



The Church of England
in Essex and East London

A Handbook for Ecclesiastical Office Holders

Diocese of Chelmsford
www.chelmsford.anglican.org

FOREWORD

FROM THE BISHOP OF CHELMSFORD

This handbook is for clergy and laity holding Ecclesiastical Offices. It draws together information on a number of important and related issues, in fact everything from holidays and days off to how to get help with your house and what to do when you are ill. It sets out clearly matters relating to Clergy Terms of Service and our individual responsibilities.¹

The handbook sits alongside other resources that shape our ministry: the Ordinal, The Canons of the Church of England, and the Church Representation Rules. Here you will find guidance and advice that encourages best practice in your work as we minister together.

The live version of this document may be found at <http://www.chelmsford.anglican.org/policies/a-z> together with other useful policy and guidance documents.

It is my continued hope that this handbook will help us to take better care of ourselves and be better stewards of the Church of Christ.



A handwritten signature in grey ink, reading '+ Stephen Chelmsford.', followed by a vertical line.

¹ Please note: this handbook does not apply to clergy and laity with contracts of employment in respect of their employed role

CONTENTS

FOREWORD	3
ABOUT THIS HANDBOOK	5
APPOINTMENT AND OFFICE	6
STIPEND, GRANTS AND OTHER BENEFITS	8
PERSONAL AND PROFESSIONAL DEVELOPMENT	13
SELF-SUPPORTING MINISTRY	16
REST PERIODS, ANNUAL LEAVE AND TIME OFF	17
PASTORAL CARE	21
DEALING WITH DIFFICULT ISSUES	22
HEALTH AND SAFETY	26
SAFEGUARDING ARRANGEMENTS	26
TRADE UNION / PROFESSIONAL ASSOCIATION REPRESENTATION	26
DATA PROTECTION, PERSONAL RECORDS AND THE DISCLOSURE OF INFORMATION ..	27
FURTHER INFORMATION	27

ABOUT THIS HANDBOOK

In this, the third issue, are a change of title to encompass all office holders (including lay workers on common tenure) with consequent changes in the text; updates reflecting recent changes in Common Tenure, such as the possibility of interim posts and changed requirements for SSM sickness reporting; and other minor updates such as the withdrawal of the Commissioners car loan scheme.

The material in this document, whilst it may include some information on matters that are legally binding on clergy, lay ministers and other lay officers and volunteers, should be generally understood as guidance and for information unless it explicitly states otherwise. In particular, it should not be construed as forming part of any employment contract.

The provisions in this handbook are non-contractual and may be altered as occasion requires or as legislation/regulations demand. Such changes as are mandatory on the Diocese shall be deemed to take effect from the effective date of the legislation/regulations. The Diocese shall use all reasonable endeavours to notify office holders of changes.

APPOINTMENT AND OFFICE

For all clergy, details regarding rights and responsibilities of office may be found in The Ordinal, the licence/deed of appointment, the role description and the Guidelines for the Professional Conduct of the Clergy. (Please note role descriptions are being developed through CMD workshops and MDR).

In addition, it should be noted that all clergy, regardless of their form of tenure, are subject to the provisions contained within the Canons, the Clergy Discipline Measure, the current law related to patronage and the appointments procedure and anti-discrimination legislation (apart from the specific exemptions granted).

Common Tenure appointments

From 31 January 2011 the Terms of Service legislation conferred a new form of tenure on clergy, called Common Tenure. This automatically covered team vicars, priests in charge, assistant curates, fixed term appointments, house for duty clergy, self-supporting ministers, canonically licensed lay workers in receipt of stipend and/or housing and all new appointments to ecclesiastical offices made after the legislation came into effect.

Office holders on common tenure have the right to a Statement of Particulars which sets out the matters relating to the general day to day aspects of their appointment and indicates all related rights and responsibilities.

It is the aim of the legislation to provide greater security and equality of rights. Time limited tenure will only be given, therefore, in the following circumstances:

If the appointment is:

- designated as covering another office holder's absence from work
- held by an office holder over 70
- designated as a training post
- designated as subject to sponsorship funding
- designated as a probationary office
- created by a Bishop's Mission Order under the Dioceses Pastoral and Mission Measure, 2007
- designated as held in connection or conjunction with another office or employment
- held by someone with limited leave to remain in the UK
- designated as a locally supported ministry post
- designated as an interim post

Clergy with the freehold were invited to indicate, in writing, whether or not they agreed to the application of the Measure to themselves. If they did not wish to do so, they continued to hold the freehold on all its existing terms. If or when they move to another post any appointment will automatically be under common tenure.

Some clergy are designated as employees and are not covered by common tenure. Clergy may be employees of the Diocesan Board of Finance or the Diocesan Bishop in his corporate capacity (e.g. the Bishop's Chaplain). Employees will be issued with contracts of employment. These contracts are needed where post holders are not considered to be ecclesiastical office holders. Dual role clergy have both a Statement of Particulars and a contract of employment.

IMPORTANT: The terms and conditions of contracts held by employed clergy will differ from common tenure provisions and therefore employed clergy are not covered by this handbook except to the extent that they hold as ecclesiastical office on a spare time SSM basis.

Termination of office

For all clergy officeholders, unless resigning, their term of office may only be terminated by the Bishop in accordance with the following circumstances:

- (a) on the death of the office holder;
- (b) on attaining the retirement age specified in relation to that office in section 1 of the Ecclesiastical Offices (Age Limit) Measure 1975 (1975 No. 2) or on the expiration of any period which the office holder is permitted to continue in office after the retirement age under section 2 or 3 of that Measure;
- (c) where the office holder is removed from office following a finding of an offence under Part VI of the Ecclesiastical Jurisdiction Measure 1963 (1963 No. 1) or under any provision of the Clergy Discipline Measure 2003 (2003 No. 3);
- (d) where the term is fixed or is otherwise limited, on the expiry of the term or the occurrence of the event in question, as the case may be;
- (e) where the office ceases to exist as a consequence of a pastoral scheme or order made under the Pastoral Measure 1983 (1983 No. 1) or reorganisation scheme made under Part II of the Dioceses, Pastoral and Mission Measure 2007 (2007 No. 1)
- (f) where the office is held in connection or conjunction with another office or employment, and that office or employment is legally terminated.

Common Tenure appointments

As set out at Section 3 of the Ecclesiastical Offices (Terms of Service) Measure 2009 the Bishop may also terminate office:

- (g) where the Bishop revokes the licence of the office holder under the capability procedures
- (h) where the office holder does not have the right of abode and only has limited leave to remain in the U.K.

STIPEND, GRANTS AND OTHER BENEFITS

STIPEND

The National Minimum Stipend (NMS) is calculated and set by the Central Stipend Authority (CSA). All full time stipendiary clergy under Common Tenure are legally entitled to receive at least the NMS. The Diocese sets other stipend rates, guided by stipends benchmarks also provided by the CSA. The stipend for part time stipendiary clergy will be calculated separately. Stipends are reviewed annually.

Stipendiary clergy are required to complete an annual return, which is normally due for completion on line: <https://www.churchofengland.org/clergy-office-holders/clergypay.aspx>

Any local income, including retained fees and chaplaincy income should be notified to the Finance Manager at the diocesan office to ensure the correct calculation of stipend.

For the purposes of National Insurance, stipendiary office holders are treated as being of employed status. Employee contributions are deducted from stipend payments each month alongside 'pay as you earn' tax deductions. Employer's contributions are paid by the diocese.

Area Deans allowances

Area Deans receive an allowance for the duration of their commission which is noted by the attachment of a letter to their Statement of Particulars. (currently £650 pa.)

GRANTS

Grants on First Appointment, Removal, and Resettlement:

Group A	Archdeacons Incumbents Priests-in-Charge Team Vicars and Team Rectors Licensed Lay workers provided with housing
Group B	Assistant Curates Permanent Deacons

Removals

The Diocese will meet the reasonable costs of clergy removals (only by a firm appointed by the Board) for all in groups A and B above provided that the person's existing appointment/home is in an English diocese.

First appointments grant

The Diocese will pay a grant to those taking up an appointment for the first time after being ordained or licensed. The object of the grant is to help towards the cost of robes, theological books and other equipment that will be needed. The grant payable is that recommended by the Archbishop's Council each year and is normally equal to 10% of the National Minimum Stipend. A further grant of the same amount will be payable on transfer from a Group B post to a Group A post.

Resettlement grant

The Diocese will pay a resettlement grant to those moving to a new appointment, of a fixed maximum sum, toward incidental expenses including alteration to, or purchase of, furnishings. This grant is also normally set at the rate of 10% of National Minimum Stipend.

Grants may also be payable to assist with redecoration when you move house, please enquire if you are eligible.

For all diocesan grants please remember to claim them via the Finance office (Tel: 01245 294431).

OTHER FINANCIAL SUPPORT

A number of charities exist to assist clergy and their dependents in particular need. Two national charities work together and are able to offer financial support and help in a wide range of circumstances:

The Corporation of the Sons of the Clergy and The Friends of the Clergy Corporation, 1 Dean Trench Street, London SW1P 3HB Tel: 020 7799 3696
Website: <http://www.clergycharities.org.uk>

Within the diocese:

Essex Clergy Charity Corporation, Hon Sec to the Charity, The Revd Paul Haworth,
contact@essexclergycharity.org.uk

Your Archdeacon or Bishop may be able to offer advice about other grant making bodies.

It is always advisable to inform your Archdeacon before making any grant application to cover debts as further support and advice can be made available.

Car Loans

The Church Commissioners' car loan scheme has been discontinued, however stipendiary office holders are able to access car loans through the Churches Mutual Credit Union (www.cmcu.org.uk). Other providers, including other credit unions are available. The Diocese of Chelmsford is unable to recommend a particular product or provider.

PAROCHIAL FEES

Major changes to the parochial fees system came into effect from 1 January 2013. Statutory fees for occasional offices comprise an element due to the PCC and an element due to the Diocesan Board of Finance (DBF). There is no longer any part of the statutory fee due to the officiant (other than for a small number of incumbents appointed prior to Common Tenure who retain their fees).

In this diocese, 2/3rds (two thirds) of the DBF's fee is offered to all holders of Bishop's licence, Clergy with PTO, and Readers with PTO, not in receipt of a stipend or other remuneration from the CDBF.

- Officiating ministers should be properly reimbursed for expenses connected with the occasional office.
- PCCs continue to receive a Fee Credit against Parish Share based on 50% of the fees income to the DBF after payments to officiating ministers.
- Fees may only be waived with the express permission of the Archdeacon.
- Officiating ministers and PCCs are required to keep accurate records of occasional offices, and make a return to the diocesan office on a monthly basis.

Further information may be found at: <http://www.chelmsford.anglican.org/parishes/fees>

EXPENSES

Parishes are responsible for the reimbursement of the proper parochial expenses incurred on their behalf by their parochial clergy and other licensed and accredited staff. These sums do not form part of the stipend calculation but the level of stipend presupposes full reimbursement of these expenses.

At the outset of an appointment Office Holders are advised to discuss working expenses with the PCC via the Churchwardens. This should include discussion of invoices to be met directly by the PCC and the claim form for expenses.

The booklet entitled 'The Parochial Expenses of the Clergy – a guide to their reimbursement' is issued by the Central Stipends Authority and may be found at:

www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee/the-parochial-expenses-of-the-clergy.aspx

The matters covered by the booklet include: postage and stationery; telephone; secretarial assistance; office equipment; maintenance of robes; hospitality; retreats and training; travel - car and public transport; books; use of study - help with replacement furnishings.

Up to date rates for fees and travelling expenses will be sent to parishes by the Diocesan office as and when these are revised. Currently the non profit making rate as recommended by HMRC is the mileage rate recommended in the diocese.

The Archdeacons are available to give advice or to help in matters of interpretation of working expenses.

Some parochial office holders bear at their own wish a proportion of parochial working expenses. Despite this, it is recommended that rather than forego some reimbursement, clergy should charge their expenses in full and then make a contribution to parochial funds so as to ensure that the parish is aware of the full extent of its liability. Furthermore it will ensure that misunderstandings as to the correct level of expenses do not occur on change of the minister.

For tax purposes full and accurate records should be kept of all working expenses received.

Area Deans may also claim reasonable expenses of office, and should complete a monthly claim form sending it for counter signature to their archdeacon before it is forwarded to the finance officer. Such expense claims must follow the CDBF expenses policy and claim form (Please note the expenses of deanery synod should be claimed through the deanery treasurer.)

PENSION

Stipendiary office holders are auto enrolled in the clergy pension scheme. Full details of the scheme and retirement housing provisions are available from:

The Church of England Pensions Board
29 Great Smith Street
London
SW1P 3PS
Tel: 020 7898 1800

www.churchofengland.org

The following publications from the Pensions Board may also be useful:

- Your Pension Questions Answered
- Retirement Housing

HOUSING

In the Diocese of Chelmsford, the Diocesan Board of Finance is designated as the Diocesan Parsonage Board as required by statute. The functions of the Parsonages Board are delegated to the Houses Committee.

Those office holders provided with a house of residence, for the better performance of their duties, need to be aware of both their rights and responsibilities. These are detailed in the Repair of Benefice Buildings Measure 1972 and/or the Ecclesiastical Offices (Terms of Service) Measure 2009 and its associated regulations, and other legislation, but may be summarised as follows:

Duties of the relevant housing provider:

- to repair the structure and exterior of the buildings of the property, including windows, doors, drains, gutters and external pipes
- to repair all relevant walls, fences, gates, drives and drains of the property
- to repair and keep in proper working order installations related to; the supply of water, gas and electricity; sanitation; space heating or heating water
- to arrange for a qualified surveyor to inspect the property at least every five years and submit a report describing its state and condition
- to send the office holder a copy of this report and after consultation carry out within a reasonable time frame any appropriate repairs
- to pay the council tax
- to insure the property against all risks related to buildings

Duties of the office holder:

- to permit the officers acting for the Houses Committee to enter the property after giving reasonable notice; in order to inspect or carry out repairs or for another reasonable purpose consistent with its powers and obligations
- to keep the property and contents provided clean and free from deterioration
- to keep any garden or other grounds belonging to the property in a good state of upkeep
- to notify the property department of any repairs required as soon as possible
- to pay the whole or part of any repairs which they are responsible for to a maximum of £50
- to use the property as a private residence for his or her household only and for any other purpose only as agreed by the Houses committee or officers acting on its behalf
- not to make any repairs, alterations or additions to the property without the consent of the Houses Committee or officers acting on its behalf
- where the property is held on a lease, to observe any binding term, condition, or covenant
- to vacate the property within one month of either ceasing to hold office or changing office and to leave the property clean, tidy and clear of all personal possessions
- to make their own arrangements for contents insurance to cover their personal possessions

The Houses Committee expects each parish to undertake the following duties, through its PCC:

- to assist with the decoration of the property (a room a year is recommended) to be agreed by the office holder
- to support the office holder in keeping the property in good order
- to oversee any contracts for alarm systems and fire prevention

If a property is provided by a secondary housing provider (such as parish or patron or private landlord) the secondary housing provider will assume the relevant housing provider's role. It will be the responsibility of the Houses Committee to ensure that the secondary housing provider complies with those duties associated with being a relevant housing provider.

Any concerns or complaints about housing should in the first instance be addressed to the Senior Manager in charge of Property. Property disputes may also be dealt with through the grievance procedure, though we encourage informal resolution where possible.

Incumbents have the right of absolute veto over the sale of the parsonage house. Priests in Charge on Common Tenure have a right of objection to the Church Commissioners in the event of a proposed sale.

For further detail regarding all these rights and responsibilities within the Chelmsford Diocese please refer to The Diocesan Houses Committee's 'A Guide for Residents'.

A helpdesk is available for clergy to report repairs or problems with their diocesan provided housing. Tel: 01245 294471 (8.30am-12.30pm).

On retirement clergy are allowed up to one calendar month for removal before a realistic rent, Council Tax, water rates etc. become payable on the parsonage house.

Following death in service, three months is initially granted for family resettlement, however the Bishops and Archdeacons will always seek to be pastorally sensitive at such times.

PERSONAL AND PROFESSIONAL DEVELOPMENT

MINISTERIAL DEVELOPMENT REVIEWS (MDRs) AND SENIOR STAFF REVIEWS (SSRs)

The Clergy Terms of Service legislation requires all diocesan bishops to provide a Ministerial Development Review scheme for their clergy. In turn, all those licensed under Common Tenure are required to participate in MDR. The same invitations will be made to freehold clergy with the expectation that all clergy will benefit from these arrangements.

We introduced some changes to our scheme from 2015/16. Bishops and Archdeacons will introduce an external perspective to their reviews. Clergy will have the opportunity, if they so wish, to have this external perspective included when they have their MDR with one of our trained reviewers.

Newly appointed incumbents normally see their Archdeacon after 6 months and Area Bishop after 12 months, and will then be integrated into the MDR process. Clergy with oversight responsibilities, such as Area Dean and Unit Leaders, will usually have all their MDRs with a member of the Bishop's Senior Staff.

The majority of office holders will continue to have MDRs with a trained reviewer and, in addition, have separate periodic Senior Staff Reviews (SSRs) with either their bishop or archdeacon, using separate paperwork. Clergy can request a Senior Staff Review or an additional meeting with their bishop or archdeacon at any time, and should normally do so prior to considering a move or applying for Extended Study Leave, or considering any major commitment beyond normal parish duties.

Where clergy are locally deployed it will usually be appropriate for their MDRs to be carried out within the local unit.

MDRs will continue to be described as annual, though in practice holidays, illness, study leave or normal ministerial demands around Christmas and Easter may mean the interval between reviews is not strictly 12 months.

Clergy in employed posts will need to participate in the appropriate procedure for Performance Review.

Clergy in the IME4-7 programme have separate supervision arrangements and do not participate in MDR.

Clergy with PTO do not participate in MDR unless they carry specific responsibility, such as House-for-Duty.

Church Army Officers and Licensed Lay Workers under Common Tenure are treated as if clergy for the purposes of MDR.

Full details of our MDR scheme is contained in a booklet that can be downloaded from www.chelmsford.anglican.org/ministers/cmd/mdr or requested from the MDR Administrator on 01245 294449 or mdr@chelmsford.anglican.org

CONTINUING MINISTERIAL DEVELOPMENT (CMD)

Continuing Ministerial Development (CMD) in the Diocese of Chelmsford starts from the premise that each office holder takes authority for his/her own learning. The CMD budget makes financial resources available to encourage office holders to engage in ministerial development.

Training is a continuous process as we seek to understand ourselves and our environment at a time of rapid social change. Lifelong learning is commonly accepted in most professions and clergy need to be involved in such a process at all times.

Under Common Tenure 'Stages of Ministry' training courses are considered mandatory, and appointments are made conditional on participation. These are: Incumbency Skills (for a first incumbency post), New to Post, CMD Induction Day, and the Clergy Leadership Programme. Exemption may only be given by the Area Bishop, who will act on the advice of his Area CMD Officer. Previous undertaking of equivalent training is the main reason for which exemption may be granted. Because these are mandatory they are provided free of charge: there is no charge against individuals' CMD Grant.

CMD grants

In order to encourage office holders to take responsibility for the development of their own ministry, each office holder eligible under the scheme may claim in-service training grants. The annual amount is currently (December 2015) £100 for all licensed office holders, £150 for those in full-time parish ministry, and £200 for those holding a post of incumbency-level responsibility.

The grant is available after consultation with your local CMD Adviser. Full details of the grants are available in the diocesan 'Grant Guidelines' available from the CMD Administrator (details as follows). For training courses costing up to £50 application may be made directly to the CMD Administrator, sdenham@chelmsford.anglican.org or 01245 294450. For courses costing more than £50 application should be made to the Area CMD Adviser on the diocesan Grant Request Form available at www.chelmsford.anglican.org/ministers/CMD/grants. The full Grants Policy is available upon request from the CMD Administrator.

What do I do if I want some advice about in-service training?

For advice about training, availability and suitability of courses, additional funding and all related matters, please contact the Area CMD Adviser through the CMD Administrator at the Diocesan Office.

Training information

The CMD staff have a wide range of training information available about organisations and training events throughout the country. A selection of such courses is advertised regularly on the diocesan web site: <http://www.chelmsford.anglican.org/ministers/CMD/training-opportunities>

Other CMD issues

The CMD section of the diocesan web site contains much more information about CMD and life-long learning: <http://www.chelmsford.anglican.org/ministers/CMD>

Extended study leave

Generally

Extended study leave (ESL) is a period of up to three months away from the demands of the minister's current post. Arrangements are made with the Area Bishop, subject to the criteria set out in the diocesan extended study leave guidelines.

Purpose

The prime purpose of ESL is to offer an individual an opportunity for professional development but it should also be a time of personal enrichment. In order to achieve this, ESL should include three elements: renewal, retreat and rest.

Eligibility

ESL is normally offered every ten years and is of benefit to the individual and to the Diocese. All licensed office holders (lay and ordained, stipendiary and non-stipendiary) are eligible. The exact terms will depend on status (e.g. nature of licence, stipendiary or self-supporting) and the CMD Advisers can assist with this.²

Procedure

After the initial request, the Area CMD Adviser will discuss the ESL with the applicant. An ESL proposal should then be drawn up by the person seeking to take the ESL, setting out the details of the plans. It is advisable to allow a period of at least 12 months preparation/consultation before the proposed ESL. This will allow time to ensure adequate pastoral cover and also the identification of a supervisor if appropriate. The Bishop will give final approval to the ESL proposal following advice from the appropriate CMD staff.

Further Information

Full information regarding extended study leave is contained in the diocesan Extended Study Leave Guidelines available on the diocesan web site:

www.chelmsford.anglican.org/ministers/CMD/extended-study-leave or from the Area CMD Adviser.

² It should be noted that full time employed Clergy are not eligible for paid study leave but may access ESL on SSM terms and agree a period of unpaid leave

SELF-SUPPORTING MINISTRY

DEFINITION

In the Church of England there are three orders of ministry - Bishops, Priests and Deacons and a person is ordained into the ministry of the whole Church. Some office holders will engage mainly in parochial work whilst others will exercise a ministry in their work place or in a chaplaincy. Some office holders will be paid a stipend by the Church whilst others will continue to be financed principally by their secular employment or other sources of income. All office holders should receive expenses of office. All office holders are under the authority of their Bishop. There is therefore no qualitative distinction between stipendiary and self-supporting office holders.

The term “self-supporting minister” is used to include all ordained clergy who hold the Bishop’s licence, but are not in receipt of a stipend for the exercise of their ministry.

The majority of SSMs hold a full licence and are actively engaged in a wide range of ministries both parish and work based.

Clergy appointed on a House for Duty basis are categorised as self-supporting ministers for whom residence in the benefice house is a requirement for the better performance of their duties.

Clergy holding contracts of employment with the Diocesan Board of Finance are likely to be SSMs in terms of any ecclesiastical office held. (A few clergy hold dual roles comprising a half-stipend for their ecclesiastical office and a contract for their employed role).

Upon retirement SSMs may request Permission to Officiate.

Holding Permission to Officiate is not the same as being a Self Supporting Minister.

Transfer to stipendiary ministry

No SSM can be considered for transfer to stipendiary ministry until s/he has completed three years after ordination. Thereafter, each case is considered individually on its own merits by the Bishops.

The SSM officers

The Area SSM Officers are listed in the Chelmsford Directory. There is an Area SSM Officer for each of the Barking, Bradwell and Colchester Episcopal Areas.

The SSM Officers work with all candidates in their selection, training and deployment and are available for advice on policy matters concerning SSM. They are also available to resource incumbents and parishes on all matters relating to non-stipendiary ministry, including ministry in secular employment. They work with the SSMs and their incumbents in drawing up and reviewing Working Agreements and are available to discuss day-to-day issues arising in the SSM’s ministry, including future deployment and CMD. Full details can be found in the Chelmsford Directory.

REST PERIODS, ANNUAL LEAVE AND TIME OFF

REST PERIODS

You should ensure you take an uninterrupted rest period of 24 hours in each period of seven days.

Your weekly rest period may not be taken on:

- A Sunday or for Fresh Expressions, the principal day for public worship
- Any of the Principal Feasts of the Church of England as set out in Canon B6, paragraph 2
- Ash Wednesday - without specific permission from the Bishop
- Good Friday - without specific permission from the Bishop

ANNUAL LEAVE

All office holders are encouraged to take regular holiday breaks for the benefits of their health and well-being.

It will be normal for you to work on six days each week. As a consequence you are entitled to take 36 (thirty six) days annual leave in each calendar year (adjusted pro rata for part time clergy) this will enable you to take six weeks holiday subject to the following restrictions:

Your days of annual leave may not be taken on:

- More than 6 Sundays a year or for Fresh Expressions, the principal day for public worship.
- any of the Principal Feasts of the Church of England as set out in Canon B6 paragraph 2
- Ash Wednesday - without specific permission from the Bishop
- Good Friday - without specific permission from the Bishop

All office holders are advised to keep a record of annual leave taken. (Clergy on UKVI Tier 2 sponsorship by the Diocese are required to notify the Authorising Officer before leave is taken) The leave entitlement for clergy starting or leaving a post part way through a calendar year will be calculated on a pro rata basis and reduced accordingly. The diocesan office or your archdeacon can advise as necessary.

You are also entitled to take the following Bank and Public holidays or time off in lieu (TOIL) as indicated:

- New Years Day
- Easter Monday
- Good Friday (TOIL)
- Early May Bank Holiday
- Spring Bank Holiday
- August Bank Holiday
- Christmas Day (TOIL)
- Boxing Day

Days may be taken in lieu of the Bank Holiday entitlement for Christmas Day and Good Friday.

For Self Supporting Ministers:

Rest periods and availability for duty

You are entitled to one Sunday (or for Fresh Expressions, the principal day for public worship) free of duty each month as stated in your Working Agreement.

You should discuss and agree with your incumbent the extent to which you will be available for duty on the Principal Feasts of the Church of England as set out in the Canons and Common Worship, and other significant days such as the Parish's Patronal Festival.

SSM Priests in Charge should agree with their Bishop their availability for duty under the guidance given above and with reference to their Working Agreement.

Annual leave

Priests in Charge should consult and agree with their churchwardens, time off and annual leave. A Priest in Charge is responsible for ensuring that cover has been arranged during their annual leave.

It should therefore be normal custom for clergy to take six working weeks holiday each calendar year plus the usual Bank and Public holidays, subject to the following restrictions:

Normally your days of annual leave may not be taken on:

- More than 6 Sundays a year (or for Fresh Expressions, the principal day for public worship)
- any of the Principal Feasts of the Church of England as set out in Canon B6 paragraph 2
- Ash Wednesday - without specific permission from the Bishop
- Good Friday - without specific permission from the Bishop
- Days may be taken in lieu of the Bank Holiday entitlement in respect of Christmas Day and Good Friday

RETREATS

Clergy Office holders should plan to take the inside of a week on retreat each year (i.e. Monday to Friday) and this is not to be considered as a part of the annual holiday entitlement. For part time office holders this is calculated pro rata.

The Diocesan Retreat House at Pleshey offers a variety of options for individual, group and cell group retreats <http://www.retreathousepleshey.com>

SPECIAL LEAVE

The Bishop may grant you an additional period of special leave in particular circumstances.

MATERNITY, PATERNITY, PARENTAL AND ADOPTION LEAVE AND TIME OFF WORK TO CARE FOR DEPENDANTS

Office holders are entitled as appropriate to maternity, paternity, parental and adoption leave, all as specified in Regulation 23 and the Ecclesiastical Offices (Terms of Service) Directions [2010] and time off to receive ante-natal care as specified in Regulation 25.

For more information, please refer to the diocesan maternity, paternity and adoption policy which is published on the policies section of the diocesan website. This policy was updated in 2014 with changes including, but limited to, enhanced maternity pay subject to certain qualifications.

You are entitled to request time off, or adjustments to the duties of the office, to care for dependents in accordance with the Ecclesiastical Offices (Terms of Service) Directions 2010. Shared Parental Leave may be possible subject to certain qualifications.

For further details please speak to your bishop or archdeacon.

TIME SPENT ON PUBLIC DUTIES

You are entitled to spend time on public duties, as specified in Regulations 24 and 26, however these must be discussed in advance with your Area Bishop.

This will include such duties as are associated with the running of a trade union, a charitable body/trust and non-diocesan mission trips etc.

You shall not normally suffer any reduction in stipend for time spent on public duties subject to the conditions specified in clause 23 of the Regulations. These may be summarised as:

- The amount of time spent must be reasonable in all circumstances, taking into account the time required for the duty and how much time has already been spent on this (or other) public duties
- The impact of the public duties on the office holders day to day duties must be reasonable in all circumstances
- Agreement for performance of such public duties must be granted by the Area Bishop
- Consideration should be taken of any remuneration that is received in connection with the duties of the office to determine whether a reduction in stipend is reasonable

When attending jury service please remember to claim the attendance allowance and forward this to the stipends officer.

SICKNESS

In the first instance please contact your Area Dean to seek help for pastoral cover and support. Area Deans are required to let the Area Bishop and Archdeacon know of clergy illness to enable appropriate pastoral care and prayer.

For all Stipendiary Ministers:

If your sickness absence lasts more than seven days a medical certificate (also referred to as a 'fit note') signed by a GP or other medical practitioner must be submitted to the Finance Manager at the Diocesan Office (01245 294461), who is the designated person for this purpose. This is in order to comply with the rules of the statutory sick pay (SSP) scheme. If entitled to SSP, stipend will be paid according to SSP rules (full stipend for 6 months - pro rata for part time clergy).

Payment of stipend after entitlement to Statutory Sick Pay has expired is conditional on the agreement of the Bishop (or his representative) and on guidance from the Archbishops' Council.

In the Diocese of Chelmsford, our normal practice is that if an Office Holder is off sick for any six months in any twelve month period without a return to work plan being in place, full stipend will be maintained for the first 6 months and half stipend for a further 3 months. Thereafter stipend will cease but housing provision will continue for up to one year.

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

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

Common Tenure appointments

The rights and responsibilities related to sickness absence are set out at Regulation 27 and, in addition to the details above, include the following points:

- All reasonable endeavours should be made to ensure that the duties of the office are performed by another person during a period of absence
- If the time off is protracted, the Bishop or Archdeacon may make other arrangements for the discharge of these duties
- Payment of stipend after entitlement to Statutory Sick Pay has expired is conditional on the agreement of the Bishop (or his representative) and on guidance from the Archbishops' Council
- If the Bishop has reasonable grounds for concern about the office holder's physical or mental health he may direct that the office holder undergo a medical examination by a mutually agreed medical practitioner and he may, in serious cases, need to instigate the capability procedure

PASTORAL CARE

COUNSELLING AND OTHER PASTORAL SUPPORT

The Bishop appoints an Adviser on Pastoral Care who may be contacted for information about confidential counselling and pastoral support. Clergy, Readers, Diocesan employees and their families can access confidential help and advice from the Advisor. Contact details are published in the directory and available from Bishops', Archdeacons' and the diocesan office.

HEALTH CHECKS

Our diocese offers a subsidy to clergy so that they pay only a part of the cost of a high quality "UK Ministry Medical" by Inter Health. Medical opinion commends this at about age 50 but anyone who would like to take up this offer should complete an application slip and send it with a SAE to their Area Bishop for authorisation together with a cheque for £60 made payable to Chelmsford Diocesan Board of Finance.

Once the bishop has authorised the check and agreed to pay the balance to Inter Health the slip is returned to the applicant enabling an appointment to be arranged. This offer provides for one health check per clergy person.

WOMEN'S MINISTRY ADVISERS

There is a network of Bishop's Advisers on women's ministry in the diocese. They are pleased to offer support to ordained women and details can be found in the diocesan directory.

DEALING WITH DIFFICULT ISSUES

BULLYING AND HARASSMENT

In November 2012, the Diocesan Synod approved the policy 'Getting on Together' which sets out how allegations of bullying and harassment should be dealt with. The Bishop of Chelmsford has appointed Harassment Advisers to offer advice and information to any clergy or lay person. The informal steps in the policy should be taken before making a formal complaint under the grievance procedure.

The policy and contact details of the Harassment Advisers are on the diocesan website:
www.chelmsford.anglican.org

GRIEVANCE PROCEDURE

Common tenure appointments

Office holders have the right to seek redress if they have concerns that cannot be resolved during the normal course of their duties.

The objective of the grievance procedure to deal with such complaints promptly, fairly, and consistently, with a focus on mediation and conciliation wherever possible.

The underlying principles of the procedure are as follows:

- All grievances will be taken seriously and responded to fairly and quickly
- Grievances will be dealt with informally wherever possible
- All matters will be kept confidential
- The focus will be on issues not personalities
- Account will be taken of the legitimate interests of all concerned
- Office holders will have the right of representation by a colleague, trade union/ professional association representative at any meeting
- Grievances may be pursued without fear of sanction

This grievance procedure is available to all Office holders under Common Tenure and is intended to provide a means of addressing grievances related to the office held.

In the case of alleged bullying or harassment, the diocesan policy “*Getting on Together*” sets out the informal steps which should be taken before making a formal complaint under the grievance procedure (see the diocesan website www.chelmsford.anglican.org).

The key stages of the procedure are as follows:

- Informal stage - wherever possible attempts should be made to address the person or body responsible for the matter directly and attempt to resolve the grievance informally
- Formal stage - if the grievance has not been resolved informally or within a reasonable time period, the office holder may choose to proceed to the formal stage which is comprised of:

Stage one - the grievance needs to be set out in writing, describing what attempts have been made to resolve the matter informally and what is the desired remedy.

Stage two - the person handling the grievance will investigate the matter and then hold a meeting to discuss the issues. This will be followed by a letter detailing the decisions made regarding appropriate resolution.

Stage three - if the matter has not been resolved satisfactorily then the office holder may appeal in writing. They will then be invited to attend a meeting to discuss the issues. The decision of the appeal body will be given in writing. There is no further right of appeal.

CAPABILITY PROCEDURE

Common tenure appointments

The main objective of the capability procedure is to help office holders whose performance falls below an acceptable minimum standard, to improve in a fair and just way. The capability procedure can only lead to dismissal after all other avenues have been explored.

The procedure contains many built in safeguards including:

- The right to be informed in advance, and in writing, of the nature of the performance issue, the procedure to be followed, and the possible actions that may be taken
- The involvement of a panel, not an individual, at every formal stage
- The requirement to take human resources advice
- The right to be supported by a friend or trade union representative during the formal stages of the process
- The right to respond to all points raised
- The right of appeal

The capability procedure will not be used in trivial or unsubstantiated cases, and can only be invoked by the Bishop, Archdeacon or someone specifically designated on their behalf, after a thorough investigation of the facts, and an interview with the clergy concerned.

The procedure will normally consist of the following stages but can be discontinued at any point if the required improvements are made:

- Informal warning
- Formal procedure stage one - formal written warning
- Formal procedure stage two - final formal written warning
- Formal procedure stage three - removal from current office

In exceptional cases stage one of the formal procedure may be bypassed but should this be the case, the requirements of natural justice will always prevail and appropriate pastoral support and care will always be provided.

Chelmsford Diocese will adhere to the Code of Practice issued by The Archbishops' Council at all times. Copies of this code and the supporting advice issued alongside it can be obtained from the Chelmsford Diocesan office or from: www.commontenure.org

DISCIPLINARY PROCEDURES

The Clergy Discipline Measure 2003 (that came into effect in 2006) provides a structure for dealing efficiently and fairly with formal complaints of misconduct against any member of the clergy.

All admitted to holy orders in the Church of England are covered by the Measure, whether or not in licensed ministry.

A disciplinary process can only be started by a formal written complaint of misconduct, which is made to the Bishop.

There are four grounds on which misconduct may be alleged, namely: acting in breach of ecclesiastical law; failing to do something which should have been done under ecclesiastical law; neglecting to perform or being inefficient in performing the duties of office; or engaging in conduct that is unbecoming or inappropriate to the office and work of the clergy.

The complainant must produce written evidence in support of the complaint, and verify the complaint by a statement of truth.

The complaint and evidence in support are referred by the Bishop to the diocesan registrar for advice.

Having received the registrar's advice, the Bishop may decide that the complaint should be dismissed, in which case it will proceed no further under the Measure.

If on the other hand the bishop considers that the complainant has a proper interest in complaining and that the complaint deserves further consideration, he will invite the Priest or Deacon about whom the complaint is made to send a written answer verified by a statement of truth, together with evidence in support.

The Bishop will then decide which of five possible courses of action available to him under the Measure is the appropriate one to pursue.

The Bishop can:

- take no further action
- record the complaint conditionally for a period of up to five years, such that if another complaint is made within that time, the two complaints may then be dealt with together
- refer the complaint to a conciliator in an attempt to obtain agreement between the complainant and the respondent as to how the complaint should be resolved
- impose a disciplinary penalty (but only with the consent of the respondent);
or
- require the complaint to be formally investigated by the Designated Officer, a barrister employed in the Church of England Legal Office

More details are available on-line at: www.churchofengland.org under: The disciplinary process. There is also information about how to make a complaint and advice to follow if a complaint is made about you.

HEALTH AND SAFETY

Office holders are deemed to be responsible for their own health and safety.

Any advice or guidance required may be sought from the diocesan office, Ecclesiastical Insurance, or the HSE website.

Health and safety concerns related to housing should be raised with the Head of Property at the Diocesan Office.

Office holders are strongly encouraged to notify their Archdeacon of significant health and safety/ personal safety incidents affecting them. Details may be forwarded to the Diocesan Chief Executive for recording in a confidential incident log.

SAFEGUARDING ARRANGEMENTS

All office holders are responsible for ensuring that they have a current DBS check and are expected to participate in safeguarding and refresher training. Failure to do so may give rise to disciplinary action under the Clergy Discipline Measure. Any office holder with an expired DBS must consult their Archdeacon and may be asked to voluntarily step back from certain activities until a satisfactory check has been completed

Information or advice regarding this may be sought from the Diocesan Safeguarding Team at the Diocesan Office.

All office holders must comply with national practice guidance and any diocesan policies concerning the safeguarding of children and vulnerable adults. Copies of these policies can be obtained from the diocesan office or from <http://www.chelmsford.anglican.org/safeguarding>

For further support on any safeguarding matter please contact the diocesan team at safeguarding@chelmsford.anglican.org or the 24hr on-call number: 01245 294444.

TRADE UNION / PROFESSIONAL ASSOCIATION REPRESENTATION

All clergy are entitled to be a member of a Trades Union or Professional Association and this is a matter for individual decision. Members of a Trades Union or Professional Association may be represented in matters affecting them as individuals by their Trades Union or Professional Association representative. (However it should be accepted that in certain situations, the representative must not be someone who could prejudice any hearing or who might have a conflict of interest.)

DATA PROTECTION, PERSONAL RECORDS AND THE DISCLOSURE OF INFORMATION

Data held will be adequate, relevant and not excessive for the purpose. It will be kept for no longer than is necessary for the purpose and must be kept up to date. Explicit consent is required for personal data to be supplied to third parties.

An office holder has the right to request copies of all manual data and certain computerised data held about him / her, for example in his / her personnel file. Any such request should be specific about the items requested and be made in writing to the diocesan bishop. A charge may be made for providing this information.

FURTHER INFORMATION

Various policies and procedures are published on the diocesan website at:
<http://www.chelmsford.anglican.org/policies/policies-and-handbooks-index>