



**THE  
DIOCESE  
OF  
BLACKBURN**  
THE CHURCH OF ENGLAND IN LANCASHIRE

**The Bishop of Blackburn**  
*The Rt Revd Julian T Henderson*

*To all beneficed and licensed clergy and Churchwardens of vacant parishes*

March 2017

Dear Brothers and Sisters

This diocese is blessed to enjoy the ministry of over 200 clergy with Permission to Officiate (PTO), the majority of whom are retired. Many offer invaluable help and support in parishes across the parishes. We need to affirm them and offer our grateful thanks for all that they bring to the mission and ministry of the diocese. It is also important to be aware of reports and events that affect the ministry of clergy with PTO.

The Diocese-wide renewal of PTO takes place this year (current permissions expire at the end of June). We have written to the PTO clergy and sent them application forms and the enclosed document on PTO in the Diocese of Blackburn. This letter is a reminder of the guidelines surrounding their role, is for your information and does not require a reply.

### **Permission to Officiate**

This letter summarises our expectations and seeks to clarify the important roles of Incumbents and Area Deans in respect of clergy who may not have my authority to minister. I would remind clergy that PTO is a discretionary gift rather than a right.

Canon C8 makes clear that it is unlawful (except in certain limited circumstances – see ‘occasional and irregular ministry’ below) for a member of the clergy of the Church of England to minister unless they hold a benefice or licence in the diocese or have my permission to officiate. PTO normally lasts for three years. Granting PTO enables checks to be made on someone’s bona fides, especially where someone has not previously ministered in the diocese. As well as the Disclosure and Barring Service (DBS,) process, Incumbents and Area Deans must be very clear that they have a responsibility to make me aware of any relevant considerations in respect of those ministering locally.

### **Safeguarding Training**

Attendance at safeguarding training is now mandatory for all clergy including those who have retired from a more active ministry. PTO will not be granted or renewed in this diocese unless a cleric has attended (or at least booked on to) the new Safeguarding Training. Sharon Hassall, our safeguarding officer, has been organising a training programme across the diocese and all clergy renewing PTO have been advised that they have to renew their training and attend a course or be booked onto a course before their PTO is renewed.

## **Renewals of PTO**

Going forward I have asked that applications for renewal of PTOs be referred to the relevant Area Dean before Permission is granted and the Area Deans are organising gatherings where they can meet informally with the PTO clergy. It is important that this process is more than a mere formality. Should there be any concerns about a member of the clergy with PTO, whether a pastoral need or a problem, it is important that the Area Dean is told about them.

## **Clergy Over 70**

Normally a member of the clergy will step down from beneficed or licensed ministry on or before his or her 70<sup>th</sup> birthday. However, it is possible, (if unusual), for me to renew or grant a licence for someone over retirement age to continue their ministry. It is important therefore to apply for either a renewal of licence or PTO in good time. It is unlawful to minister over the age of 70 without an extended licence or PTO, and it is the responsibility of the relevant incumbent or priest in charge to check the position.

## **Funeral Ministry**

The law makes clear that no member of the Church of England is permitted to take a funeral, whether in a church, crematorium or cemetery chapel without the consent of the relevant incumbent (that is of the parish of residence or of the parish where the deceased is on the electoral roll). It is helpful for any concerns about unauthorised funeral ministry to be reported to the Area Dean.

It is unlawful for clergy of the Church of England to use non-C of E forms of service (except under the provisions of the ecumenical canons B43 and B44). Either a service conducted by a clerk in holy orders must be assumed to be a C of E service or he or she must be acting unlawfully. It is not therefore legally open to a clerk in holy orders to freelance and offer non-C of E funerals.

For pastoral and financial reasons, it is important that retired clergy do not accept the taking of funerals from a funeral director unless the local parish priest has been informed – it is the responsibility of the retired priest to make sure this is done.

Since 1 January 2013, fees belong either to the PCC or to the DBF. The PCC and the DBF are both charities and now have a legal right to fees from funerals and weddings. PCC treasurers have agreed to act as “agents” of the DBF in order to deal with fees. Therefore, no priest, either in licensed ministry or retired with PTO, should receive fees direct from a funeral director but only through a PCC Treasurer.

All funeral directors have been asked to send all funeral fees to the PCC treasurer of the parish from which the funeral comes. The Treasurer will then send the appropriate fee to their own PCC, the DBF and, if necessary, 80% of the DBF fee to the retired priest. These processes are in place in order to be accountable to charity law as well as being transparent for HMRC.

## One-off and irregular ministry

Canon C8 (2) (a) currently provides an important exception to the general rule that a minister may not minister without the Bishop's authorisation. It permits a minister to exercise ministry on an irregular basis (*Currently no more than seven days within a three-month period*) at the specific invitation of the Incumbent without seeking the bishop's permission. The Incumbent must be satisfied that the minister is "*of good life and standing and otherwise qualified under this Canon.*" This provision only applies to Church of England ministers, not those ordained overseas or in other churches.

While this assessment is for the Incumbent to make, the Canon emphasises that the Incumbent must have "*actual personal knowledge*" or "*good and sufficient evidence*" that the invited minister is of good life and standing. This is not a test to be taken lightly. Those who minister in a church, even occasionally, are perceived to be in a position of respect and trust. Sadly, but inevitably, this respect and trust is used by some to perpetrate abuse. It is important that this safeguarding risk is managed by properly checking and vetting all those who minister, even occasionally. Failure to make the appropriate enquiries to ensure that someone is of good life and standing is therefore a significant breach of the Canons and could be the subject of disciplinary proceedings.

Following discussions in the House of Bishops, the Bishop directs that he would expect an Incumbent applying the "*good life and standing*" test either:

- a. to be satisfied that the invited minister holds the authorisation of a Bishop in another Diocese (whether by institution, licence or PTO) and has been the subject of safeguarding checks in that Diocese; or,
- b. to be satisfied that the invited minister holds a current, clean DBS certificate, **and** to have contacted Bishop's House to enquire whether there are any concerns about the good life and standing of the invited minister.

In practice, it is always safest to check with Bishop's House if you intend to invite any priest without PTO to officiate in your benefice.

## Clergy Discipline Measure

I am most grateful for the care taken by Incumbents before asking anyone, clergy or laity, to preach or to minister in any way to their congregations. The vocation to serve in formal ministry brings many joys and privileges, as well as carrying weighty responsibilities. Such is the importance of safeguarding that I ought to make clear that any failure to take seriously such responsibilities may in exceptional circumstances lead to disciplinary action under the Clergy Discipline Measure. The House of Bishops has stressed the responsibility of Diocesan Bishops and their staffs to reinforce the highest standards set out in canon law regarding the need to oversee public ministry.

Please do not hesitate to seek advice if you require any clarification on these matters.

Yours in Christ,

+ Julian

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