

Section 5

FAMILY FRIENDLY POLICIES

(version 5 January 2017)

- Maternity Leave Policy**
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https://www.churchofengland.org/media/2423433/parental_pay_and_leave_advice_dec_2015.pdf

MATERNITY LEAVE POLICY

(version 5 January 2017)

1. Introduction

- 1.1 Clergy should inform their appropriate senior member of clergy and the Head of HR and Safeguarding as soon as possible of their pregnancy in order to receive information/advice regarding their entitlement to maternity leave and pay, and in order for any appropriate Health and Safety assessments that might be helpful or other advice given. However, it is recognised that some clergy may not wish to announce their pregnancy during the early stages and confidentiality will be maintained at all times.
- 1.2 This policy includes both information and some practical guidance and a checklist to help work through the various things to think about as the pregnancy continues (see section 14 below).
- 1.3 These links provides the national church information:
<https://www.churchofengland.org/clergy-office-holders/clergypay/benefits.aspx>
https://www.churchofengland.org/media/2423433/parental_pay_and_leave_advice_dec_2015.pdf

2. Ante-natal care

- 2.1 Clergy have the right to paid time-off for ante-natal care regardless of the length of service or the number of hours that they work.

3. Maternity leave entitlements

- 3.1 Maternity leave may last up to 52 weeks and is made up of two parts:
OML – Ordinary Maternity Leave (39 weeks)
AML - Additional and unpaid Maternity leave (13 weeks)

4. Claiming entitlements

- 4.1 Once the individual has decided when they wish to commence maternity leave, they will want to make local arrangements for cover where this is appropriate, and they should discuss how this will work in practice with their local senior colleague *and* the Archdeacon (or, as throughout this policy, the appropriate member of Senior Staff).
- 4.2 They must return their MATBI form from their midwife and the following details to the Head of HR and Safeguarding. This is also forwarded to the Church Commissioners for stipend payment purposes.
 - ✓ Their full name and place of work
 - ✓ The expected date of childbirth

- ✓ The date they are intending to commence maternity leave cannot start before the beginning of the 11th week before the expected week of confinement (ewc)

Individuals have the right to change the date they wish to commence their maternity leave and much will be down to local arrangements and the individuals own wishes - however, they should give a reasonable period of notice.

5. Claiming benefits

- 5.1 Depending on length of service, clergy are entitled to Statutory Maternity Pay (SMP). Church Commissioners can claim back SMP – for the 39 weeks of OML.
- 5.2 In Gloucester Diocese qualifying clergy will receive their **full** stipend for the 39week OML period which includes SMP.
- 5.3 Where SMP is likely to be more than earnings eg due to part time working, the Head of HR and Safeguarding can give advice and the link to downloading the appropriate form from the Church Commissioners).
- 5.4 For information Statutory maternity pay (SMP) is paid to clergy who are:
 - ✓ In their post by the end of the 15th week before their baby is due (qualifying week) and where:
 - ✓ they have completed at least 26 weeks continuous service in their clergy role at the qualifying week
 - ✓ they have given notice confirming the commencement date of their maternity leave (or agreed other local arrangements and informed the Archdeacon)
 - ✓ their average stipend is above the lower earnings limit for National Insurance contributions
 - ✓ they are still pregnant at the 11th week before their baby is due or have had their baby by that time.
- 5.5 If a member of clergy has less than 26 weeks in their clergy role they may not be entitled to SMP. The individual will need to seek advice from the Department of Work and Pensions to identify whether they qualify for maternity allowance. The Head of HR and Safeguarding will issue an SMP 1 form to confirm that that no stipend payment will be made from the diocese.

6. Starting maternity leave and stipendiary payments

- 6.1 Maternity leave/pay can start on any day of the week but not before the beginning of the 11th week before the expected week of childbirth. However, if an individual gives birth before the start of their maternity leave, then their maternity leave/pay will start the day after the birth.

6.2 An individual may not work for two weeks immediately after the birth of a baby by law.

7. Maternity pay

7.1 Income Tax - Payments of SMP are subject to income tax in the same way as normal earnings.

7.2 National Insurance - Payments of SMP are subject to National Insurance contributions in the same way as normal earnings.

7.3 Pension - The Clergy Pension Scheme ensures that individuals' contributions are paid during paid maternity leave absence. If an individual on her return to work wishes to pay contributions for the unpaid part of their maternity leave, they should contact the Diocesan Finance Director.

8. Pregnancy related-illness before maternity leave commences

8.1 If an individual is absent from work, due to a pregnancy related illness, at the beginning of the 4th week before the expected week of childbirth, this absence will trigger the start of her maternity leave. In this case, her maternity leave will commence on the day after the first day of absence after the beginning of the 4th week before the expected week of childbirth.

8.2 Individuals should let their appropriate Archdeacon know if their baby arrives before they commence maternity leave. This is so adjustments to the date for their return from maternity leave can be discussed.

9. Working during maternity leave (Keeping in Touch days)

9.1 Keeping in Touch (KIT) days allows an individual to work up to 10 days during maternity leave without losing the right to maternity pay or bringing the leave to an end.

9.2 It is likely that clergy will want to stay in touch with their parish(es) and key people but it is advisable that they are very clear to everyone that they are only available for limited times so they are able to manage their leave appropriately. The appropriate Archdeacon can be consulted if there are any problems. However, parishes and colleagues should be aware there is no obligation for the individual to attend their normal role/work during this time nor is there the obligation for parishes or senior staff to expect, or offer, such opportunities.

9.3 In the case of part-time clergy, pay will be calculated, based on an individuals' average weekly contracted hours over 6 days, to ascertain an average days hours/pay, rather than a reflection of the actual weekly working pattern i.e. specific days worked each week prior to maternity leave.

9.4 KIT days are not an extension to ordinary or additional maternity pay period i.e. they cannot be used at the end of maternity leave to extend the period.

10. Returning to work after maternity leave

- 10.1 Under current regulations, senior staff will assume that the maternity leave will end at the dates which had been agreed with the individual.
- 10.2 If an individual wishes to return to work before their official return date, then they should discuss this with the appropriate Archdeacon so that arrangements can be made and any advice or other support can be given.
- 10.3 Where an individual wishes to return to work but on a different basis this should be discussed with the Archdeacon prior to any local conversations taking place.
- 10.4 Where it has been agreed that an individual may return to work on a different basis, i.e. part-time for a short period of time, the details and implications should be thoroughly explored and agreed with the Archdeacon. For example it may be that the child(ren) have health problems and a period of part time working may help share the load of family responsibilities. (See also Right to request time off work or adjustments to the duties of the office to care for a dependant within this section).
- 10.5 When it has been agreed that an individual can take parental leave immediately following the expiry of maternity leave, local arrangements must be discussed with the Archdeacon. (See Parental Leave policy within this section).
- 10.6 An individual has the right to return to the clergy role in which she was prior to the maternity leave period. In the most exceptional of circumstances where this is not practical or advisable, the Archdeacon will discuss any available options or alternatives.
- 10.7 Where an individual is in a training role eg a curacy, or other fixed term role, (Qualified Common Tenure) appropriate extensions to the training or other arrangements will be agreed by the DDO or Archdeacon as appropriate.
- 10.8 If an individual decides not to return to work after the maternity leave period, they must inform their appropriate Archdeacon giving their decision to resign from their post and a mutually agreed notice period.

11. Maternity leave and annual leave

- 11.1 The period of absence on maternity leave will be counted as “service” for the purposes of annual leave. Individuals are advised to take their annual leave in the current year before the commencement of their maternity leave. Where is not possible to take the annual leave entitlement before the commencement of the maternity leave period, for example where the baby arrives early, then this leave can be taken after the maternity leave period.
- 11.2 If an individual decides to return to work in the current leave year then they may take their annual leave entitlement once they have returned to work.

- 11.3 If an individual is unsure whether they will be returning to work, they should be advised to take only a leave amount based on her anticipated service in the current leave year. If an individual returns to work they will be entitled to any outstanding leave entitlement due to her in that leave year.

12. Health & Safety

- 12.1 A pregnant individual is given specific health and safety protection under the European Union “Pregnant Workers Directive” and the Management of Health & Safety at Work Regulations 1999 and the Working Time Regulations 1998. Whilst clergy are not employees, these do provide some sound advice and good practice, and the diocese recommends that individuals are mindful of these and take responsibility for familiarising themselves with their content (further advice can be sought from the Head of HR and Safeguarding – see also section 14 below).
- 12.2 The Diocese through the Head of HR and Safeguarding and the appropriate Archdeacon can offer advice on and help an individual assess any risks they may be exposed to to talk these through and discuss what adjustments may be required. Individuals are reminded that they also have a responsibility to identify any areas of work and work practices, which might adversely affect their work health and safety and to raise any concerns with their Archdeacon and the Head of HR and Safeguarding.

13. Outstanding loans

- 13.1 Where an individual has an outstanding loan eg for a car, prior to the maternity leave commencing there are three options. Firstly to freeze payments until they are back at work, the second is to continue paying loans as before, the third is to continue, but reduce payments until maternity leave has ended. The Archdeacon or Head of Finance and/or the Head of HR and Safeguarding can help with advice on this.

14. Maternity checklist

It can be a tricky balance maintaining proper time out on maternity leave, having an ear for what is going on in the parish/benefice, being seen out and about, and managing the expectations of parishioners, callers and others!

The following questions are prompts to help you think through boundaries, and plan for, what may arise and can be talked through with the Archdeacon and an incumbent/DDO or Area Dean as appropriate.

	Checklist	What's next?	Y/N
I	Establish with those close to you what you feel the boundaries need to be in your		

	particular situation.		
2	Meet with the appropriate people to discuss preferences and how they might be accommodated.		
3	<p>Might you want to worship in the Church and remain open to hearing what is going on?</p> <p>Might you want time away for a period, and only be informed of particular things eg a significant death in the parish or other important concern?</p> <p>Might you want a key link person/people to keep you in touch rather than well meaning lots of people?! How can you manage this well?</p>		
4	Meet with your PCC to express your preferences in this regard and how they may be accommodated. Whatever you agree, confirm agreements in writing so there is an ongoing reference point throughout your absence.		
5	Practical arrangements – check out your out of office message, and your voicemail in order to manage enquiries effectively.		
6	Are there any key social events or activities you want to be involved with while on leave?		
7	What cover arrangements are needed and are there gaps that others eg the Area Dean may be able to help with?		
8	Will there be a temporary cover person (eg under Reg 29 see 15 below) – are you happy to have catch up meetings or be		

	available for any ad hoc advice needed (or do they know who else to contact etc)		
9	How will people knocking on the vicarage door, be dealt with or redirected - it might be helpful to have a small A5 leaflet that can be handed to any callers setting out what to do for contact re Baptism, weddings, and other issues.		
10	Have you updated any website information so its clear about arrangements?		

15. Maternity leave cover in a parish setting and responsibilities

- 15.1 Under the Ecclesiastical Terms of Service Measure Office; Regulation 29 affords the appointment of fixed term roles in a few very specific settings. Cover for maternity leave is one such provision. Such fixed term arrangements are made only with the express direction of the Diocesan Bishop and will be clearly set out within a Statement of Particulars which will be shared with the office holder for reassurance and clarity. The end date of any fixed term arrangement can be changed should the office holder return to work earlier than initially discussed.
- 15.2 All office holders on maternity leave remain in office while they are on leave – which means they retain the rights and responsibilities that go with the office, for example the right to remain in any accommodation provided for the better performance of their duties and the obligation to ensure that the duties of the office are carried out on their behalf.
- 15.3 For clarity, unlike an employee, an office holder does not have the right to be found an equivalent post when he or she returns from maternity and adoption leave. She or he has not left her office whilst on maternity/adoption leave and therefore returns to work in the existing post as of right unless she or he resigns or is removed from

ADOPTION LEAVE POLICY

(version 5 January 2017)

1. Introduction

- 1.1 Clergy should inform their appropriate senior member of clergy and/or the Head of HR and Safeguarding as soon as possible of their pregnancy in order to receive information/advice regarding their entitlement to adoption leave and pay. However, it is recognised that some clergy may not wish to let people know about their plans until things are clearer. Although joyful, this can be a very anxious and stressful time and the diocese would want to do all it can in terms of practical and pastoral support.

2. Time off for introductions

- 2.1 Clergy have the right to paid time-off for specific introduction meetings with appropriate social workers/children.
- 2.2 Clergy adopting should let their Area Dean / Archdeacon know when they are planning to take introduction time off and provide any evidence that may be required.

3. Adoption Leave Entitlements

- 3.1 Leave arrangements can begin once a member of clergy can demonstrate that they have been matched with a child through an authorized adoption agency.
- Ordinary Adoption Leave (39 weeks)
 - Additional and unpaid adoption leave (13 weeks)
- 3.2 Once an individual has decided the date on which they wish to commence their Ordinary Adoption leave, they should discuss this with the Archdeacon.
- 3.3 Ordinary Adoption Leave may commence from a predetermined date up to 14 days before the expected date of placement (within the UK for UK related adoptions). Where an overseas adoption is taking place leave may begin from the date of the child's entry into the UK or from a predetermined date up to 28 days after that.

4. Claiming Benefits

- 4.1 Statutory Adoption Pay is paid by the Church Commissioners via the normal stipend arrangements and is paid for 39 weeks in total.
- 4.3 After the 39 weeks the individual is entitled to a further 13 weeks unpaid leave. Which makes the leave up to the 52 weeks available through maternity leave provision.

4.4 Either partner may receive Statutory Adoption Pay, but not both. The other partner may receive Statutory Paternity Pay

5. Details of Leave and Pay

5.1 The link for more information regarding adoption pay from the Church Commissioners
http://www.cofe.anglican.org/info/clergypay/your_stipend/benefits/sc4.pdf

6. Working During Adoption Leave (Keeping in Touch days)

6.1 Keeping in Touch (KIT) days allows an individual to work up to 10 days during leave without losing the right to pay or bringing the leave to an end.

6.2 Both clergy and parish/diocese (as appropriate) must agree to KIT days being worked, However there is no obligation for the individual to attend work during this time.

6.3 Whether a whole day has been worked or only part, one whole KIT day will be deducted from the 10 days entitlement.

6.4 A KIT day will not take place during the first two weeks following the placement of a child.

6.5 KIT days are not an extension to ordinary or additional adoption leave or pay period i.e. they cannot be used at the end of leave to extend the period.

7. Adoption Leave and Annual leave

7.1 The period of absence on adoption leave will be counted as “service” for the purposes of annual leave. An individual should try to take their annual leave in the current year before the commencement of their adoption leave. Where it is not possible to take the annual leave entitlement before the commencement of the adoption leave period, for example where there are placement difficulties then this leave can be taken after the adoption leave period.

8. Disrupted adoption

8.1 If your Adoption leave has started but you are then notified that either the placement will not take place, or if the child is returned to the adoption agency after placement or if tragically, the child dies after placement, your entitlement to adoption leave and if applicable, adoption pay, will continue for a further 8 weeks from the end of the week in which the disruption occurred, unless your leave and/or pay would have ended earlier in any event.

PATERNITY LEAVE POLICY

(version 5 January 2017)

1. Introduction

- 1.1 Clergy should inform their appropriate member of Senior Staff and the Diocesan Head of HR and Safeguarding as soon as possible of their wife's pregnancy.
- 1.2 Initial thoughts regarding potential paternity leave can be discussed – and the Diocesan Head of HR and Safeguarding can give details and links for the forms notifying the Church Commissioners of leave.

2. Qualifying criteria

- 2.1 An individual who is the father of the child (adopted, foster or birth) or married to the child's mother, is entitled to paternity leave if he has the responsibility of the child's upbringing.
- 2.2 There is a right to paternity leave even if the child has died or was stillborn after 24 weeks of pregnancy.

3. Paternity leave arrangements

- 3.1 The individual is entitled to take two consecutive weeks paid leave, ideally not two separate weeks and not individual days (but local arrangements may require flexibility), discussions should take place locally regarding cover etc.
- 3.2 The appropriate Archdeacon should be notified of an intention to take Paternity Leave in writing, detailing the expected week of delivery, the length of leave the leave to be taken and the start date. This date can always be negotiated depending on the individual circumstances.

SHARED PARENTAL LEAVE (version 5 January 2017)

Background

With the coming into effect on 1 December 2015 of the Ecclesiastical Offices (Terms of Service) (amendment) Directions 2015, clergy office holders now have a legal entitlement to Shared Parental Leave. (Additional Paternity Leave has been abolished by Parliament on the basis that it is now replaced by shared parental leave.)

The effect of the amended Directions is that any future changes to the rights of employees in respect of maternity, paternity, parental and adoption leave will automatically apply to clergy.

Whilst shared parental leave does not yet apply by law to clergy office holders (because the Directions have not yet been amended to provide for this) this policy relates to all parochial clergy, clergy in centrally employed diocesan roles or with dual parish and diocesan roles, and a similar policy sits within the employment handbook for all diocesan employees. This is seen as both helpful where clergy are in dual role posts or are likely to be switching regularly between office and employment; and for the avoidance of any potential discrimination.

https://www.churchofengland.org/media/2423433/parental_pay_and_leave_advice_dec_2015.pdf

1. Introduction

- 1.1 Mothers and adopting parents who meet the conditions for entitlement to Shared Parental Leave remain entitled up to 52 weeks of maternity leave within the scope of this policy.

Mothers and adopting parents who meet the conditions for entitlement to Shared Parental Pay (statutory) are entitled to up to 39 weeks of pay.

In the diocese this means that for clergy mothers, clergy fathers and clergy partners you are entitled to your full stipend for the period of shared parental paid leave you take on within the scope of this policy.

2. Process for reducing maternity or adoption leave to return to work

- 2.1 After taking two weeks' compulsory leave (see 5 below) there is an entitlement to reduce maternity or adoption leave either by returning to work before the full entitlement of Statutory Maternity/Adoption Leave has been taken, or by giving notice to curtail their leave at a specified future date and to share the balance of any remaining leave, and pay, with the other parent.

- 2.2 The eligibility and notification requirements for Shared Parental Leave are quite complex. If this is an issue that is of interest, please get in touch with the Head of HR and Safeguarding at Church House who will be able to share details of how this can work in practice, and link up with the Archdeacon who can support further discussions.
- 2.3 Clergy who exercise an entitlement to Shared Parental Leave and who meet the eligibility requirements of the Statutory Shared Parental Pay (General) Regulations 2014 are entitled to Statutory Shared Parental Pay.

<https://www.gov.uk/shared-parental-leave-and-pay/overview>

3. Share parental leave and shared parental pay overview

3.1 Shared Parental Leave must be taken between the baby's birth and first birthday (or within one year of adoption).

3.2 To qualify you must share responsibility for the child with one of the following:

- Husband, wife, civil partner or joint adopter
- The child's other parent
- Your partner (if they live with you and the child)

3.3 You must also:

- Have been in your role continuously for at least 26 weeks by the end of the 15th week before the due date (or by the date you're matched with your adopted child)
- Remain in the same role while you take shared parental leave

3.4 Your partner must:

During the 66 weeks before the week the baby's due (or the week you're matched with your adopted child) they must:

- Have been working for at least 26 weeks (they don't need to be in a row)
- Have earned at least £390 in total in 13 of the 66 weeks (add up the highest paying weeks, they don't need to be in a row)
- This can be as an employee, worker or self-employed person. Your partner doesn't have to be working at the date of birth or when you begin your leave and pay period.

4. For Shared Parental Leave to start

4.1 The mother (or the person getting adoption leave) must either:

- Return to work, which ends any maternity or adoption leave
- Give the diocese what is known as binding notice' of the date when they plan to end their leave (you can't normally change the date you give in binding notice)

4.2 You can start SPL while your partner is still on maternity or adoption leave as long as they've given binding notice to end it.

5. When can't shared parental leave happen?

5.1 A mother can't return to work before the end of the compulsory 2 weeks of maternity leave following the birth (4 weeks if she works in a factory). If you're adopting, the person claiming adoption pay must take at least 2 weeks of adoption leave.

6. Changing your mind

6.1 It is possible to change arrangements, but it is strongly advised to talk to the Archdeacon and Head of HR and Safeguarding to explore options before any requests for changes are made so that discussions can be supported and appropriate advice shared.

PARENTAL (unpaid) LEAVE POLICY
(version 5 January 2017)

1. Introduction

- 1.1 Parents, are, entitled in law to a period(s) of time to assist in the arrangements for their child(ren)s welfare.
- 1.2 ALL parental leave is unpaid (whether for father/mother/other carer).
- 1.3 The Diocesan Head of HR and Safeguarding can provide advice, and the links to Church Commissioner forms and further information.

2. Qualifying criteria

- 2.1 Clergy who have been in post for at least one year and who have or expect to have parental responsibility for a child are entitled to parental leave.

3. Parental leave entitlements (see leave arrangements in 4 below)

- 3.1 Parents are entitled to take up to 18 weeks unpaid leave in respect of each child up to their eighteenth birthday.
- 3.2 Parents are entitled to take up to 18 weeks unpaid leave in respect of each adopted child until the child's eighteenth birthday, whichever is the earlier.

4. Parental leave arrangements

- 4.1 Parents cannot take in excess of 4 weeks parental leave in respect of an individual child during a particular year
- 4.2 Parents must take leave in blocks of one working week (i.e. not single days).

5. Making leave arrangements

- 5.1 As parental leave falls outside the normal leave arrangements, the local senior colleague or Archdeacon should be advised of parental leave to be taken for the personnel file records as soon as possible, and be assured of cover arrangements.

DEPENDANTS LEAVE POLICY
REQUESTS FOR TIME OFF TO CARE FOR A DEPENDENT
(version 5 January 2017)

1. Introduction

- 1.1 All clergy have much flexibility built in to the way they are able to carry out their duties.
- 1.2 All clergy are entitled to short period(s) of paid leave (usually no more than a few days) to assist in dealing with emergency situations or to make alternative arrangements in instances such as:
- ✓ Providing assistance when a dependent is injured, falls ill or gives birth
 - ✓ To make care arrangements for a dependent who is ill or falls ill
 - ✓ In the consequence of the death of a dependent due to the unexpected disruption or termination of current care arrangements
- 1.3 Flexible working, as it is understood in a normal employment context, does not apply to Clergy office holders.
- 1.4 The Ecclesiastical Offices (Terms of Service) Directions 2010 currently confer a legal entitlement on clergy to make requests to take time off or make adjustments to the duties of the office to care for a dependant, but not for other reasons. (When the right to request flexible working was extended to all employees, the national church RACS committee took the view that it was not appropriate to extend it to clergy office holders, as they already had sufficient flexibility).

2. Dependants

A Dependant is clearly defined in law as: A person whose support and maintenance is contingent upon the aid of, or being sustained by, another person, such as a child supported by his or her parents.

- ✓ Child
- ✓ Spouse
- ✓ Parent
- ✓ Grandparent
- ✓ In secular arrangements – a Co-habitee or civil partner
- ✓ A dependant may also be anyone who reasonably relies on the individual for assistance in cases of illness and/or injury

3. Dependants leave arrangements

- 3.1 Individuals should let their senior colleague/Archdeacon know as soon as possible of their need for some time to make arrangements, the diocese is committed to

providing as much appropriate pastoral and/or practical support that can be offered and/or arranged.

- 3.2 The amount of time off which is 'reasonable' will depend on each set of circumstances.
- 3.3 Where prolonged absence is required individuals should talk to their local senior colleague, and/or Archdeacon, as it may be appropriate for an agreed period of special leave, compassionate leave, unpaid leave, or temporary change in working days/arrangements.
- 3.4 Where an individual wishes to request time off work or adjustments to care for a dependent on a more permanent basis because of changing responsibilities they should seek immediate advice from the Head of HR and Safeguarding.
- 3.5 The process for requests is to:
 - ✓ Write to the Bishop of Gloucester (copying the letter to the Archdeacon) setting out the reasons for the request
 - ✓ Identify the effect the proposed change will have on the provision of ministry in their place and make any suggestions about how the effect can be mitigated
 - ✓ Set out how long the change is expected to last
- 3.6 The Bishop (who may delegate consideration to another appropriate senior colleague) will then consult the PCC and any others that may be appropriate and consider the request promptly (and/or arrange to meet the office holder to discuss things more fully) before making a decision.
- 3.7 If and when changes are agreed a new Statement of Particulars will be issued by the Head of HR and Safeguarding.
- 3.8 The Head of HR and Safeguarding can advise on this process at every stage, advise on the reasons a request may be refused, or where other considerations may/may not be possible.

THE RIGHT TO REQUEST ADJUSTMENT TO A FULL TIME OFFICE TO BECOME A PART TIME OFFICE

(version 5 January 2017)

CLERGY PAYROLL, FAMILY TAX CREDITS AND OTHER SUPPORT

(version 5 January 2017)

I. Introduction

- 1.1 Where office holders need to vary their duties in order to care for a dependant (for example reducing a post from full time to part time with a commensurate reduction in stipend), they should use the procedure below.
- 1.2 **The request may only be made in order to help care for a dependant not for any other purpose.**
- 1.3 “Dependant”, as defined in paragraph 3(6) of the Directions, embraces a spouse or civil partner; a child; a parent; a person living in the same household as the office holder (other than a tenant, employee, lodger or boarder) or anyone who reasonably relies on the office holder for assistance or provision of care in the event of illness or injury.
- 1.5 The provision therefore covers a wide range of possible arrangements, from a few days’ time off in an emergency, which can usually be covered within the flexibility clergy are able to exercise their duties and arrange their cover, to a longer term adjustment of duties to accommodate, for example, the need to care for a very unwell partners, elderly parent or disabled child.
- 1.6 Before any formal request is made, it is strongly advised that the individual talks the issues over with their Archdeacon.
- 1.7 No more than one request during a twelve month period may be made.

I. Process for application for a consideration to changes to a full time office:

- 2.1 Any requests for longer term adjustments will be properly considered. But it should be remembered that a request may be refused by the diocesan bishop if there is no other reasonable way of meeting the pastoral needs of the parish and the requirements of the office.
- 2.2 The office holder should write to the Bishop and include the following information:
 - The date of the request and the proposed start date of a new arrangement
 - That the request is being made under the Ecclesiastical Offices (Terms of Service) Directions 2010
 - The reasons for needing an adjustment to the duties of the office

- The change requested
- Whether they have made any previous requests in their current post
- Identify the effect the proposed change will have on the provision of ministry to the parish
- Suggest how such an effect could be mitigated (the office holder may wish to consult colleagues about this first so that he or she is in a position to indicate that the proposed solution might have their support in principle)
- Indicate whether the proposed adjustment is intended to be permanent, or, if not, for how long it might be expected to last.

- 2.3 The bishop, on receiving the request, is required to consult the PCC(s). The bishop may also wish to consult any of the office holder's colleagues who are likely to be affected by the request.
- 2.4 Once the bishop has received a reply from the PCC(s), the office holder's request should be considered promptly.
- 2.5 If the bishop agrees to the request, the office holder and the PCC(s) should be informed in writing of the bishop's agreement.
- 2.6 If the bishop is not in a position to agree immediately, she will arrange to meet the office holder as soon as possible to discuss the request. The office holder may bring a colleague or trade union representative to the meeting.
- 2.3 In good time after the meeting (normally within 14 days), the bishop will inform the office holder of the decision. If the bishop does not accept the request, she will give the reason in writing.
- 2.4 The office holder then has 14 days to set out grounds for appealing that decision. An appeal should focus on:
- Whether information available was not taken into account in the decision
 - Whether further new information has since become available
 - That a significant party in the consultation process was excluded from the process.
- 2.5 A letter setting out the appeal should be sent to the Head of HR and Safeguarding who will consult with the bishop and set up an appeal hearing with an appropriate person.
- 2.6 The appeal should be held and the office holder informed of the result within reasonable time (in both cases, normally 14 days).
- 2.7 A revised statement of particulars will be issued to reflect any changes made, unless they are very temporary and short term.
- 2.8 The office holder will be informed that this will be a permanent change to the duties of the office, and there is no automatic right to have the duties adjusted back to the original terms at a later point, unless this has been agreed in advance.

2.9 The bishop may delegate consideration of these requests to senior clerical colleague.

3. Reasons for refusing a request

3.1 The bishop will not refuse the request simply because the PCC does not support a request or its proposed solutions.

3.3 Potential grounds for refusing a request include:

- Cost
- Inability to reorganise duties among existing clergy
- Inability to recruit additional clergy
- Potential effect on the office holder's performance of his or her duties.

CLERGY PAYROLL, FAMILY TAX CREDITS AND OTHER SUPPORT
(version 5 January 2017)

I. Introduction

- I.1 Many clergy with children will qualify for government tax credits, and all will be able to `buy` child care vouchers as a way of affording qualified child care and paying for it through a `salary sacrifice` scheme which allows individuals to buy vouchers as direct payment for child care at payment/stipend source therefore saving on tax payments.
- I.2 For information about this and any aspect of clergy payroll visit

<http://www.cofe.anglican.org/info/clergypay/childcare/cvstc/>