



Common Tenure Terms of Service

Issue 8

Date January 2020

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.

| | | |
|-----|--|----|
| 1. | Introduction | 4 |
| 2. | Appointment and Office | 4 |
| 3. | Termination of appointment | 5 |
| | Fixed term/time limited appointments under regulation 29 | 5 |
| | Training posts (part of initial ministerial training) | 5 |
| | Probationary posts..... | 5 |
| | Held by the over 70s..... | 5 |
| | Covering authorised absence | 5 |
| | Subject to sponsorship funding | 5 |
| | Posts covered by Bishop’s Mission Orders | 5 |
| | Where the office holder does not have the right of abode, or unlimited leave to remain, in the United Kingdom..... | 5 |
| | Where the office is held in connection or conjunction with another office or employment..... | 5 |
| | Where the office holder occupies a post which is designated as a Locally Supported Ministry Post | 6 |
| | A Parish may be designated as a locally supported ministry post where it has been agreed by the Diocese that it will take on responsibility for funding an additional curate’s post..... | 6 |
| | Appointments subject to pastoral reorganisation under regulation 30 | 6 |
| 4. | Stipends..... | 6 |
| | Tax Office | 6 |
| | Change of Personal Details | 7 |
| | (b) Grants | 7 |
| | Decorating Grants..... | 7 |
| | Cooker grants..... | 7 |
| | Moving House..... | 8 |
| | (c) Other benefits..... | 8 |
| | (d) Other Income..... | 8 |
| 5. | Parochial Fees | 9 |
| 6. | Expenses..... | 9 |
| | Motor Vehicles..... | 9 |
| | Motorcyclists | 9 |
| 7. | Housing | 9 |
| 8. | Ministerial Development Review..... | 9 |
| 9. | Continuing Ministerial Education | 9 |
| 10. | Leave | 10 |
| | (a) Rest periods | 10 |
| | (b) Annual Leave | 10 |
| | (c) Special Leave..... | 10 |
| | (e) Care for dependants..... | 12 |
| | (f) Public duties | 12 |
| | (g) Jury Service | 12 |

| | |
|---|----|
| (h) Territorial Army Mobilisation | 12 |
| (i) Territorial Army Training | 14 |
| 11. Retreat | 14 |
| 12. Sickness | 14 |
| Absence due to Injury | 14 |
| 13. Pension..... | 15 |
| 14. Capability Procedure..... | 15 |
| 15. Grievance Procedure | 15 |
| 16. Dignity at Work Policy..... | 15 |
| 17. Respondent in Employment Tribunal Proceedings | 15 |
| 18. Informal Support or Conversation | 15 |
| 19. Other | 16 |
| 20. Contacts in the Diocese | 16 |

1. Introduction

The **Common Tenure Terms of Service** does not form a contract and should be read in conjunction with your Statement of Particulars. It states the obligations and rights of ecclesiastical office holders conferred by legislation.

The **Common Tenure Terms of Service** will be updated as required. The version on the Diocesan website will always be the most recent version and will clearly indicate when it was updated. This version will apply to all irrespective of any version which was in force at the time that your statement of particulars was issued.

2. Appointment and Office

From 31 January 2011 clergy will hold office under the following tenures:

Freehold (held before 31 January 2011)
Common Tenure
Qualified Common Tenure
Regulation 30 appointments

After 31 January 2011, the Bishop invited those on Freehold to opt into Common Tenure.

The officer nominated for the purpose of issuing Statements of Particulars under regulation 3 by the Bishop of Blackburn is:

Mr Andrew Cooke
Diocesan Offices
Clayton House
Walker Office Park
Blackburn
BB1 2QE
Tel: 01254 503073
email: andrew.cooke@blackburn.anglican.org

The Statement of Particulars identifies the terms and conditions of your post and includes your rights and responsibilities under the Ecclesiastical Offices (Terms of Service) Measure 2009

You will also need reference to:

The Canons of the Church of England
Guidelines for the Professional Conduct of the Clergy
The Ordinal
Your licence/deed of appointment
Your role description if you have one

Further information can be found on www.commontenure.org or the Diocesan website www.blackburn.anglican.org.

Some clergy will be employees as opposed to office holders and, therefore, will not be covered by Common Tenure.

3. Termination of appointment

Your office may only be terminated because of:

- Resignation
- Capability procedures
- Discipline
- Retirement
- Death
- Being a fixed term appointment
- Being designated as being held in conjunction with another office or an employment that has ceased to exist
- Pastoral reorganisation

Fixed term/time limited appointments under regulation 29

Fixed term appointments (qualified common tenure) cover the following kinds of designated posts:

Training posts (part of initial ministerial training)

In the Diocese of Blackburn these are normally for 4 years following the date of ordination as deacon

Probationary posts

This is when a post has been designed to facilitate re-entry into ministry following a period of absence

Held by the over 70s

Retirement age is 70. However, if it is agreed that an office holder remains in post after the age of 70, as a duty of care to them, there will be an annual review.

Covering authorised absence

This is a fixed term appointment which will be reviewed and renewed if necessary.

Subject to sponsorship funding

In certain circumstances some posts may be funded wholly or in part by benefactors or grant making bodies. This funding will have a time limit on it. The post will be terminated when the period for sponsorship/grant funding has been reached.

Posts covered by Bishop's Mission Orders

A post created under the Dioceses, Pastoral and Mission Measure when a scheme is set up with the authority of the Bishop to create a new ministry post leading a new congregation in another parish.

Where the office holder does not have the right of abode, or unlimited leave to remain, in the United Kingdom

Where the office is held in connection or conjunction with another office or employment

Where the office holder occupies a post which is designated as a Locally Supported Ministry Post

A Parish may be designated as a locally supported ministry post where it has been agreed by the Diocese that it will take on responsibility for funding an additional curate's post.

Appointments subject to pastoral reorganisation under regulation 30

Where the Mission and Pastoral Committee of the Diocese has invited the views of interested parties before submitting proposals to the Diocesan Bishop, then, as an alternative to suspending presentation and appointing a priest in charge, the post may be designated under regulation 30 as held subject to pastoral reorganisation, and an incumbent may be appointed on a limited term basis. If this applies to you, please refer to your Statement of Particulars.

4. Stipends

Stipends are reviewed annually in consultation with the National Church and any change is normally affected on 1 April each year.

Curates' stipends increase in April in line with the agreed increase and the balance of the annual increment is payable from 1 July.

Stipends are paid from the Church Commissioner's Payroll Services Department monthly direct to your bank account.

Existing stipends, with effect from 1 April 2019 are:

| | |
|-----------|---------|
| Incumbent | £26,007 |
| Curates | £24,770 |

Self-Supporting Ministers (SSMs) who move to Stipendiary ministry will receive the Stipend appropriate to the office to which they are appointed.

If office holders receive honoraria from external sources then they must declare it on their annual return to the Church Commissioners.

If permission is given for a clergy person, who would otherwise have housing provided, to live in his/her own home a housing allowance may be available. Such permission would only be granted in exceptional circumstances. Further details are available from the Bishop's Chaplain.

Tax Office

HM Revenue and Customs (PAYE Reference 940/LA73776)
Public Department 1
Ty Glas
Llanishen
Cardiff
CF14 5XZ

Tel: 03000 534720

When contacting the tax office you should quote your National Insurance number.

Change of Personal Details

Clergy are required to notify the Head of Support Services at the Diocesan Offices of any changes to their personal details so that records may be kept up to date.

(b) Grants

The Diocese of Blackburn follows the recommendation of the Central Stipends Authority in relation to the levels of grant available.

As at April 2019, the Diocesan levels of grants are:

| | |
|-------------------|--------|
| First appointment | £2,477 |
| Resettlement | £2,477 |

Decorating Grants

In order to encourage maintaining internal decorations in good condition and to minimise the cost of re-decoration during vacancies; the DBF will pay for limited awards or redecoration during occupancy.

In order to allocate the limited budget equitably, the following policy will apply:

- 1.) A payment by the DBF will need to be approved by the Property Team in the Diocesan Offices prior to the work being carried out.
- 2.) To be considered for approval the occupier must submit a brief request explaining what is to be decorated, the reasons for the redecoration and the likely cost.

If the proposal is to be approved, payment will only be made on production of a receipt. The work can be undertaken by a local contractor or by the occupier (in which case the cost of the materials only will be paid).

Once the budget for a particular financial year has been allocated, no further proposals will be approved until the following financial year.

It is unlikely that the cost of decorating more than one room per year will be considered.

Cooker grants

The Property Committee will consider an application for a grant of up to £400 for a replacement cooker, provided the cooker is at least 5 years old or if when moving into a Diocesan property or Parsonage House there is no cooker already provided.

In Service Training Grants (excluding IME 4-7)

The Director of Ministry will be able to approve one grant per person of up to £100 each year, for as long as funds are available in the budget. This includes funding for retreats; normally 50% of the cost (including travel) is available, up to the £100 limit.

Applications for larger amounts will be considered by a small committee once a quarter (January, April, June, and October). This is to enable us to focus the limited amount of money on the most essential training. The criteria will include how well the proposed expenditure fulfils training needs identified through Ministerial Development Review, the MAP process or similar means. The maximum grant is £500.

The same committee will consider grants for study for further degrees, although these also need the explicit consent of the Diocesan Bishop.

These arrangements will apply to all licensed clergy, except those involved in IME 4-7, who are supported separately, and those in posts with separate arrangements for in-service training (eg hospital and prison chaplains). All clergy are very welcome to attend Diocesan events.

There are separate arrangements for sabbatical grants (four grants of up to 500 are normally available each year).

Moving House

When Stipendiary or House for Duty clergy move into or within the Diocese, the Diocesan Board of Finance meets the cost of removal. Further details should be obtained from the Head of Support Services at the Diocesan Office at Clayton House. On retirement, there may be a grant to assist with the cost of removals. Further details can be obtained from the Head of Support Services at the Diocesan Office at Clayton House.

(c) Other benefits

The Diocese has links with Occupational Health providers. These will be used in cases of long term absence. We may also recommend Occupational Health referrals to assist with designing appropriate phased returns to duties after a long term absence. We will recommend referrals where a health issue is impacting on duties but where the office holder is still performing some or all of their duties. This will assist the Diocese in providing support for the office holder.

(d) Other Income

Clergy who receive other income, such as Chaplaincy or Consultancy fees which arise from the exercise of their office, should record this on their annual return to the Church Commissioners.

5. Parochial Fees

The Diocese follows national recommendations in line with the Ecclesiastical Fees Measure 1986 and the Archbishops' Council guidelines on fees, in relation to the payment of parochial fees.

6. Expenses

The HMRC mileage rates are as follows:-

Motor Vehicles

45p per mile up to 10,000 miles per annum after which the rate reduces to 25p per mile

Cyclists

20p per mile

Motorcyclists

24p per mile

For issues relating to the non-reimbursement of expenses, please raise this with the PCC in the first instance and then, if necessary, the Archdeacon.

7. Housing

For queries relating to housing, please refer to the Diocesan Property Manager. Property should be vacated within the period of one month from the date on which the office holder ceases to hold the office or on which he or she takes up a new office, whichever is sooner or within such longer period as the relevant housing provider may allow.

If an office holder dies whilst occupying the property any member of his or her household living in the property at that time may remain in occupation for the period of three months from the date of the office holder's death or such longer period as the relevant housing provider may allow.

8. Ministerial Development Review

MDR is an opportunity to reflect on ministry and to set objectives for future life and ministry. Any training so identified has priority in funding. All clergy are required to participate at least once every two years. Individual clergy can organise reviews themselves, by downloading the documents on the Diocesan website at:

<http://www.blackburn.anglican.org/ministerial-development-review-mdr>

If training needs occur as a result of MDR or through individual identification, then we will endeavour to ensure the appropriate training takes place.

9. Continuing Ministerial Education

A training programme is available. See the Diocesan website for details or contact the Director of Ministry.

All clergy are expected to undertake two core events per year as specified by the Bishop.

Good CME participation includes:

- honoring of vocation to “be diligent in prayer, in reading Holy Scripture, and in all studies that will deepen your faith”
- for full time ministers taking personal responsibility in setting aside at least 5 days for CME and the best part of a week for retreat each year and encouraging and enabling others to do the same
- positive engagement with ongoing developmental learning at all stages of ministry
- regular participation in Ministerial Development Review
- proactively planning one’s own learning especially in response to Ministerial Development Review
- using Ministerial Development Review to assess and apply learning undertaken
- keeping abreast of changing legal and public responsibilities
- planning ahead for possible longer periods of developmental leave
- balancing individual inclinations and enthusiasms with the needs and demands of the present role
- willingness to share knowledge and skills in order to resource the learning of others

10. Leave

(a) Rest periods

Rest periods of a minimum of 24 hours within any 7 days, are an entitlement and while clergy are strongly encouraged to take their leave, they are not required to do so.

(b) Annual Leave

Parochial clergy should liaise with clergy colleagues and churchwardens when arranging leave, rest days and cover. For your annual leave entitlement, please refer to your Statement of Particulars.

(c) Special Leave

Leave for the purpose of removal and resettlement is three calendar weeks. Other special leave may be available at the Bishop’s discretion.

(d) **Maternity, Paternity, Parental and Adoption Leave**

Office holders are entitled to maternity, paternity, parental and adoption leave for the same periods and subject to the same conditions as an employee under the Employment Rights Act 1996. Further details can be found at:

<https://www.churchofengland.org/clergy-office-holders.aspx>

Maternity Leave

Blackburn Diocese has agreed that clergy on maternity leave will receive 6 months' full stipend (which includes any entitlement to Statutory Maternity Pay) followed by 13 weeks of Statutory Maternity Pay as part of an additional 6 months unpaid Diocesan leave.

The Statutory Maternity Regulations are as follows:

Statutory Maternity Leave is for 52 weeks. Clergy may be entitled to receive Statutory Maternity Pay (SMP) for up to 39 weeks of the leave.

If clergy qualify for SMP, it is paid:

- for the first six weeks at 90 per cent of your stipend
- for the remaining 33 weeks at the lower of either the standard rate or 90 per cent of your stipend

If you are pregnant, you must notify your Archdeacon and give your MATB1 form to the Head of Support Services at the Diocesan Office, Clayton House.

Ordinary Paternity Leave

Ordinary Paternity Leave and Pay are available for up to two consecutive weeks. Ordinary Paternity leave can start on any day of the week but it must be completed within eight weeks of the birth date or adoption placement date.

Blackburn Diocese has agreed that ordinary paternity leave will be paid at full stipend. However, you must notify the Head of Support Services at the Diocesan Office, Clayton House and your Archdeacon and submit completed Form SC3 so that the Diocese can claim the statutory element from the government. Form SC3 is available in the Clergy and Office holder section of the Church of England website.

Parental Leave

If you have a child aged under five, (or under 18 if your child is disabled), you may have the right to parental leave. Each parent can take a total of up to 18 weeks' parental leave for each of your children up to their fifth birthday.

If your child is adopted, each parent can take a total of up to 18 weeks' parental leave. This can be until the fifth anniversary of their placement with you or until their 18th birthday, whichever comes first.

If your child is disabled (that is, receiving disability allowance) each parent has the right to take up to 18 weeks' parental leave until their 18th birthday.

Statutory parental leave is unpaid. Should you need to take parental leave, payment in Blackburn Diocese is at the discretion of the Bishop.

Adoption Leave

Blackburn Diocese has agreed that clergy on adoption leave will receive 6 months' full stipend (which includes any entitlement to Statutory Adoption Pay) followed by 13 weeks of Statutory Adoption Pay as part of an additional 6 months unpaid Diocesan leave.

The Statutory Maternity Regulations are as follows:

Statutory Adoption Leave is for 52 weeks. You may be entitled to receive Statutory Adoption Pay for up to 39 weeks of the leave. If you qualify for Statutory Adoption Leave it is paid at the lower of either the standard rate or 90 per cent of your stipend.

(e) Care for dependants

You have the right to unpaid reasonable time off to deal with emergencies involving a dependent. This could be your husband, wife, partner, child, parent, or anyone living in your household as a member of the family. A dependent may also be anyone who reasonably relies on you for help in an emergency.

Should you have the need to take dependent care leave, payment in Blackburn Diocese is at the discretion of the Bishop.

For details of MATERNITY PAY AND LEAVE, PATERNITY PAY AND LEAVE, ADOPTION PAY AND LEAVE, SHARED PARENTAL PAY AND LEAVE AND THE RIGHT TO REQUEST TIME OFF WORK OR ADJUSTMENTS TO THE DUTIES OF THE OFFICE TO CARE FOR A DEPENDANT

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

(f) Public duties

Office holders have the right to a reasonable time off for the execution of public duties. This includes trade union activities where the union represents the office holder or others of the same description.

Any disputes should be referred to the Bishop of Blackburn.

(g) Jury Service

If you are required to undertake Jury Service please ensure that you claim the available payments and declare them on your annual return to the Church Commissioners. Your stipend will continue and any adjustments will be made in the following year, unless you inform Head of Support Services, Diocesan Office, Clayton House immediately.

(h) Territorial Army Mobilisation

Whilst away from your office you will receive financial remuneration, and also accrue Annual Leave from the MOD. The Diocese of Blackburn is not obliged to pay your stipend or provide for the accrual of holiday entitlements or other benefits under Common Tenure. You will remain a member of the Clergy Pension Scheme and the MOD will pay the employer contributions, providing you continue to pay your contributions.

Upon receipt of your mobilisation orders, you must notify the Bishop of Blackburn within seven days. You must write to the Bishop of Blackburn not later than the sixth Monday after the end of the mobilisation stating the date of your availability for returning to your office.

Further information can be obtained from:

HR Adviser
Diocesan Offices
Clayton House
Walker Office Park
Blackburn
BB1 2QE

(i) Territorial Army Training

The Diocese will give consideration to the granting of up to four weeks unpaid leave to allow reservists to fulfil training requirements such as annual camp, military training courses and other appropriate duties.

11. Retreat

It is expected that clergy will take an annual retreat. The form and pattern of the retreat will vary, but during a year full-time clergy should set aside the inside of a week for this activity (for example Monday to Friday). This will not be considered as leave. In accordance with The Parochial Expenses of the Clergy 2006 guide, PCCs should be prepared to meet the cost of any bona fide fees and expenses. Any disputes should be resolved with the PCC in the first instance or if necessary, the Archdeacon.

12. Sickness

If you are off sick you are entitled in any 12-month period to receive your full stipend for six months followed by 50% of your full stipend for a further three months. No sickness payment will be made for absence above nine months in any twelve-month period.

The sickness entitlement applies to Common Tenure and Freehold clergy.

All sickness absence must be reported to Head of Support Services at the Diocesan Offices, Clayton House using the self-certification form provided by the Church Commissioners. This can be found at

<http://www.churchofengland.org/clergy-office-holders/clergypay.aspx>.

For absences longer than seven days a doctor's medical certificate must be provided.

Wherever possible, it is expected that you will make reasonable arrangements to provide cover during sickness.

Absence due to Injury

In the unfortunate event that you are unable to attend to your duties by reason of injury sustained wholly or in part as a result of actionable negligence or breach of statutory duty on the part of a third party, all payments made to you by the Diocesan Board of Finance under the sickness absence clause, shall, to the extent that compensation is recoverable from the third party, constitute loans by the Board to you which shall be repaid when and

to the extent that you recover compensation for loss of earnings from the third party by action or otherwise.

13. Pension

When you are due to retire it is your responsibility to contact the Pensions Board. Further information is available in the booklet *Your Pensions Questions Answered*, available from the Pensions Board. The Pensions Department is responsible for the administration of the schemes and can be contacted by e mail: pensions@churchofengland.org or telephone: 020 7898 1800. Information is also available at <http://www.churchofengland.org/clergy-office-holders/pensions-and-housing/pensions.aspx>.

14. Capability Procedure

The procedure and guidance notes are available from www.common tenure.org

15. Grievance Procedure

The procedure and guidance notes are available from www.common tenure.org

16. Dignity at Work Policy

The Church is required by God to foster relationships of the utmost integrity, truthfulness and trustworthiness. Abuse, harassment and bullying, however rare, will not be tolerated in the Diocese. All complains of abuse, harassment and bullying will be taken seriously and thoroughly investigated.

The diocesan Preventing Bullying and Harassment Policy can be found at:

[https://www.blackburn.anglican.org/storage/general-files/shares/Resources/For%20clergy/Office%20holder/Blackburn Diocese Preventing Bullying and Harassment updated Nov 2014.pdf](https://www.blackburn.anglican.org/storage/general-files/shares/Resources/For%20clergy/Office%20holder/Blackburn%20Diocese%20Preventing%20Bullying%20and%20Harassment%20updated%20Nov%202014.pdf)

17. Respondent in Employment Tribunal Proceedings

The respondent in any proceedings is the Blackburn Diocesan Board of Finance.

18. Informal Support or Conversation

Pastoral care and support is available from the Area Dean, Archdeacons and Suffragan Bishops.

There are two schemes available for pastoral support - Spiritual Direction and the Inter-Diocesan Counselling Service. Details can be found in the Diocesan Directory.

19. Safeguarding

Details of the following can be found on the diocesan website
<https://www.blackburn.anglican.org/>

- Overview of Safeguarding
- Reporting a safeguarding concern
- Diocesan safeguarding team
- Parish safeguarding toolkit
- Safeguarding training programme
- Diocesan/National policies and guidance
- Safer recruitment and DBS checks
- Diocesan safeguarding audit and action plan

For more information contact the Safeguarding Adviser at Clayton House.

20. Other

You have the right to be a member of a trade union.

The Diocesan Registrar and HR Manager primarily advise the Bishop and the Diocesan Board of Finance, but are available to explain how policies and procedures work.

21. Contacts in the Diocese

Diocesan Offices
Clayton House
Walker Office Park
Blackburn
BB1 2QE
Tel: 01254 503070

Bishop's House
Ribchester Road
Blackburn
BB1 9EF
Tel: 01254 248234
Fax: 01254 246668

Whalley Abbey
The Sands
Whalley
Clitheroe

BB7 9SS

Tel: 01254 828400

www.whalleyabbey.org

Blackburn Cathedral
Cathedral Offices
Cathedral Close
Blackburn
BB1 5AA

Tel: 01254 503090

www.blackburncathedral.com

Church Commissioners
Church House
Great Smith Street
London
SW1P 3AZ

Tel: 020 7898 1000

Church of England website: <http://www.churchofengland.org/home.aspx>.