

# **House for Duty Guidance**

## **Phase 1 - legal and technical matters**

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## **1 Foreword**

House for Duty ministry is increasingly used to maintain the presence of Church of England in parishes where the Church could not otherwise do so. Figures collected in 2010 show that there are about 400 House for Duty clergy. This figure includes clergy who are under retirement age with other employment or other means of income, and also clergy who are on retirement pension.

Up till now this ministry has largely been regarded as an adhoc, temporary ministry, and the terms under which House for Duty clergy minister vary from diocese to diocese. It is now felt that it is time that this ministry should be properly recognised as an important means of ministering to parishioners and a way for bishops to ensure that there is someone looking after the parish, and so it is necessary that proper attention is paid to the terms and conditions under which these clergy minister.

This booklet has been written to provide national guidance for this ministry for the first time. The guidance sets out technical matters which apply to House for Duty ministers, and makes suggestions for good practice, drawn from the combined experience of dioceses.

It cannot be prescriptive. It can only set out the legal and technical issues which dioceses should take into account in the same way as other clergy posts when deciding policy, for House for Duty posts.

## 2 Introduction

- 2.1 In 2010 the Archbishops' Council's Deployment, Remuneration, and Conditions of Service Committee (DRACSC) asked a working group to develop up to date technical guidance relating to house for duty. Membership of the group is given in Annex 1. The group met three times, in July, October and December 2010, and has prepared this guidance which sets out the key points, and signposts further detailed guidance on specific issues. The guidance was approved by DRACSC (subject to some final revisions) in November 2010.
- 2.2 The guidance covers legal and technical matters which apply to House for Duty ministers in the same way as other clergy, and sets out those areas which dioceses will need to take their own view as to what is required in each case, according to their own policy. The guidance is based on the position after the Terms of Service legislation came into effect in early 2011.
- 2.3 We acknowledge the work of Canon Alan Vousden, who wrote a report on house for duty ministry *From Freehold to Freedom*, as a sabbatical project, which has been a great help to the working group.

### Future work

- 2.4 The working group was charged with considering the more technical issues and producing this guidance. It was also charged with undertaking further work to consider good practice issues (such as team working and reasonable expectations) with case studies, and an analysis of the role of such posts in strategic deployment planning. A separate document will be issued about these areas in the middle of 2011.
- 2.5 At the moment clergy are regarded as either 'in service' or retired. Many more clergy are now taking early retirement, and so the 'pool' of comparatively young retired clergy is getting larger.

The following are just some of the ways that House for Duty ministry could be used in a creative manner for more flexible clergy deployment planning:-

- as a way to allow clergy to ease into retirement: to a more gradual process from full-time stipendiary to not full-time stipendiary (e.g. part-time stipendiary or House for Duty), moving to retirement. This is particularly necessary nowadays when there are no more light duty cures.
- as pioneer ministers, freed from the administrative burden of incumbency.
- as help to ease the burden in large group and team ministries and in multi-parish benefices.
- for men and women who are looking after children or other dependants.
- for people with other part time work – ‘portfolio working’.

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### 3 Office-holding

- 3.1 A substantial number of people who have jobs are employees, working under a contract of employment - a legally binding agreement between the employer and employee, and duties arise out of that agreement. In contrast, the parochial clergy of the Church of England are office holders. Duties flow from the nature of the office and arise from Common Law, and the Canons and Measures of the Church of England, not by contractual agreement.

Clergy office holder arrangements are different to the arrangements for other office-holders, e.g. High Court judges, police officers.

- 3.2 House for Duty ministry is not in itself a separate office. House for Duty clergy will be incumbents, or priests in charge, or assistant staff depending on the post that they are appointed to. The role description under common tenure should make it clear what the role is. (see 3.3 below)

An office does not have to be full time, but one of the features of an office is that it cannot be shared with another person, so House for Duty office holders, no matter of what status, will be office holders in their own right, and will not share the office jointly with someone else.

If House for Duty clergy are ministering as part of a clergy couple, see the Clergy Couples Guidance which was published in 2009. See the link from

<http://www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee.aspx>

- 3.3 Terms of Service legislation - common tenure

A new form of tenure for clergy office holders called common tenure is due to take effect from 31 January 2011. Common tenure applies to all new appointments (including House for Duty appointments) from 31 January 2011, and to all licensed posts already in existence at that date. In addition, clergy on freehold before that date can choose to move onto common tenure. For further information go to <http://www.common tenure.org>

A short summary of what is meant by common tenure is in the document *Common tenure on two sides of A4* but the site has documents which give more information if required, including *Frequently Asked Questions* which are intended to answer certain specific queries. Clergy and other office holders will continue to be appointed as vicars, rectors, assistant curates, priests in charge and so on.

**House for Duty clergy will hold office under common tenure, unless they held office as a House for Duty incumbent on 31 January 2011, in which case they may choose to retain their freehold office while they remain in that post.** For the position of team rectors who are not in freehold posts see section 5.5 of the Pastoral Measure Code of Practice – December 2009. See link from

<http://www.churchofengland.org/clergy-office-holders/pastoralandclosedchurches/commonresources/cop.aspx>

Under common tenure, a post may be limited to a fixed term in certain specified circumstances but the great majority of office holders may remain in a particular post until they die in office, resign, or retire. One of the specified circumstances requiring the office to be for a fixed term is if the post holder is aged 70 years or more. See section 3.9

Common tenure will confer in addition a number of rights and obligations.

#### 3.4 Rights under common tenure include

- An entitlement to be provided with a written Statement of Particulars setting out the terms of the appointment. An example SoP is on the common tenure website. (see <http://www.common tenure.org/> ) (Guidance on writing role descriptions and person specifications are on the same site.)
- An entitlement to an uninterrupted rest period of not less than 24 hours in any period of seven days.
- An entitlement to annual leave. (for House for Duty clergy see section 4.11 below) (For clergy in part-time (including House for Duty) posts, this right will need to be modified on a pro rata basis.)

- An entitlement to maternity, paternity, parental and adoption leave in accordance with directions given by the Archbishops' Council as Central Stipends Authority.
- An entitlement to request time off, or adjustments to the duties of the office, to care for dependants in accordance with directions given by the Archbishops' Council as Central Stipends Authority.
- An entitlement to spend time on certain public duties other than the duties of the office, with the matter being determined by the bishop if there is any dispute.
- Access to a grievance procedure and supporting advice.
- Rights in respect of housing (see 5.2 below)

A right of appeal to an employment tribunal if removed from office on grounds of capability (The Diocesan Board of Finance will be the 'employer' for this purpose)

### 3.5 Obligations include

- To co operate and participate in Ministerial Development Review (MDR). See section 3.6 below and go to <http://www.common tenure.org> and click on *Ministerial Development Review guidance – January 2010*.
- To participate in arrangements approved by the bishop for Continuing Ministerial Development. See section 3.6 below and <http://www.churchofengland.org/clergy-office-holders/ministry/ministerial-education-and-development/continuing-ministerial-development.aspx>
- To inform a person nominated by the bishop when unable to perform the duties of office through sickness.
- To undergo a medical examination where the bishop has reasonable grounds for concern about the office holder's physical or mental health. See section 3.11

### 3.6 Continuing Ministerial Development

Under common tenure all those in House for Duty posts will be expected to take part in Continuing Ministerial Development, whether as part of a system of Ministerial Development Review, or not, in the same way as every other office-holder. (See Terms of Service Regulations 18 to 20 –

go to <http://www.legislation.gov.uk/ukxi> and search for Statutory Instrument 2009/2108)

The Regulations require all ministers on common tenure to participate both in Ministerial Development Review and in appropriate Continuing Ministerial Development, and the Bishop is required to make provision for both.

The office holder will be under a duty to participate in appropriate Continuing Ministerial Development arrangements approved by the diocesan bishop. See - <http://www.churchofengland.org/clergy-office-holders/ministry/ministerial-education-and-development/continuing-ministerial-development/resources-reports-and-guidelines.aspx> for what is regarded as reasonable participation. Under common tenure a statement about CMD should be included in the Statements of Particulars for the post.

- 3.7 The only mechanism for making clergy office holders 'redundant' is, as now, through pastoral reorganization. The terms of service legislation extends the right to be consulted on any pastoral scheme to all office holders under common tenure in receipt of a stipend or housing, who would potentially be affected by the scheme. This will include house for duty clergy.

- 3.8 The legislation introduces a capability procedure (see <http://www.common Tenure.org/> for a link to the procedure and supporting advice) which may be instigated where an office holder's performance gives cause for concern, and which may, in the last resort, lead to removal from office in cases where performance is not satisfactory and fails to improve.

The Clergy Discipline Measure 2003

<http://www.legislation.gov.uk/ukcm/2003/3/contents> and the Canons <http://www.churchofengland.org/about-us/structure/churchlawlegis/canons.aspx> continue to apply to all clergy whether on common tenure or not.

- 3.9 Age Limit Measure

Under the Ecclesiastical Offices (Age Limit) Measure 1975, all office holders on common tenure (including those in house for duty posts) are obliged to retire on reaching 70. However,

if the bishop so wishes it is possible to for them to move onto an appointment for a fixed term (but not as incumbent), under Regulation 29(1) of the 2009 Regulations, which permits time-limited licences to be granted when the post holder is over 70. (see section 3.3)

### 3.10 Equality legislation (see also section 4.3)

Apart from specific exceptions conferred by the Priests (Ordination of Women) Measure 1993 and the Equality Act 2010, the Church is subject to discrimination legislation in the same way as all other organisations. The extent to which the definition of a 'personal office' in the Equality Act applies to clergy is not entirely clear, but as a matter of policy care should be taken to avoid potentially unlawful discrimination in the appointment and deployment of all clergy, including those in House for Duty posts. The characteristics which are protected under the Equality Act are: age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity. Discrimination can be: direct, associative, perceptive, indirect, harassment, victimisation.

### 3.11 Medicals

Under common tenure office holders are required to undergo a medical examination, if required by a direction of the bishop (Regulation 28) (see <http://www.legislation.gov.uk/uk/si/2009/2108>), if he has reasonable grounds for concern about the health of a member of the clergy. This is related to pension provision and the occupational health provisions that are to be introduced following the outcome of recommendations of the Occupational Health Working group to General Synod.

There is a duty of care to make reasonable adjustments for any disability or medical condition covered by the Equality Act 2010. Dioceses should have a policy on occupational health provision.

## **4 Appointments**

### **4.1 Appointments process**

Up till now, House for Duty posts have been filled in a variety of formal and informal ways. It is important that these posts are filled in the same way as any other clergy post.

Vacancies are now being included on the Clergy Appointments Adviser's lists.

### **4.2 The appointments process for House for Duty posts should be conducted as seriously as for any other.**

There should be clarity in expectations, both for clergy and parishes. A parish profile and a role description should be prepared for a vacant House for Duty post, and there should be proper appointment planning.

It is important that the laity have a full role in preparing for the appointment, perhaps to decide what support from the parish the priest will need for the hours they do.

There should be recognition that House for Duty clergy will be eligible for other employment during the remainder of the week.

### **4.3 Equality**

It is important to scrutinise any requirements or selection practices that appear to discriminate against women (or men), or on grounds of age, disability, sexual orientation, gender reassignment, race, pregnancy or marital status. It also means that great care must be taken during the process, for example at interview, only to ask questions that are strictly relevant to determining how far the applicant meets the criteria for the post that have been set beforehand. Questions about family members for example can rarely be justified.

There are some exceptions specific to appointments for the purpose of an organised religion, but great care should be taken when applying any of these. For example, a requirement that applicants for a parochial post should be male could not properly be imposed except in a parish where the requisite resolution under the Priests (Ordination of

Women) Measure 1993 had been passed. Similarly, an absolute requirement that candidates should not be in a civil partnership might be challenged in the light of the House of Bishops' Pastoral Statement issued on 25 July 2005.

<http://www.churchofengland.org/media-centre/news/2005/07/pr5605.aspx>

- 4.4 A fair and open procedure is a good thing in itself, but following a fair and open procedure will help to rebut any claim of discrimination from a candidate. A discrimination claim to an Employment Tribunal would absorb the time and energy of all those who had been involved in the appointments process. The Diocesan Board of Finance would incur costs in defending the case as well as the potential (unlimited) cost of any unfavourable award, with a corresponding impact on parish share.
- 4.5 Patrons should be involved in the process for all appointments (including House for Duty posts) even when this is not a statutory requirement.
- 4.6 Hard skills mentoring/training  
Clergy who had not previously been incumbents or held another role of primary responsibility, should receive appropriate training in 'hard skills' (for example the legal duties in relation to graveyards, and dealing with PCCs) before taking up their appointments (including House for Duty appointments).
- 4.7 It is important that all those involved in the appointments process should help one another to understand the positive benefits and the particular pressures that may be experienced.
- 4.8 Consideration should be given as to whether House for Duty clergy should be appointed as incumbent or priest in charge or assistant curate. The nature of the appointment may depend on whether the presentation has been suspended and must be clearly stated in the Statement of Particulars. The following considerations need to be taken into account.
- House for Duty ministers are normally appointed as priests in charge.

- Incumbents can be appointed on a House for Duty basis, and as such the ownership of the parsonage house would vest in him or her, on the same basis as other incumbents.

Only incumbents can legally carry out some duties. For more details check the entry for priest-in-charge in the 8<sup>th</sup> edition of *Legal Opinions concerning the Church of England*. see - <http://www.churchofengland.org/about-us/structure/churchlawlegis/guidance.aspx>

#### 4.9 How should House for Duty clergy be licensed?

At present there is a great variety of ways in which licences for House for Duty clergy are drawn up. Of course it is for each diocese and diocesan registrar to determine what needs to go into the licence, in the light of each diocese's policy for House for Duty clergy.

Under common tenure there should be

- The licence, or for an incumbent, the deed of institution
- Statement of Particulars as required under common tenure (see section 3.4)

An occupational licence where appropriate.

#### 4.10 Terms of appointment

Care should be taken to ensure that full and unambiguous details of working arrangements are prepared and understood *before* individuals are appointed to offices. These should cover the following<sup>1</sup>:

- i) The duties of each office (e.g. pastoral work, the taking of services) and whether or not it attracts a payment (see section 5.1). **Where payments are made, clergy should be regarded as part-time stipendiary, rather than House for Duty.** This includes payments in the form of 'honoraria', and to reimburse clergy for the cost of voluntary National Insurance contributions (if applicable).

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<sup>1</sup> Items ii and iii will need to be included in the Statement of Particulars for office holders under common tenure. The other items in this section could be included.

- ii) The length of time that the appointment will last, if clergy fall within one of the specified categories in Regulation 29 (which includes office holders over the age of 70). **Please note** it will no longer be possible to appoint a House for Duty priest on a fixed or limited term basis unless they fall within one of the specified categories. If they do not, the appointment must be open-ended. (see sections 3.3 and 3.9) If a House for Duty priest is appointed for a fixed term this will need to be stated in the Statement of Particulars.
- iii) The hours that House for Duty clergy are going to be required to do. It is suggested that this is stated in terms of hours (e.g. Sundays plus two days per week could be defined as 20 hours), to allow for greater flexibility.
- iv) The payment of working expenses (see section 5.3)
- v) Provision of office facilities and any secretarial support, perhaps to include the work-related costs (e.g. heating and lighting etc) of the working areas of the parsonage house. (see sections 5.1 and 6.4)
- vi) Holiday provision (see section 4.11 below)
- vii) The meetings that they are expected to attend. (Clergy licensed to a parish are members of the PCC, the deanery chapter, and the deanery synod as of right)
- viii) What to do if House for Duty clergy are unable to carry out their duties because of sickness – see Terms of Service regulation 27(3) and 27(5). See <http://www.legislation.gov.uk/ukxi> and search for Statutory Instrument 2009/2108
- ix) Regular review of the arrangements.

These details should be made known to the churchwardens in the parishes.

#### 4.11 Holiday provision.

This must be set out in the statement of particulars.

The Terms of Service Regulations specify a minimum level of 36 days leave (i.e. six 6 day weeks) for full-time posts. However, it is suggested that House for Duty clergy should have holiday provision in proportion to their hours. The Regulations do not specify the number of Sundays that should be included in the minimum level, and it is suggested that this should be decided by each diocese in line with its recommendations for stipendiary clergy.

It is suggested that provision for bank holidays follows whatever the diocese has prescribed for other clergy.

## 5 Remuneration

### 5.1 Payments

- **House for Duty ministers do not receive stipend**, although they do receive remuneration in the form of housing. **Where a stipend is paid, clergy should be regarded as part-time stipendiary, rather than House for Duty**, and there will be tax implications for clergy.
- **Payments called ‘honoraria’ should be regarded as stipend.** The implications for tax and also national insurance contributions (when applicable) are the same for honoraria as for stipend.
- **Any payments to reimburse clergy for the cost of making voluntary National Insurance contributions** (if applicable) should also be regarded as stipend.
- If clergy who are not already on pension receive payment, they are entitled to be a member of the Clergy Pension Scheme, and pension contributions will be payable by the diocese (see 5.4).
- **House for Duty clergy are not eligible for tax-free heating, lighting, cleaning and garden upkeep payments (HLC)** Eligibility for HLC is based on clergy holding a stipendiary full-time appointment and being in receipt of a house provided by the Church. See further under section 6.4, and also 4.10(v).
- **Maternity, paternity, parental and adoption leave.** Under common tenure, clergy office holders are entitled to maternity, paternity leave, parental, and adoption leave. The minimum entitlements are set out in the Ecclesiastical Offices (Terms of Service) Directions 2010. However, each diocese may choose to offer more generous provision. If so, this should be set out in the diocesan handbook.

Entitlement to any statutory payments would depend on National Insurance contributions paid, for example, from secular employment if a portfolio worker. (see section 6.6 for voluntary contributions)

- **Parochial (Occasional Office) Fees.** The current legal position is that clergy who are not incumbents are not entitled to receive parochial fees unless the incumbent (if he or she has not made a deed of assignment to the Diocesan Board of Finance) or the DBF (if he or she has) so directs. When the relevant provisions of the Ecclesiastical Fees (Amendment) Measure are brought into effect, the normal legal position will be that fees are payable to the DBF. The DBF (if it so chooses) will continue to be able to direct that ministers who take the service can keep fees, without having to remit them to the DBF. From 1 July 2011 newly appointed incumbents will no longer be able to retain fees after the first Fees Order under the new arrangements comes into effect. Incumbents in post who had not signed a deed of assignment at 1 July 2011 had until 31 December 2011 to notify the bishop that they wished to continue to receive fees while they remained in the post they held on 1 July 2011. If they did not do so, they also will not be able to retain fees when the first Fees Order under the new arrangements comes into effect.
- **Removal Grants** For stipendiary clergy, the CSA recommends that when moving to a new appointment, every minister should be fully reimbursed for the cost of the removal and that the minimum Resettlement Grant payable in addition to the removal grant for all moves should be one tenth of the National Minimum Stipend. It seems reasonable that the same arrangements should apply to House for Duty clergy. However, dioceses will continue to be able to set their own policy.

## 5.2 Housing

- Under common tenure, stipendiary parochial office holders who are not incumbents will usually be entitled to be provided with housing that is 'reasonably suitable for the purpose'. The housing provider is the diocesan parsonages board in the case of parochial clergy. This does not mean that the DPB has itself to provide the house - it can arrange for another person or body (such as the DBF or the parish or the patron) to provide it.

- This common tenure right to accommodation can be waived or modified by agreement; and a diocese can fulfill its duty to provide housing if clergy share provided accommodation as part of a clergy couple.
- In respect of House for Duty clergy who are incumbents, Canon C25 provides that incumbents must reside 'on the benefice', and in the house of residence belonging to that benefice. It also defines circumstances in which the bishop can dispense with that requirement.
- Payment of any housing allowance will make the post stipendiary.

House for Duty is sometimes regarded as a cheap option, in that it saves the stipend, but the ongoing cost of provision of a house is by no means cheap.

### 5.3 Parochial Expenses

The booklet *The parochial expenses of the clergy – a guide to their reimbursement* (see <http://www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee/the-parochial-expenses-of-the-clergy.aspx>) applies to House for Duty clergy. It recommends that expenses are fully reimbursed by the PCC. Stipendiary clergy can seek tax relief for unreimbursed working expenses, but only from tax incurred in the same role. If there is no stipend, there can be no tax paid on it, and clergy would not be able to claim relief against tax, even if they pay tax on another source of income. (see 6.2 below)

### 5.4 Pensions

- Pensions for clergy in stipendiary ministry are provided under the Church of England Funded Pension Scheme.
- Benefits ordinarily follow stipend. Those in part-time roles will be covered in proportion to stipend. There is no authority under the rules of the pension Scheme for a Responsible Body to decide that a stipendiary post is non-pensionable, but clergy can agree to opt-out and forego pension and death in service benefits.
- Benefits include the death in service lump sum. For example, if someone is on half stipend at the date of death

then the death in service lump sum which they have accrued will be half of the full amount. Similarly, each year of actual service would accrue half a year of pensionable service.

- Death in service benefit is not payable for clergy who are already receiving pension. For those in pensionable service the death in service lump sum benefit is payable at the discretion of the Pensions Board, i.e. the Pensions Board has discretion as to whom the benefit will be paid. Scheme members are invited to nominate one or more beneficiaries.
- House for Duty clergy, below pensionable age, who are not in receipt of a stipend, would ordinarily not accrue any benefit in the pension scheme. There is no provision in the pension scheme for scheme members to make their own contributions.

Copies of the latest pension leaflet are available from the Church of England Pensions Board, 29 Great Smith Street, Westminster, London SW1P 3PS on request. If you have any pension queries, please send them to The Pensions Manager at the Pensions Board.

## 5.5 Housing in final retirement

Many House for Duty posts are held by clergy who are retired. It can be seen as a way to provide housing for retired clergy at the same time helping to ease the problem of the shortage of stipendiary clergy, and ensuring that the house, a valuable asset, does not deteriorate, through being unoccupied.

Sooner or later, retired clergy in House for Duty ministry will not be able or willing to carry on in post, and will then need to seek housing provision.

When a House for Duty appointment finishes, clergy and family should be allowed to remain in the house for the same period that applies to other clergy families in the diocese at the end of an appointment.

In May 2009, the second report of the Retirement Housing Review group was published. Its recommendations can be found at section 5.4 of its report which can be accessed from the Remuneration and Conditions of Service Committee page

on the Church of England website.

<http://www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee.aspx>

The recommendations of the group are being taken forward.

## 6 Taxation and National Insurance

- 6.1 The taxation circumstances of House for Duty ministers are unlikely to be different from any other clergy. Questions that do arise are often about expenses and allowances and apply to all non-stipendiary and part time stipendiary clergy.
- 6.2 Where work expenses are reimbursed, there should be no tax implications. If they are not reimbursed, clergy may seek tax relief but only against tax which has been paid in the same role. If an office is non-stipendiary, therefore, no relief can be claimed since no tax would have been paid in that role. House for Duty clergy who do not receive any payment, will be regarded by Her Majesty's Revenue and Customs as non-stipendiary, even though, technically, they are remunerated, by receiving the benefit of the house.
- 6.3 For House for Duty clergy, as ministers of religion, appointed to a parochial office, living in a house provided for the better performance of their duties, the house would not be regarded as a 'benefit in kind' and clergy would not be liable for tax on the notional taxable value of the provided housing.
- 6.4 The heating, lighting, cleaning, and garden upkeep tax-free reimbursement scheme (HLC) is restricted to those who are both in provided accommodation and in full-time duties (measured, in practice, by the receipt of a full stipend).

Her Majesty's Revenue and Customs (HMRC) does not accept that part-time appointments are eligible for HLC reimbursement. Although HMRC allows a married couple sharing the duties of a full-time post to share the HLC allowance, it has stipulated that in addition to the couple living in a provided house each must be receiving stipend at a rate in excess of £8,500 per year to be eligible for HLC.

Clergy who are not reimbursed the work related costs of running an office may claim tax relief through the tax-return, but relief will only be available against tax which has been

paid in the same role. Accordingly, if an office is non-stipendiary, no relief would be available.

See section 5.1, and 4.10(v)

- 6.5 Further information can be obtained from the Payroll Services (Clergy Team) Church House, Great Smith Street, London SW1P 3AZ.

Personal taxation advice should be sought from HMRC, or a suitable qualified professional.

- 6.6 Voluntary National Insurance contributions

House for Duty clergy below state pension age have the option of paying voluntary National Insurance Contributions if they need to fill in any gaps in their National Insurance record. Voluntary contributions count towards some state benefits and can also increase the amount of benefit.

The National Insurance contributions that can be paid voluntarily are normally Class 3 contributions, but if clergy are classed as self-employed they may be able to pay Class 2 contributions voluntarily instead.

Further information can be obtained from the HMRC website [www.hmrc.gov.uk/ni/volcontr/basics.htm](http://www.hmrc.gov.uk/ni/volcontr/basics.htm) .

## **House for Duty Working Group**

ANNEX 1

### **Members**

Chair

The Right Reverend Colin Fletcher      Bishop of Dorchester

The Reverend Jane Wilson                  Retired Clergy Association

Mr Nigel Spraggins                          DRACSC member

The Reverend Canon Alan Vousden      author of *From Freehold to Freedom*

The Venerable John Hawley              Archdeacon of Blackburn

### **Staff**

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Secretary: Mr Jim Smith

Consultants

HR/ Common Tenure: Mr Patrick Shorrock

Ms Su Morgan

Ms Leann Dawson

## ANNEX 2

## List of documents referred to in the guidance

## Section

- 3.2 Clergy Couples Guidance - see link from the Remuneration and Conditions of Service Committee page  
<http://www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee.aspx>
- 3.3 Information about common tenure  
*Common tenure on two sides of A4*  
*Frequently Asked Questions*  
 See <http://www.commontenure.org/>  
 For the position of team rectors who are not in freehold posts see section 5.5 of the Pastoral Measure Code of Practice – December 2009. See link from <http://www.churchofengland.org/clergy-office-holders/pastoralandclosedchurches/commonresources/cop.aspx>
- 3.4 *Guidance on Statements of Particulars*  
*An example SoP*  
*Guidance on writing role descriptions and person specifications*  
*Grievance Procedure*  
*Capability Procedure*  
 See <http://www.commontenure.org/>
- 3.5 Ministerial Development Review (MDR)  
<http://www.commontenure.org>  
 Continuing Ministerial Education  
<http://www.churchofengland.org/clergy-office-holders/ministry/ministerial-education-and-development/continuing-ministerial-development.aspx>
- 3.6 Terms of Service Regulations 18 to 20  
<http://www.legislation.gov.uk/uksi> and search for Statutory Instrument 2009/2108  
 what participation should look like -  
<http://www.churchofengland.org/clergy-office-holders/ministry/ministerial-education-and-development/continuing-ministerial-development/resources-reports-and-guidelines.aspx>
- 3.8 Capability procedure and supporting advice  
<http://www.commontenure.org/>

- The Clergy Discipline Measure 2003  
<http://www.legislation.gov.uk/ukcm/2003/3/contents>
- The Canons <http://www.churchofengland.org/about-us/structure/churchlawlegis/canons.aspx>
- 4.3 House of Bishops' Pastoral Statement 25 July 2005  
<http://www.churchofengland.org/media-centre/news/2005/07/pr5605.aspx>
- 4.10 (viii) Sickness – Terms of Service regulations 27(3) and 27(5)  
<http://www.legislation.gov.uk/uksi> and search for Statutory Instrument 2009/2108
- 5.3 CSA booklet *The parochial expenses of the clergy – a guide to their reimbursement*  
<http://www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee/the-parochial-expenses-of-the-clergy.aspx>
- 5.4 Pension leaflet  
Church of England Pensions Board, 29 Great Smith Street,  
Westminster, London SW1P 3PS
- 5.5 The recommendations of the second report of the Retirement Housing Review group (section 5.4)  
<http://www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee.aspx>
- 6.6 Voluntary National Insurance contributions  
[www.hmrc.gov.uk/ni/volcontr/basics.htm](http://www.hmrc.gov.uk/ni/volcontr/basics.htm)