals) but these expenses should normally be met from the parish's saving in Stipend Contribution.

Fees
Details of fees to be paid to retired clergy and others who take Sunday services or occasional offices during the vacancy are set out in **G3**.

At the end of the vacancy
Any surplus in the Vacancy Account should be forwarded to the Diocesan Office for payment into the Diocesan Stipends Fund. A copy of the Vacancy Account should be sent to the Estates Secretary.

Section D: The parsonage house

Responsibility for the parsonage house
The parsonage house is held in trust for the benefice and during the period of office of a particular incumbent the house is vested in him or her as legal owner. With this ownership goes the responsibility for seeing that the house and grounds are properly cared for and maintained under the overall supervision of the Property Committee of the Diocesan Board of Finance. During a vacancy in the benefice, the churchwardens are asked to assume these responsibilities and to see that the house remains weatherproof and is locked up at all times. Twice weekly inspections should be made to see that no unauthorised entry has been gained and that everything is in order. Any problems should be reported to the Estates Secretary at the Diocesan Office. The cost of repairs will be met by the Property Committee but other running expenses of the house will be the responsibility of the churchwardens and should be charged to the Vacancy Account.

Running expenses and services
Running expenses include garden maintenance, including grass cutting; cleaning; sweeping the chimney(s); and any gas, electricity or oil during the vacancy. Arrangements should be made with the telephone company to switch off the telephone at the exchange: the number will be retained but standing charges are not normally made until the telephone is switched back on. The telephone should not be disconnected as charges for re-connection are quite high. Please contact the Estates Department of the Diocesan Office about the central heating; usually the heating should be left on continuously at a very low temperature, minimum of 6°C, between the months of October and March but sometimes it may be more

appropriate to drain the whole system down and switch off the water, gas and electricity.

Redecoration and other repairs during the vacancy

At an early stage in the vacancy the Archdeacon, the Estates Secretary, and sometimes the Diocesan Surveyor, visit the parsonage with the churchwardens, and note any repairs which need to be carried out while the house is empty. They also discuss any redecoration that may be needed. The diocese makes a grant towards the cost of decorating. No redecoration is carried out, of course, until the new incumbent has been appointed and has been consulted about the colour scheme. It is hoped that parishes will take responsibility for necessary redecoration, and this should be seen as an opportunity for the parish to be generous in providing a welcoming atmosphere for the new incumbent (and family), though the new parish priest may wish to do some of it personally. The diocese makes a grant towards the cost of decorating; the grant is doubled if the parsonage has been let.

Improvements

Parishes (and new incumbents) often wish to have improvements (such as new kitchens) carried out during a vacancy: whilst acknowledging the logic of this, the Diocesan Board of Finance does not always have the funds available to permit this unless there is letting income. There is a long waiting-list of improvements. Sometimes a parish or the Patron can provide the money themselves in order for the work to be carried out. When a new incumbent is appointed, attention is drawn to the fact that, in accepting the benefice, the parsonage house is accepted as it is.

Insurance

The diocese holds a 'blanket' insurance policy covering parsonage houses against normal risks and public liability during a vacancy, but this policy only holds good on the understanding that the house is secured and regularly inspected and that the utility supplies have been dealt with as indicated above. Insurance cover for theft of structural items (eg. fireplaces, roof tiles, radiators etc.) and wilful damage is provided up to a maximum sum of £2,500 and there is cover up to £5,000 for oil and water leakages in respect of any one house, but this lapses after a house has been empty for more than two years. There is no insurance cover during a vacancy for any contents in the house unless the PCC chooses to take out independent insurance. There is public liability cover to a maximum of £3,000,000.

Letting the vacant house

The Property Committee has a policy of letting parsonages during vacancies. This removes the legal burden of looking after the parsonage from the churchwardens. It also discourages vandalism and squatters and produces much-needed income, the first call on which is for work to the parsonage concerned. Any surplus is paid into the Diocesan Stipends Fund to help meet the payment of stipends throughout the diocese. The Archdeacon will take the opportunity to discuss the possibility of this

with the churchwardens at an early stage, during the pre-vacancy meeting. It should be understood that legally, agreement for letting the house rests with the churchwardens and not the PCC.

The procedure for letting is that the churchwardens and the Estates Secretary are appointed as sequestrators of the benefice; this is a legal requirement which allows the parsonage to be let. They also sign the tenancy agreement which is usually a 6 month Assured Shorthold Tenancy. The Estates Secretary is responsible for arranging for the property to be let and the tenancy is managed by the Estates Department.

A decision on letting has to be taken as soon as possible as the legal minimum length of a tenancy is six months. As most vacancies are at least six months long, letting the parsonage will not interfere with the appointments procedure for a new vicar as long as the decision to let is taken early.

Section E: The new appointment

In the Church of England, appointments are made by Patronage. A Patron can be a private individual, a Patronage Trust or Board, a Cathedral or College, or the Bishop. All appointments are regulated by the Patronage (Benefices) Measure 1986 and both the Patron and the Diocese must act in accordance with the process as set out in the Measure.

Meeting a candidate or candidates

The Patron may identify a suitable candidate or candidates in a variety of ways. Sometimes there may be a process of competitive advertising and shortlisting of candidates, followed by competitive interviews. In either case the Patron will seek to work together with the Bishop and with the Parish Representatives appointed at the special PCC meeting. In some cases the Patron will identify one candidate and present that person to the Parish Representatives. Whatever the process, when a suitable candidate or candidates has or have been identified, the Parish Representatives will be asked to meet them at the earliest opportunity. They should show them round the parish, and talk frankly about its needs and opportunities. They should also arrange for a meeting with time for discussion with all assistant ministers including Readers and any Local Ministry Team. The candidate(s) should, wherever possible, meet others in the parish such as the Head Teacher of a church school, or student in training on a ministerial training course, and this is to be encouraged provided everyone understands that the assessment of any candidate's suitability is a matter for the Parish Representatives alone. Assistant ministers must report their own reactions to the Parish Representatives, and not to the Bishop or Patron. The Parish Representatives have a right of veto over the appointment, but they need to bear in mind that those making the

appointment are primarily seeking God's will for the future mission in the parish and that the candidate is also seeking God's will for his or her own ministry.

The service

Once the appointment has been made, the Archdeacon arranges the date of the Institution or Collation Service of the new incumbent, or the licensing of the priest-in-charge or team vicar, with the Bishop, the Patron and the minister-designate. (Where the Bishop is the Patron the service is known as a Collation, and where there is some other Patron it is called an Institution). The Archdeacon will also send instructions about the standard form of service in use in the diocese and he or she will provide sufficient copies for the occasion. They must be returned to him/her afterwards and should not be taken away by members of the congregation. It is the churchwardens' responsibility (and not that of the new incumbent) to have the hymn sheets printed and to issue invitations. The new priest is invited to select the hymns for the service and to provide the names of those he or she wishes to invite. Full details of the process following the appointment are sent by the Archdeacon to the churchwardens.

It is a good idea to notify the local press of the Institution/Collation or Licensing service and invite the Editors to send a reporter and/or photographer to be present. It would be a good idea to ask the new minister for some personal details, for example, age, marital status, names of spouse and children, education, previous experience etc. These details could then be forwarded to the local newspapers with the invitation. The new priest can also be invited to write an introductory letter for the parish magazine. The Diocesan Communications Officer will be happy to advise about the publicity aspect.

Moving expenses

When the new incumbent moves in, removal expenses are paid by the diocese and also a resettlement allowance at the current level as indicated in the annual stipends circular to incumbents, a copy of which is sent to PCC Treasurers. There is also a further grant if this is the candidate's first incumbency.

The new partnership

Once the new incumbent is appointed it is for the Churchwardens and assistant staff and everyone in the congregation to create a spirit of welcome for the new priest (and family), to do all they can to make the appointment a success, and to ensure that the ministry and mission of the parish is carried forward in a spirit of partnership.

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F17

SUSPENSION OF PRESENTATION

What is "suspension of presentation"?

In previous centuries, each parish or group of parishes had a Patron who appointed and paid for a priest. Patrons still exist and retain the right of presenting a priest to the Bishop for appointment. Usually, when your rector or vicar leaves, the Patron (who may be an individual or a body such as a university college) is primarily responsible for finding and presenting a new priest to the Bishop. The Bishop, Archdeacon and PCC are also involved in various stages of the process. However, the Bishop may decide to *suspend* temporarily the patron's rights and, instead, appoint a priest to be *in charge* of the parish(es). If so, the Bishop will consult the PCC and the Patron before he makes an appointment.

So what does suspension mean (and what doesn't it mean)?

If presentation is suspended, the priest will hold a *licence* from the Bishop (which could in extreme circumstances be withdrawn), rather than being given the *freehold* (which cannot be withdrawn).

From the parish's point of view, this procedure is usually not noticeably different from the normal one. The priest in charge carries out all the functions of the rector or vicar and usually lives in the parsonage house. ***Suspension certainly does not mean having no-one to look after the parish(es) or a longer vacancy than usual. Nor does it affect the parish's legal status or its boundaries.***

Why is presentation suspended?

The Bishop is only able to suspend for certain reasons, and with the consent of the Diocesan Pastoral and Mission Committee. Usually, he suspends because of the future possibility of changing the current grouping of parishes or the responsibilities of the clergy serving them. The changes might involve:

- linking small parishes under the care of one priest
- grouping several parishes and their clergy in a formal Team Ministry
- giving the priest in charge of a parish an additional responsibility for a neighbouring parish, or for an area of diocesan work.

Appointing a priest with a licence rather than the freehold gives the Bishop flexibility to make new arrangements for the pastoral care of parishes. Proposals for any change are always subject to a process of consultation. A priest in charge cannot object to proposed changes, whereas a rector or vicar, who holds the freehold and does have a statutory right to object, could prevent the proposals going ahead. If

the proposals are found to be appropriate, they can be made permanent by what is called a *pastoral scheme.* Otherwise, there is flexibility to try different arrangements.

Why is the PCC being consulted?

The Bishop usually receives a recommendation from the Diocesan Pastoral and Mission Committee to suspend presentation because changes are already under consideration. The Bishop always consults the Rural Dean and deanery lay chairman, as well as the Patron and the PCC, before he makes a final decision. This gives the PCC the chance to air any concerns, either about this different procedure for appointing a new priest, or about the possible changes to the parish's pastoral care and links with its neighbouring parishes.

Why does the formal letter talk about suspension for "up to five years"?

The Pastoral Measure only allows the Bishop to suspend presentation for a maximum of five years at a time. Very often, new arrangements are agreed and put in place within a much shorter period and in those cases the suspension is *lifted* and the priest in charge most likely becomes the rector or vicar. If at the end of five years the arrangements are not yet sorted out, the Bishop must consult the PCC, patron and deanery representatives again before he can renew suspension.

What if the PCC has further questions or concerns?

The churchwardens, and other members of the PCC, will have the opportunity to talk to the Suffragan Bishop and/or the Archdeacon at the vacancy meeting arranged in the parish(es). If questions or concerns are raised after the vacancy meeting, then you should contact the Rural Dean, the Bishop or Archdeacon, or the staff at the Diocesan Office.

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RESOLUTIONS UNDER THE PRIESTS (ORDINATION OF WOMEN) MEASURE AND THE ACT OF SYNOD

Resolutions under the Measure
Petition for Episcopal Duties according to the Act of Synod
Annex A: Forms of Resolution A and B
Annex B: Form of Resolution under the Act of Synod (Resolution "C")

RESOLUTIONS UNDER THE MEASURE

1. Parishes wishing to do so will be in a position to consider and, if thought appropriate, pass, the resolutions set out in Annex A below. Parishes are not required to consider the resolutions except when a vacancy in the benefice is imminent or current and the PCC is meeting to consider the parish statement under the Patronage (Benefices) Measure 1986. [In cases of vacancy, please refer to the guidance issued separately on the Vacancy Procedure]

2. Any member of the PCC may ask for either or both of the resolutions in Annex A, to be placed on the agenda of the PCC. The Secretary of the PCC has to give members at least four weeks' notice of the time and place of the meeting at which the resolution or resolutions are to be considered.

3. When the Chairman of the PCC refuses or neglects to convene a meeting to consider the resolutions, not less than one third of the members of the PCC may sign a requisition requiring him to call a meeting. If he still refuses or neglects to do so those members may forthwith convene the meeting (Church Representation Rules, Appendix II paragraph 3).

4. The PCC meeting must be attended by at least half of the members of the PCC entitled to attend. If either or both the resolutions in Annex A is passed a copy shall be sent to:

a) the diocesan bishop
b) the rural dean
c) the lay chairman of the deanery synod
d) the registrar of the diocese
e) the designated officer under the Patronage (Benefices) Measure 1986 (Diocesan Secretary)
f) the registered patron of the benefice

Only a simple majority (i.e. more than half of the members of the PCC present and voting) is necessary to pass either of the resolutions. Ex officio and co-opted members of the PCC are full voting members.

5. Provided the above conditions are satisfied a resolution may be passed at any time after the Measure comes into force. There is no time limit either on passing the resolution or keeping it in force. Similarly a resolution may be rescinded by the PCC at any time and the persons referred to in paragraph 4 must be notified.

6. Resolutions A in Annex A cannot be considered by a PCC if the incumbent, priest-in-charge, any team vicar or assistant curate of that benefice is a woman priest. *Resolution B, which would allow a woman curate to serve in a parish but not a woman incumbent, can be considered where a woman priest is serving.

*Note: Where a woman has been ordained priest abroad but is currently serving in an English parish as a deacon under the Overseas Clergy Measure 1967, she is not to be counted as a woman priest for the purposes of the Women Priests legislation whilst serving as a deacon.

DISTRICT CHURCH COUNCILS AND CONVENTIONAL DISTRICTS

7. A district church council cannot consider the resolutions; they must be dealt with by the PCC although the PCC should be sensitive to any expression of opinion of a district church council. A conventional district is considered to be a parish for the purposes of the Measure and can consider the resolutions.

TEAM COUNCILS, GROUP COUNCILS AND JOINT COUNCILS

8. In the case of team and group ministries and benefices held in plurality the resolutions set out in Annex A must be considered by the constituent PCCs. Thus, a PCC cannot delegate its functions under the Measure to a team council (in a team ministry), to a group council (in a group ministry) or to a joint PCC (in a benefice with two or more separate parishes or in benefices held in plurality).

PETITION FOR EPISCOPAL DUTIES ACCORDING TO THE ACT OF SYNOD

9. Where a PCC has passed either or both of the resolutions set out in Annex A, the members of the PCC may consider passing a further resolution to petition the diocesan bishop asking that appropriate episcopal duties should be carried out in accordance with the Episcopal Ministry Act of Synod 1993.

10. Before considering whether to petition the diocesan bishop, a PCC will need to consult widely within the parish. The advice of the appropriate Provincial Episcopal Visitor may be sought in connection with the making or consideration of any such petition. Views on the desirability of making a petition may differ widely and the Council will need to be sensitive to the difficulties which may arise for individuals. Especial sensitivity will be required where a parish is part of a larger unit or contains within itself several churches.

11. The terms of the resolution are not statutory but a suitable form of words is suggested in Annex B. As with the resolutions in Annex A, the secretary of the PCC must give members at least four weeks' notice of the time and place of the meeting at which the motion is to be considered. The meeting must be attended by at least one half of the members of the PCC.

12. If a PCC passes the resolution in Annex B it should inform the diocesan bishop, the rural dean and the lay chairman of the deanery synod. The bishop is not obliged to make arrangements for episcopal duties to be carried out in the parish in accordance with the Act of Synod unless at least two thirds of the members of the PCC present and voting are in favour of the resolution and the incumbent or priest-in-charge is also in favour of the resolution. However, if the PCC passes the resolution by a simple majority but a two thirds majority was not achieved or the incumbent or priest-in-charge is not in favour of the resolution, the bishop may still make arrangements for the parish if he considers it expedient to do so.

13. Where a resolution under the Act of Synod is in force in the parish the PCC is required to review the working of any arrangements at least once in every period of five years. If the PCC decides to withdraw a petition this should be done subject to the same conditions as were required for the adoption of a petition (see paragraph 11 above).

January 1994

ANNEX A

Forms of Parish Resolution under the Priests (Ordination of Women) Measure 1993

Resolution A

That this parochial church council would not accept a woman as the minister who presides at or celebrates the Holy Communion or pronounces the Absolution in the parish.

Resolution B

That this parochial church council would not accept a woman as the incumbent or priest-in-charge of the benefice or as a team vicar for the benefice.

ANNEX B

Form of Parish Resolution under the Episcopal Ministry Act of Synod 1993

This parochial church council resolves to petition the diocesan bishop requesting that appropriate episcopal duties in the parish should be carried out in accordance with the Episcopal Ministry Act of Synod 1993.

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ASSISTANT MINISTERS IN A VACANCY OF THE BENEFICE

Also issued to clergy as Ad Clerum 3E.2

1. When an incumbent leaves, the churchwardens are normally in charge of the parish, assisted by the rural dean. It is the churchwardens' responsibility to arrange for services to be taken and generally supervise the running of the parish. Where there are assistant ministers the bulk of the day-to-day ministerial work will be done by them, and they will no doubt be consulted by the churchwardens and work as a team. However, assistant ministers must take care to refer policy decisions to the churchwardens, and, where necessary, the rural dean. It is a wise rule that major innovations to the pattern or nature of services should not be made during a vacancy.

2. During the vacancy the Parochial Church Council is chaired by the lay vice-chairman. Different procedures apply in a team ministry where the *Teams and Groups Measure* allows for the appointment of an acting team rector. When there is a vacancy in a district or area of a team ministry it is the team rector who is responsible for, and shares with colleagues, arrangements for a vacancy in such a district or area of a team ministry.

3. Before the vacancy begins, the rural dean will convene a meeting with the churchwardens and any assistant ministers, to make arrangements for the day to day ministerial work during the vacancy. The outgoing incumbent should be invited to the meeting, if appropriate. Where there is an assistant curate in title post and/or NSM(s), the DDO/ADDO, NSM Officer and/or deanery Reader Adviser will be invited to the meeting, as appropriate. The arrangements agreed at the meeting are to be recorded in writing, and copies circulated to all parties and, in the case of ministers in title post, to the CME Officer. Where there is a formally constituted team ministry, the team rector or acting team rector convenes the meeting which should include the churchwardens or district warden(s), other team clergy and ministers, and the rural dean. However, where the team rector's post is the subject of the vacancy, the rural dean convenes the meeting.

4. Where an assistant is in his/her first post, the bishop will appoint a neighbouring incumbent to take responsibility for his/her supervision and support and to whom the assistant can refer in case of need. This will be especially important if the assistant is in the first year of ministry when the

vacancy occurs; there will be particular elements of education and training to be undertaken, not least in relation to marriages and eucharistic presidency for deacons about to be priested, but assistants throughout their first four years should receive regular supervision.

5. Where there is more than one assistant minister, difficult questions of seniority can sometimes arise, especially where there is a mix of men and women, stipendiaries and non-stipendiaries and Readers. The order of seniority needs to be worked out with regard to the particular circumstances of each parish; this should normally be done before the vacancy begins at the meeting referred to in paragraph 3 above. The agreed arrangements should be included in the paper referred to in paragraph 3. In a team ministry, where there is an understanding of collaboration and working together, the acting team rector (see paragraph 2 above) is responsible for leadership and co-ordination.

6. In all cases other than those covered in paragraph 4 the rural dean will arrange to see the assistant minister(s) periodically throughout the vacancy. In a team ministry this responsibility can normally be undertaken by one of the other members of the team.

7. Where the parish has a person in training for ministry (on a theological training course, or on the Readers' course) decisions about appropriate arrangements for support and any necessary supervision will need to be made in consultation with the course principal or the tutor for Readers. It should not be assumed that any responsibility devolves upon the assistant. This point should also be covered at the meeting convened in accordance with paragraph 3 above.

8. Similar principles will apply during the prolonged absence of the incumbent through special factors such as sabbatical leave, maternity leave or incapacity.

The New Appointment

9. Under the Patronage (Benefices) Measure 1986 the PCC is required to appoint two lay members (who may or may not be the churchwardens) to act as its representatives in the appointment of the new incumbent. It is the bishop's wish that, together with the patron, they should arrange for any prospective incumbent to have a properly arranged and adequately timed meeting with all assistant ministers, including Readers. Following the meeting, the bishop or archdeacon will seek feedback from assistant ministers. Where

the appointment lies with the Patronage Board of a Team Ministry, or with some other group as, for example, in the case of a part-time diocesan officer, it will be for that group to ensure that this consultation is properly arranged. Where the appointment is of a priest-in-charge, it is the practice in this diocese for the bishop to work with the churchwardens. However, the same process of consultation with assistant ministers will apply.

10 Once a new incumbent is appointed, it is for the assistant staff to do everything they can to make the appointment a success and to ensure that their joint ministry is fruitful, whether or not they approved of the appointment or find him/her personally or doctrinally congenial. The early stages are especially important, i.e. when the new incumbent moves into the parish, is instituted and begins work.

11 Assistant ministers hold the bishop's licence which cannot be revoked by the new incumbent/priest-in-charge. The bishop and the assistant minister may terminate the licence by giving three months' notice, but the incumbent/ priest-in-charge may do so only with the prior written consent of the bishop and with six months' notice. (It must be noted that this is the legal position, and does not express the spirit in which we hope ministry will be shared by incumbents and their colleagues.)

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ASSISTANT MINISTERS IN THE VACANCY OF A TEAM OR GROUP MINISTRY

Also issued to clergy as Ad Clerum 3E.3

This paper should be read in conjunction with Section *F19 Assistant Ministers in a Vacancy of the Benefice*.

A. Team Ministries

1. When a vacancy occurs in a team ministry, the team rector will convene a meeting as in *Section F19*, the team rector will assume responsibility and become the named priest for the purposes of pastoral care (see *Section F19,* paragraph 2); when the team rector's post is vacant, the rural dean will convene the meeting.

2. When the vacancy is that of the team rectorship, the bishop will appoint a team vicar as acting team rector. The churchwardens are normally in charge of the parish, assisted by the acting team rector and, if necessary, the rural dean.

3. The churchwardens should ensure that everything will be done in partnership between themselves, the team rector, team vicars and the team ministry as a whole.

B. Group Ministries

1. When an incumbent leaves, the churchwardens are normally in charge of the parish, assisted by the rural dean (*Section F19*, paragraph 1).

2. When a vacancy occurs in a group ministry, the group leader will automatically become the named priest unless he or she has forwarded an alternative name to the bishop, and the group leader will make all necessary arrangements for the conduct of the vacancy with the assistant(s) and churchwardens.

3. When the vacancy in the group leadership arises, a new leader should be appointed as soon as possible and following consultation with the group chairman and other members of the group. Where this cannot be done

before the group leader actually leaves, the rural dean will need to liaise with the other members of the group to determine pastoral responsibility. The new leader would carry out the functions as *Section F19*, paragraph 4.

4. The churchwardens should ensure that any action or decisions taken during the vacancy should reflect the partnership that exists between themselves, the group leader and the chairman of the Group Council.

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Revised December 2001

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HUMAN RESOURCES MATTERS FOR PAROCHIAL CHURCH COUNCILS

Many PCCs employ people to undertake agreed duties on a paid basis, while even more use volunteers. PCCs should be aware of the following human resource matters (See also Section F22):-

Health and Safety

The PCC has a duty to ensure, as far as possible, the health and safety of people using the church, churchyard and church hall, including paid and unpaid workers.

Separate advice documents are available on:

- CDM (health and safety for building works) [Section C12]
- Health and safety in places of worship [Section H3]
- Health and safety in the workplace [Section H5]

Contracts of Employment

All paid employees, including organists, parish secretaries, youth workers etc., should have a Contract of Employment. This is to protect both the employee and the PCC.

- a standard form of agreement for organists and music directors is available from the Royal School of Church Music

19 The Close
Salisbury
Wiltshire
SP1 2EB
Tel: 01722 424848
E-mail enquiries@rscm.com

- a standard written statement of Employment Particulars is available from the Department of Employment (reference PL700 A) or from the Diocesan Office. A model Statement with reference to Parish Administrators is included in

Section F15 of the Handbook.

Child Protection

The PCC should adopt a policy in line with the diocesan guidelines on child protection. Further information is given in Section F2.

National Insurance and PAYE

The Inland Revenue operates a helpline, telephone 0345-143143.

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STATUS OF LAY PEOPLE UNDERTAKING PARISH DUTIES

General Information
Explanatory Notes
Test for Employed/Non-Employed Status *[for people undertaking parish duties]*
Model Statement of Main Terms and Conditions of Employment *[for an employed person]*
Model Contract for Services *[for a self-employed person]*

General Information

Parishes make use of a variety of volunteers and paid staff to undertake duties as diverse as directing the church's music, producing the parish magazine and running the children's after-school club. It is important that each PCC is aware of the status of all these people as regards employment law and that the terms under which they work are agreed between the PCC and the individuals concerned.

A person undertaking parish duties may be either:-

- a volunteer
- an employee
- self-employed

Some areas of legislation eg. the PCC's duty to ensure the health and safety of the person concerned - apply to all three categories. Other areas of legislation, such as the right to claim unfair dismissal, apply only to employees. Problems can arise if there is a misunderstanding about a person's status in one of the three categories; if the PCC is not aware of the implication of that status in determining what legislation is applicable; or if the nature of the relationship changes over time.

In order to help PCC's avoid problems, the Board of Finance's personnel consultants have drawn up the following information package:-

1. Explanatory Notes
2. Test for employed/non-employed status [for people already undertaking parish duties]
3. Model Statement of Main Terms and Conditions of Employment [for an employed person]
4. Model Contract for Services [for a self-employed person]

If queries or difficulties do arise, please contact the Diocesan Secretary, who can refer the matter to an adviser, if necessary.

NOTES to accompany test for voluntary workers / employed / non-employed status; contract for services; statement of main terms and conditions of employment

1. The Test for Voluntary Workers should be used to help determine whether a "volunteer" is an employee or not (see attached).

2. If they are a volunteer, then assuming nothing is done (as noted in the document) to move the relationship to one of employment, their status remains as a volunteer and no contractual relationship exists. It may be helpful to confirm in writing to the individual that the status is voluntary and that no "employed status" exists.

3. If employed status is agreed or felt to exist, then this should be clarified and formalised with a Statement of Main Terms and Conditions of Employment duly completed (see draft attached).

4. Where there is an intention to operate a contract for the provision of personal services (self employment), then the Contract for Services should be used duly completed (see attached). In the document the following clauses are for clarity and are optional: 6, 12, 15. Clause 16 is only necessary if it is felt that any act or omission on the part of the Parish Administrator could cause injury to a third party.

5. For clarification the following terms are given a definition:-

Agreement
A Contract of Employment, preferably in writing, which is intended to be legally binding; where there is consideration ie. payment; and where there is mutual obligation, ie. the employee to provide work or labour and the employer to provide the work and agreed remuneration, or other form of payment.

Contract for Personal Services
A legally binding agreement whereby someone provides services personally to effect work for someone else, who pays them for the services provided at an agreed rate.

Work or Labour
Are those activities or duties which are not voluntary and which, therefore, attract "consideration" by way of payment.

Consideration
Payment, usually in the form of money, for work or labour undertaken. Non-cash benefits are also likely to be deemed taxable.

Honorarium
If genuinely unexpected/non-negotiated, ie. impromptu; modest, and given in recognition, then such a gesture is unlikely to be seen as "pay" or infer "employed" status.

Implied
Implied terms of employment are orally agreed, ie. not written down, but can still form a legally binding agreement. However, implied terms are usually difficult to judge as they are more open to differences of opinion or recollection, and can be problematical in interpretation. There may be fundamental precepts related to a work relationship which have not been specifically identified by the parties, whether oral or in writing, but which a Court might deem are "implied" in the Contract, eg. loyalty, integrity, reasonableness, confidentiality, to work diligently, trust and confidence.

Stated
Refers to having been put in writing.

If any queries or difficulties arise from the above, please contact the Diocesan Secretary who can refer the matter to an adviser, if necessary.

TEST for voluntary workers: employed/non-employed status

1. Is there any "Agreement", whether written or oral, stated or implied?

2. Apply the following tests to any Agreement: is it/was it intended that it be legally binding? Is there any consideration, either in monetary payment (remuneration) or other form? (see Point 4 below).

3. If an honorarium is paid or intended, is it/was it expected/asked for/ accepted/ agreed and regular, as opposed to impromptu, spontaneous, or one-off?

4. If there is no monetary consideration, are there non-cash forms of "remuneration", eg. free meals or accommodation, holidays, free or discounted

goods or services, tickets, retainers, or other advantageous benefits?

5. If paid expenses or other form of "payment", are they paid irrespective, as opposed to being checked for genuineness and against receipts?

6. Does the volunteer do "work", eg. typing, administration, phone work, diaries, etc., or merely typical voluntary activities, eg. fund-raising, attending meetings, visiting, providing training, etc? If some of each, what is the split? (NB. Voluntary activities are not normally classed as work).

7. Must, and does the volunteer do the "work" personally (dominant purpose of the contract)?

8. Are any other volunteers paid the same (whether expenses, benefits or other) irrespective of the circumstances of each?

9. Is the volunteer subject to discipline, termination or other sanctions?

10. Are there agreed or set hours, and, if so, what *happens* if there is an excess or shortfall? Is any holiday, sickness or maternity pay (and absence) paid?

11. Are there any other features that apply to the "work"?

12. Are there any set timescales to the work; methods of working set down; deadlines, or instructions from a Manager/Supervisor?

13. Are there any Tax or NI obligations on either party?

14. Does the volunteer use Parish equipment, eg. PC and office space?

15. Is there mutual obligation, ie. the volunteer is expected to undertake the work and the parish is expected to provide it?

Note: The more questions which are answered "yes", the more likely the person is to have the status of an employee.

STATEMENT of main terms and conditions of employment

NAME OF PARISH ("THE PARISH") OR THE EMPLOYER IF NOT THE PARISH

EMPLOYEE'S NAME .....

Date at which the information in this document is correct
.....

MAIN PLACE OF WORK

Your main place of work will be .....

DATE OF COMMENCEMENT OF EMPLOYMENT .....

Your employment with any previous employer does not count as part of your continuous period of employment.

OR

For the purposes of your employment rights, your previous employment with ..... counts as part of your continuous period of employment from .....

JOB TITLE

You are employed as .....

It should be noted that you will/may be required/requested to undertake work of a similar nature from time to time as the workload so requires.

1. WAGES/SALARY

1.1. As an hourly/weekly/monthly paid employee, your gross wages at the date of issue of this statement are £ .... per hour/week/month. Any changes to this figure will be made by letter. Your wages are payable in cash/cheque/ direct credit transfer to your bank account each ..... for the month/ week ending the previous ...../current week.

2. HOURS OF WORK

2.1. You will normally work a ..... Hour week of five days Monday to Friday inclusive.

2.2. Your normal starting time is ..... a.m. and your normal finishing time is .....p.m. Monday to Friday with an unpaid lunch break of ..... hour each day.

3. HOLIDAYS AND HOLIDAY PAY

3.1. The holiday year is from ..... to ..... each year.

3.2. The full annual entitlement is ..... working days with pay per year (NB. See legal minimum holiday entitlement below. Part-time staff should receive a pro-rata entitlement).

3.3. Staff joining or leaving employment during the year will be entitled to a proportion of their full entitlement of paid holiday calculated on a pro rata basis per completed week of service.

3.4. Your annual holiday entitlement accrues at the rate of ..... days per calendar month which equals ..... days per year.

3.5. In addition to the above, you will also receive a paid holiday on or in respect of each of the eight Public Holidays as listed below where such a day falls on a normal working day: (NB: Part-time staff should receive a pro-rata entitlement)

New Year's Day	Spring Bank Holiday
Good Friday	Late Summer Holiday
Easter Monday	Christmas Day
May Day	Boxing Day

3.6 You will continue to receive normal salary whilst taking annual holiday entitlement.

3.7. Should you leave this employment for whatever reason and holidays taken exceed entitlements, then you accept as part of these Conditions of Employment that the Parish has the right to deduct payments made in excess from any monies owing to you at the time of leaving.

3.8. Subject to the entitlements conferred by the Working Time Regulations and s.71 of the Employment Rights Act 1996 (General right to Maternity Leave), the Parish reserves the right to reduce your annual holiday entitlement by a proportional amount if you are absent for any reason during the holiday year for more than a total of .... weeks (NB. This only applies, if used, when annual leave is in excess of the four weeks' minimum set out in the Working Time Regulations).

4. SICK PAY SCHEME

4.1. The Parish does not operate a Sick Pay Scheme and you will not be paid for periods of absence except for any entitlement you may have under the Statutory Sick Pay Scheme for which the qualifying days will be .....

to .....

OR

4.2. The Parish operates a discretionary Sick Pay Scheme details of which are given in Appendix 1 attached. (Parishes should seek further guidance from the Diocesan Secretary if necessary).

5. PENSION SCHEME

5.1. The Parish does not operate a Pension Scheme and all employees are contracted into the State Pension Scheme in accordance with the current statutory entitlement. (NB. If a Parish Pension Scheme exists, refer reader to details in Appendix 2 or seek further guidance from the Diocesan Secretary if necessary).

*AND/*OR

5.2. The Parish, in accordance with its legal requirement provides access to a Personal Pension through the stakeholder principle. Employees who are interested in taking up such an opportunity should contact the following ..... ??

6. GRIEVANCES

6.1. The Parish's grievance procedure is as detailed in Appendix 3 attached.

7. DISCIPLINARY PROCEDURES

7.1. The main disciplinary procedures of the Parish are as detailed in Appendix 4 attached.

8. TERMINATION OF EMPLOYMENT

8.1. The Parish is required to give you, after one month's continuous service, the following statutory notice (NB. These are the Statutory minimums, the Parish can exceed if they want to) in writing according to your length of service.

8.1.1. Up to two years' continuous service ....1 week

8.1.2. After two years' continuous service but less than three years' continuous service 2

weeks

8.1.3. ..... Then increasing by one week for each completed year of
continuous service up to a maximum entitlement of ..... 12 weeks

8.2. You are required to give the Parish after one month's continuous service one week's (Statutory)/month's notice in writing irrespective of length of service.

OR

8.3 You are required to give the same notice as the Parish is required to give you.

8.4. If you give notice to the Parish to terminate your employment or you are given notice by the Parish, it may be possible, by mutual agreement, to waive the formal periods of notice.

8.5.1 The Parish has the right to dismiss employees without notice in the case of gross misconduct.

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8.6 The Parish reserves the right to make deductions from your salary upon leaving or otherwise to reclaim any outstanding monies owed by you to the Parish.

9. NON-DISCLOSURE OF INFORMATION

9.1. During and after this employment you agree not to divulge any information gained in carrying out your work, to any unauthorised party.

10 DATA PROTECTION

10.1 I understand that the Parish may hold personal data in relation to my employment with the Parish and be required to process data within the requirements of the Data Protection Act, 1998.

11. DECLARATION

I accept this Statement, a copy of which has been given to me.

Signed: .....
Dated: .....

NOTES ON HOLIDAYS

Statutory Minimum Holidays

Assuming someone working a five day week (pro-rata for less):-

Annual paid leave: 4 weeks (or 20 days)
(NB: This can statutorily include the 8 standard Public Holidays (pro-rata for part-timers) or they can be given (with pay) in addition, on a discretionary basis).

APPENDIX 3

6. GRIEVANCE PROCEDURE

6.1 The Parish acknowledges that during the course of their employment an employee may have concerns, problems or complaints which need addressing. These are known as grievances. If such grievances cannot be resolved informally, then the formal procedure set out below, must be followed.

6.2 The purpose of the procedure is to allow the Parish to deal with grievances fairly, consistently, confidentially and speedily. To this end, every endeavour will be made to resolve any grievance within 5 working days at each stage.

Stage 1

6.3 You must set out, in writing, details of your grievance(s) and submit this to your Manager.

6.4 You will then be invited to a meeting and must take all reasonable steps to attend.

6.5 You have the right to be accompanied at this meeting by a colleague who is either a fellow worker or an official of a Trade Union.

6.6 The purpose of the meeting is to consider and try to resolve the

grievance(s) you have set out in writing.

6.7 The outcome of the meeting will be confirmed to you in writing.

Stage 2

6.8 If you are not satisfied with the outcome at Stage 1, you must set out your reasons, in writing and submit this to the PCC.

6.9 You will then be invited to a meeting and must take all reasonable steps to attend.

6.10 You have the right to be accompanied at this meeting by a colleague who is either a fellow worker or an official of a Trade Union.

6.11 The purpose of the meeting is to consider and try to resolve the grievance(s) you have set out in writing.

6.12 The outcome of the meeting will be confirmed to you in writing, as will your right of appeal.

Stage 3

6.13 If you are not satisfied with the outcome at Stage 2, you will be given the right to an appeal meeting with the Diocesan Secretary who have not been previously involved in the procedure.

6.14 You will be expected to take all reasonable steps to attend the appeal meeting and have the same rights to accompaniment as applied at Stages 1 and 2.

6.15 The purpose of the appeal meeting is to consider and try to resolve the grievance(s) you have set out in writing.

6.16 The outcome of the appeal meeting will be confirmed to you in writing. This is the final stage in the procedure.

APPENDIX 4

7. DISCIPLINARY PROCEDURE

Aim

7.1. The Parish requires rules and procedures to be complied with to ensure a good relationship between employees and their Manager. It is hoped that there will be no need to use the disciplinary procedure. However, should such action be deemed necessary, the procedure laid down below should allow all relevant issues to be fairly dealt with. Disciplinary action is initially at the discretion of the individual's immediate Manager.

Preamble

7.2. Disciplinary action taken against employees for matters concerning performance, behaviour or absence, etc., will follow one of the two procedures detailed below. The Standard Procedure will apply in all circumstances, unless the Modified Procedure applies. The Modified Procedure will apply where summary dismissal has already occurred.

Standard Procedure

7.3.1. (i) The Employer will set out in writing the employee's alleged conduct or characteristics, or other circumstances which led the Employer to contemplate dismissing or taking disciplinary action against the employee.

(ii) The Employer will send the statement or a copy to the employee and invite the employee to attend a meeting to discuss the matter.

7.3.2. (i) Unless the disciplinary action contemplated consists of suspension, no action will be taken before the meeting has taken place.

(ii) The meeting will not take place unless the Employer has informed the employee what the basis was for including in the statement under clause 1 (i) above, the ground or grounds given in it, and the employee has had a reasonable opportunity to consider their response to that information.

(iii) The employee must take all reasonable steps to attend the meeting, but if he/she fails to do so, the Employer is entitled to proceed with the meeting in the employee's absence.

(iv) At the meeting the employee will be given an opportunity to explain their case.

(v) Following the meeting the Employer will inform the employee of the decision and notify them of their right to appeal against it if they are not satisfied with it.

7.3.3. (i) If the employee does wish to appeal he/she must inform the Employer within five days of the receipt of the Employer's decision on disciplinary action.

(ii) If such notice of appeal is given the Employer will invite the employee to attend a further meeting and the employee must take all reasonable steps to attend that meeting, which need not take place prior to any dismissal or other disciplinary action taking effect.

(iii) The employee will be notified of the Employer's final decision within seven days of the appeal meeting.

Modified Procedure

7.4. (i) The Employer will set out in writing the employee's alleged conduct which has led to the dismissal, and also what the basis was for thinking at the time of the dismissal that the employee was guilty of the alleged misconduct and will notify the employee of his/her right to appeal against the dismissal.

(ii) The Employer will send a copy of the statement with the information referred in clause 1(i) above to the employee. If the employee wishes to appeal he/she should give written notice within five working days of receipt of this statement.

(iii) If notice of appeal is given then the Employer must invite the employee to attend a meeting and the employee must take all reasonable steps to attend that meeting.

(iv) After the appeal meeting the Employer will inform the employee of the final decision in this matter within seven days of the meeting taking place, and in writing.

General Disciplinary Provisions applicable to the Contract of Employment

7.5. (i) Save in cases where summary dismissal has already occurred, the Employer, in considering an alleged breach of discipline, may either take no action, give an oral warning, a first

written warning, a final written warning, or implement dismissal.

(ii) In the case of an oral warning a record of this will be kept on the employee's personnel file and will not be considered spent until six months has elapsed from that date. The warning will give detail the reason, the expected improvements, and the time scale within which those improvements are expected to occur.

(iii) In the case of the first written warning, if the Employer considers this to be necessary it will be confirmed in writing and a copy will be kept on the employee's personnel file and will not be considered spent until twelve months have elapsed from the date of the warning. This warning will detail the reason for its imposition, the expected improvements, the timescale within which those improvements should occur, and the names of those present.

(iv) In the case of a final written warning, it will be confirmed in writing and a copy will be kept on the employee's personnel file and will not be consider spent until twelve months have elapsed and will again detail the reason for its imposition, the expected improvements, the timescale within which those improvements should occur and the names of those present. This warning will also confirm that any further breaches of discipline could lead to termination of employment.

(v) There follow examples of misconduct and gross misconduct which can give rise to disciplinary action under these procedures. These lists are not intended to be exhaustive or restrictive and other issues not listed may also be considered at warranting disciplinary action being taken. In the case of gross misconduct the employee will be summarily dismissed without notice and without the necessity for the Employer to issue any warnings, whether verbal or written.

Examples of Misconduct and Gross Misconduct

Misconduct

Misuse of the Parish's E-mail, Internet or internal mailing facilities
Persistent absenteeism or lateness
Poor effort or sub-standard work
Absence without authorisation
Failure to follow absence reporting procedures
Non-serious failure to comply with health and safety

requirements

Misuse of Parish equipment
Failure to comply with a reasonable management instruction
Incapacity through drink or drugs
Sleeping on the premises
Foul or abusive language
Abusive, objectionable or insulting behaviour
Disorderly conduct
Wilful or excessive wastage of Parish time or materials
Damage to plant, equipment or material caused by carelessness
Misinterpretation of fact - lying

Gross Misconduct

Serious misuse of the Parish's E-mail, Internet or internal mailing facilities
Theft of others' possessions whether belonging to the Parish, employees, or visitors
Fraud, bribery or falsification of records
Fighting/Physical Assault
Gross immorality or indecent behaviour
Malicious damage to Parish property
Possessing and/or taking illegal drugs and/or alcohol on Parish premises
Smoking in prohibited areas
Serious cases of non-compliance with health and safety instructions
Racial, disability or sexual harassment or discrimination
Refusal to carry out reasonable management instructions
Unauthorised release of sensitive Parish information
Undertaking private work on Parish premises without prior authorisation
Negligence or neglect of duty resulting in any loss which might expose the parish to a serious claim
Solicitation and/or acceptance of money, gifts, services or other inducements for personal gain or the gain of family or friends

7.6. In the case of gross misconduct employees will be summarily dismissed without notice and without the necessity of issuing warnings as detailed above.

7.7. Other issues not previously identified may also be considered as warranting disciplinary action being taken.

General

7.8. Advance notice, of no less than 24 hours, will be given of any Disciplinary Hearing.

7.9. Disciplinary action will not be taken until the case has been carefully investigated. The employee must take reasonable steps to attend any meeting.

7.10. The outcome will be notified in writing to the employee and will confirm any action that is required.

7.11. The Parish reserves the right to use or omit any step in the procedure should it consider it appropriate and also reserves the right to have a flexible yet fair standard of disciplinary employees if required, including the right to appeal. Where the employee is given the right to appeal and exercise their right to do so, they must inform the Parish in writing.

7.12. The Parish reserves the right to suspend any employee with pay, normally for up to five working days to investigate an incident at any stage of the procedure, and without pay as a disciplinary measure as an alternative to dismissal, but at the Parish's discretion.

7.13. The employee has the right to be accompanied by a fellow employee or Trade Union Representative at any disciplinary/dismissal meeting.

7.14. The employee has the right to appeal against any disciplinary/ dismissal decision being made by the Parish. Any appeal should be put in writing within five days of confirmation of the disciplinary action and submitted to the PCC. Appeals should normally be submitted to a level of management senior to that which carried out the original disciplinary/ dismissal decision. The outcome of the appeal will be confirmed by letter.

CONTRACT for services

THE DIOCESE OF ST ALBANS

AN AGREEMENT

MADE ON .....

BETWEEN

..... ("THE PARISH")

AND

..... ("THE PARISH ADMINISTRATOR")

FOR

THE PERSONAL PROVISION OF PARISH ADMINISTRATION SERVICES

Signed in Agreement:

For the Parish of ..... Date: _____

(insert name) Date: _____

IT IS AGREED THAT:

1. The Parish Contracts with ..... for the provision of administrative services.

2. ..... ("the Parish Administrator") agrees to personally provide administrative services for the Parish.

3. The Contract for Services commences on ..... for a renewable period of ..... at (insert venue).....

4. The first 3 months of the Contract for Services will be a probationary period and either party may elect to terminate the contract by the giving of one month's written notice at the end of, or at any time during this period. Thereafter, the Contract for Services may be terminated at any time by either party giving written notice of one month to the other party.

5. This Contract for Services shall not constitute "employment" as defined in the Employment Rights Act 1996 (S.230).

6. The Parish Administrator will be responsible for registering as self-employed with the Inland Revenue, where applicable, for the purposes of

payment of Income Tax and National Insurance Contributions.

7. The Parish shall be entitled to terminate the Contract for Services with immediate effect in the event of breach or serious misconduct by the Parish Administrator.

8. The Parish Administrator will provide general administration services for up to …. hours per week/month on the following basis:-

….. a.m. to …….. p.m. Monday to Friday (or whatever).

9. The services provided will include:

(List services provided)

or such other reasonable services as may be required from time to time.

10. The Parish Administrator shall carry out the administrative duties to a satisfactory standard as defined by the Parish and take reasonable instructions from .....

11. The Parish Administrator will invoice the Parish weekly/monthly for agreed hours of service rendered at the rate of £..... per hour gross.

12. The Parish shall pay The Parish Administrator against the invoice rendered, by cheque within ..... days of receipt.

13. No other benefits or consideration are attracted to the services rendered.

14. As much notice as possible should be given by the Parish Administrator of any inability to provide the agreed contracted services.

15. The Parish Administrator is free to undertake services for other clients so long as this does not interfere with the services rendered to the Parish – within the agreed hours.

16. The Parish Administrator is responsible for ensuring that they are covered by a Public Liability Insurance policy in respect of the Parish and shall produce evidence of such cover.

17. During the supply of the services or after terminating, the Parish Administrator agrees not to divulge any information gained in carrying out the services to any unauthorised party.

18. At all times during the exercising of the Contract for Services, the Parish Administrator will recognise any reasonable standards of conduct and appearance laid down by the Parish and will be sympathetic to the purpose and aims of the Church of England and to the Christian calling.

19. In the event of any misunderstanding or grievance regarding this Contract for Services or in its enactment, the Parish Administrator should express the matters orally or in writing to the Vicar. If still unresolved, the grievance should be taken up with the Church Wardens.

20. Any modifications or changes to this Contract for Services shall be mutually agreed by both parties and a new Contract for Services drawn up and signed by both parties.

January 2006

CHURCH WORKERS PENSION FUND

The Church Workers Pension Fund was established in 1953 with the aim of creating a pension fund for staff who were not ordained but working in employment associated with the Church of England.

There are two types of scheme available.

The Church of England Defined Benefits Scheme

Under this scheme the employer decides on what basis the pension will be paid - 1/60th,1/80th or 1/100th of the pensionable salary for each year of service. Often referred to as a "final salary scheme" the cost to the employer is variable as the sum needed to fund the benefit can change.

A PCC would need to think carefully whether this option was affordable.

The Church of England Defined Contributions Scheme

Under this scheme, often referred to as a "money purchase" scheme, the employer decides how much money to put in each year to provide for a retirement income. The value of the funds within the scheme will grow each year with interest - and bonuses when investments do well. The PCC would need to consider carefully whether sufficient funds were being invested to generate an adequate pension.

As a general rule the Contributions Scheme is probably better for the small employer as the contributions being made are known and can therefore be budgeted for.

Under both schemes employees can, at the moment, make additional voluntary contributions of up to 15% of taxable earnings.

Stakeholder Pensions

Stakeholder pensions were introduced in April 2001. They are intended to provide a low-cost pension option for people who are not currently making provision for retirement.

Employers, unless they are exempt from the requirements, are obliged to provide access to a designated stakeholder pension for their employees.

They provide a route for saving towards retirement for people who do not have any

earnings from employment as up to £3,600 a year may be paid to a stakeholder scheme irrespective of earnings.

There are many different arrangements that individual employers make and the above is only a very general guide. Should you wish to receive further information please contact:

The Church of England Pensions Board
29, Great Smith Street,
LONDON,
SW1P 3PS
Telephone: 020 7898 1800 E-mail: pensions@cepb.c-of-e.org.uk

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January 2006

PCC EMPLOYEES: PROVISION OF ACCOMMODATION

Payment of Housing Allowance

1. The payment of a housing allowance is counted as part of an employee's remuneration for purposes of income tax and National Insurance. In order for the net sum to be appropriate, therefore, the amount paid needs to be grossed-up.

Provision of free accommodation

2. Increasingly, parishes prefer to provide employees such as a verger or youth worker with accommodation rather than paying a housing allowance. PCCs need to be aware of the situation concerning such provision in relation to "benefit in kind" taxation.

3. As a general principle, the provision of free accommodation is regarded as a benefit in kind upon which the employee is taxed (an Inland Revenue return by PCCs refers employees to form P11D where appropriate). The legislation allows three main classes of exemption, of which one may be relevant in the case of parish employees. It requires two conditions to be met:

i) the provision of the house must be for the better performance of the duties of the office; and
ii) it must be "customary" for living accommodation to be provided for the type of employment concerned.

4. In the case of a parish youth worker, for example, the first condition would not be met if all the youth activities took place elsewhere in the parish, but might be met if meetings were held at the house and the youth worker was expected to be available to receive calls and visitors. Fulfilment of the second condition would mean comparing the youth worker with parish clergy (who customarily receive provided accommodation) rather than with, say, social workers (who do not).

5. A case for exemption should be made to the local tax office and the outcome is dependent on what view is taken by the officer concerned. A member of staff in the Clergy Payments department of the Church Commissioners has experience of a number of previous cases dealt with by the Commissioners, parishes and other denominations and is willing to discuss individual cases with parishes, particularly where precedents would be helpful. Contact details can be provided by the staff of the Accounts Department in the

Diocesan Office.

6. If a particular case is deemed to constitute a benefit in kind, the tax liability is charged on the annual value of the accommodation (rent obtainable or rent paid by the landlord, if higher). There is an additional liability if the cost of providing accommodation exceeds £75,000. PCCs would need to consider whether to leave the employee to pay the tax, or to pay it on the employee's behalf.

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