



DIOCESE OF  
LINCOLN

⊕ THE CHURCH  
OF ENGLAND

# CLERGY HANDBOOK

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This is a provisional document. Please send any suggestions for improvement and clarification to the Archdeacon of Lincoln by **31 March 2011**, so that a revised document can be issued in April.

The Clergy Handbook will be reviewed annually.

## **Preface**

A vocation to the ordained ministry is one of God's greatest gifts to the church. The Church has the privilege of supporting that gift and using it well.

In the Diocese of Lincoln support for the clergy has a high priority. The Bishop of Lincoln<sup>1</sup> and the leadership team<sup>2</sup> have primary responsibility for caring for and resourcing the clergy, but it is a responsibility which they share with rural deans, deanery lay chairs, churchwardens and all the people of the Church in the Diocese.

This handbook seeks to set out how clergy and their ministry is structured in law; how they are resourced; and what they can expect from the Diocese as well as some of the expectations which are laid upon them. It is inevitably a fluid document which will be added to, amended and developed continually. We hope that by placing it on the website, clergy and lay leaders will revisit it frequently.

## **1 Introduction**

The Bishop of Lincoln and his immediate team are committed to working collaboratively in all matters, but particularly in their care and support for the ordained. To this end the Diocese has adopted a formal scheme of delegation of episcopal functions<sup>3</sup> to ensure that there is clarity about the responsibilities of, and consistency in the support offered by, the bishops and archdeacons. Details of the scheme can be found at [www.lincoln.anglican.org/episcopal\\_leadership](http://www.lincoln.anglican.org/episcopal_leadership)

The scheme of delegation confirms our understanding of the two archdeaconries as episcopal mission areas; this handbook uses the words 'area' and 'area bishop' as convenient shorthand.

The Bishops of Grantham and Grimsby and archdeacons are responsible for the day-to-day life of the parishes and deaneries. The Bishop of Lincoln takes the lead for the strategic development of the Diocese, the provision of services which support mission across the Diocese and national representation. The archdeacons work on the structures for mission and ministry, pastoral arrangements and legal matters, whilst the Bishops of Grantham and Grimsby take the lead in relation to the practice of ordained ministry, the formation of ministry, the development of mission and ministry, ministry development review, vocations, clergy appointments and clergy moving on to new work.

The handbook indicates which member of the leadership team has primary responsibility for a particular area of support. In situations of urgency, however, please approach any member of the leadership team.

In all this, the Bishops of Grantham and Grimsby and archdeacons work closely with rural and area deans, who will most frequently be the initial reference point for help, advice and support for the clergy.

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<sup>1</sup> From 1 February 2011 until the date of the confirmation of election of the next Bishop of Lincoln, the Bishop of Grimsby exercises the responsibilities reserved in this document to the Bishop of Lincoln

<sup>2</sup> The Bishop of Lincoln's leadership team includes the Bishops of Grantham and Grimsby, the Archdeacons of Lincoln and Stow & Lindsey, the Dean of Lincoln, the Diocesan Chief Executive and the Bishop of Lincoln's personal assistant

<sup>3</sup> 'Instrument delegating the functions of the Bishop of Lincoln in order to give effect to a collaborative working agreement approved by the Diocesan Synod of the Diocese of Lincoln on 8th July 2009 and made pursuant to Section 13 of the Dioceses, Pastoral and Mission Measure 2007'

## 2 Common Tenure

At the end of January 2011, significant changes occurred in the way in which clergy hold office in the Church of England.

The Church of England has sought to maintain the system of office holding which is valued by both clergy and laity in the church while allowing for the introduction of rights that are equivalent to those rights enshrined in employment law for those in secular occupations.

Common Tenure is the new form of office holding introduced by the Ecclesiastical Offices (Terms of Service) Measure 2009. This form of holding office applies to all those appointed to office after the implementation date of 31 January 2011. It also applies to those who held office prior to that date but did not have a freehold post. Those who had the freehold at the date of implementation were invited to transfer to Common Tenure but were under no obligation so to do.

This means that following the implementation of the Measure and Regulations the Church of England has a variety of arrangements for tenure of office.

Clergy on freehold will be able to opt into Common Tenure at any point following the implementation date by writing to the Bishop of Lincoln.

You can find more about Common Tenure at [www.common tenure.org](http://www.common tenure.org)

### 2.1 Freehold

The traditional method of holding office in the Church of England – freehold office holders have included vicars and rectors as well as bishops, archdeacons and some cathedral clergy. All new appointments from 31 January 2011 will be to Common Tenure.

### 2.2 Common Tenure

The new method of holding office resulting from Ecclesiastical Offices (Terms of Service) Measure 2009, Common Tenure applies to both stipendiary and non-stipendiary or self-supporting priests, and to ordained local ministers.

Clergy who hold office under Common Tenure are entitled to a written Statement of Particulars that sets out the obligations and rights of office holders conferred by the Ecclesiastical Terms of Service Measure and Regulations. This is supported by this handbook which provides more detailed information<sup>4</sup>.

It should be noted that neither the Statement of Particulars nor this handbook are contractual and that the majority of parochial clergy remain holders of ecclesiastical office.

### 2.3 Qualified Common Tenure

Under *regulation 29* some Common Tenure posts are time limited and this is known as Qualified Common Tenure. It occurs in situations where the post is

- a. created to cover the absence of another office holder
- b. held by a member of clergy over the age of 70
- c. a training post
- d. subject to sponsorship funding

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<sup>4</sup> For the avoidance of doubt, the handbook contains a range of matters that apply to all clergy and that are not directly linked to clergy terms of service. Although not all sections apply to all clergy, many sections will apply to both stipendiary and non-stipendiary or self-supporting clergy, and ordained local clergy.

- e. probationary
- f. held under Bishop’s Mission Order
- g. held with another office or employment
- h. subject to limited leave to remain
- i. designated as a Locally Supported Ministry Post

A post may only be designated as a Locally Supported Ministry Post if

- It is held by an assistant curate who is not in sole or principal charge of the parish in which he or she serves;
- The PCC has entered into a legally binding agreement with the DBF to meet all the costs, including stipend, expenses, pension and housing;
- The office holder, the appropriate bishop and PCC have all given their consent in writing.

Under *regulation 30* an office may be designated as subject to potential pastoral reorganisation and the Statement of Particulars must contain a declaration of this designation. Should the office cease to exist, compensation will be based on the loss of one year’s service.

2.4 *Clergy and others **not** covered by Common Tenure*

- a. Those with permission to officiate (PTO)
- b. Non-stipendiary Readers, deaconesses and lay workers
- c. Clergy with contracts of employment with the Diocesan Board of Finance or other bodies

There are some posts that are likely to be classed as employment when considered under the legislation and therefore these posts are held on contracts of employment and not Common Tenure.

These include:

<i>Post</i>	<i>Employer</i>
Diocesan roles such as	DBF
Diocesan Director of Ordinands	
Director of CME	
Lincoln School of Theology	
Hospital, university, school chaplains	Institution, LCS or DBF
Clergy paid by the parish	PCC

These posts may have different terms and conditions from clergy who hold office under Common Tenure.

**3 Statement of Particulars**

- 3.1 The Statement of Particulars (SOP) is a factual statement of the basic terms and conditions of service that apply to the office holder of a particular office.

- 3.2 Under the Ecclesiastical (Terms of Service) Regulations 2009 the Bishop of Lincoln is required to nominate officer(s) to prepare the Statement of Particulars. The nominated officers for the Diocese of Lincoln are
- a. For parochial posts in the Archdeaconry of Lincoln, the Bishop of Grantham
  - b. For parochial posts in the Archdeaconry of Stow & Lindsey, the Bishop of Grimsby
  - c. For posts at Lincoln Cathedral, the Chapter Clerk and Chief Executive
  - d. For other posts, the Bishop of Lincoln
- 3.3 All clergy on Common Tenure will be issued a Statement of Particulars within one month of the date from which the office holder took up office or moved onto Common Tenure.
- 3.4 The information that must be provided in the Statement of Particulars is set out in the Ecclesiastical Offices (Terms of Service) Regulations 2009. Further information can be found on the Common Tenure website – [www.common tenure.org](http://www.common tenure.org)

#### **4 Role descriptions**

- 4.1 A role description describes a role at the time of writing. It describes what the role holder is required to do to carry out the role effectively and can be used for a variety of purposes:
- a. To provide a clear description of the role for applicants and those involved in the appointments process;
  - b. To clarify roles and responsibilities for existing role holders
  - c. To inform training and development needs
  - d. To inform Ministerial Development Review
- A role description is not mandatory under the Terms of Service legislation but a role description makes sense and is good practice in supporting clergy in developing their ministry. Role descriptions are also helpful when it comes to making appointments, to ministry development review (MDR) and should there be issues around grievance and capability. The archdeacons will work with clergy in developing and updating role descriptions.
- 4.2 Most dioceses have introduced role descriptions in parallel with the Statements of Particulars and a revised MDR process. The Diocese of Lincoln has involved clergy in the production of their own role descriptions through a series of workshops. These initial role descriptions will be refined through the MDR process.
- 4.3 Role descriptions will be revised when there is a vacancy. The archdeacon will review the role description with a priest about 6 months after taking up a new office.
- 4.4 In addition to the to the role description there are a number of other sources which define the role of the priest.
- 4.4.1 The Book of Common Prayer and Common Worship Ordinals, which describe the role of a priest in a number of different ways at ordination.
  - 4.4.2 Canon Law sets out church legislation which governs the way a priest should carry out their role.
  - 4.4.3 The Bishop's licence.

4.4.4 The Professional Code of Conduct for Clergy; this is a more recent document, produced by the Convocations of Canterbury and York, which provides guidance on acceptable conduct and can be found at [www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee.aspx](http://www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee.aspx)

4.4.5 Legislation of a more general nature that affects the role of the priest.

## **5 Stipend**

5.1 Full time stipendiary clergy are entitled to receive as a minimum an annual stipend of not less than the national minimum stipend or a stipend that together with any other income related to the office is not less than the national minimum stipend.

5.2 Part-time stipendiary clergy are entitled to a stipend that is determined in accordance with the Diocesan Stipend Policy.

5.3 The national minimum stipend is determined by the Archbishops' Council. Details can be sought from the Diocesan Pastoral Secretary.

## **6 Augmentation of stipends**

It is the responsibility of the Diocesan Board of Finance to ensure that all incumbents' stipends are made up to the Diocesan Minimum Stipend for incumbents after taking into account their income from the following:

- a. Guaranteed annuities and personal grants
- b. Parochial giving direct for stipends (including contributions towards the costs of heating, lighting and cleaning the parsonage house)
- c. Easter offering
- d. Fees (for services in the church or churchyard, and at a crematorium or public cemetery)
- e. Income from chaplaincies and public and educational appointments (after allowing for agreed expenses properly incurred in earning this income)
- f. Income from local trusts
- g. The computation of income for augmentation purposes does not include:
  - Spare-time income
  - Spouse's income
  - Private income
  - Approved working expenses

## **7 Allowances**

The Diocese may, at its discretion, pay a housing allowance to clergy who are not living in a diocesan house. Such an arrangement will be recorded in a Statement of Particulars.

## **8 Grants**

The Diocese pays the following grants to clergy.

### **8.1 *First appointment grant***

The Diocese pays a first appointment grant to clergy equivalent to 10% of the national minimum stipend. The amount payable from 1 April 2010 is £2040.

The first appointment grant is paid to assistant curates, deaconesses and licensed lay ministers taking up their first appointment and is intended as a contribution towards the cost of robes, theological books and any other equipment needed for the new appointment.

#### 8.2 *First incumbency grant*

The Diocese pays a first incumbency grant to clergy equivalent to 10% of the national minimum stipend. The amount payable from 1 April 2010 is £2040. The first incumbency grant is intended as a contribution towards expenses incurred in purchasing books, furniture and equipment required in order to perform the duties of an incumbent.

#### 8.3 *Removal grants and expenses*

The Diocese will pay the cost of moving house to take up a new appointment as follows:

8.3.1 Before contacting any removal companies, clergy are asked to contact the Diocesan Pastoral Secretary about arrangements and to obtain information about removal companies. The DBF's policy on removal expenses is to pay the lowest of three removal quotes. Clergy are asked to take advice from the Diocesan Pastoral Secretary before entering into any contract with a removal company. The DBF reserves the right to refuse to pay removal expenses of those clergy who enter into a contract with a removal company without the prior agreement of the DBF.

8.3.2 The Diocese pays a resettlement grant of 10% of the national minimum stipend for those taking up a full time stipendiary post in the Diocese. The resettlement grant is intended as a contribution towards the costs of setting up home, including the purchase of carpets and curtains and other similar items.

#### 8.4 *Continuing Ministerial Education grants*

Information about grants for Continuing Ministerial Education (CME) is available from the Director of CME; the policy about CME grants is currently under review.

Guidelines on amounts available and the conditions governing grants can be found on the Diocesan website at [www.lincoln.anglican.org/cme](http://www.lincoln.anglican.org/cme)

### **9 Parochial fees**

9.1 Incumbents are entitled to receive fees in accordance with the Parochial Fees Order made under the Ecclesiastical Fees Measure 1986. The Terms of Service legislation makes no changes to these arrangements for freehold incumbents, although the Church of England is considering a new policy for parochial fees.

9.2 Clergy have been able to decide, on appointment as incumbent or priest in charge, whether to assign their fees to the Diocesan Board of Finance. This situation is expected to change shortly as a result of new legislation (see 9.1, above), and statements of particulars and this handbook will be amended to take account of any changes.

9.3 Whether clergy assign fees due to them or not, they must report all fees received to the DBF. If fees are *not* assigned then the amount received in fees will be taken into account in calculating the stipend that is to be paid.

- 9.4 If fees have been assigned, they should be sent to the accounts office at Church House in Lincoln at the end of each quarter, accompanied by a completed remittance slip. If the quarterly report is not received, the DBF reserves the right to make a reasonable adjustment to stipend to reflect fees likely to have been received until such time as the quarterly reports are received by the DBF.
- 9.5 If fees are retained, they should be reported annually through the prompt completion of form PUB/PUM supplied by the Church Commissioners through the Diocesan Office.
- 9.6 The Ecclesiastical Fees (Amendment) Measure was given final approval by General Synod in February 2010 and has been found expedient by the Ecclesiastical Committee of Parliament. This Measure clarifies the powers to waive fees and abolishes all ecclesiastical fees for funerals of those under the age of 16. Until the Measure receives Royal Assent, clergy should take the advice of their archdeacon about waiving fees.

The relevant archdeacon should be consulted with regard to the fees associated with clergy and their families.

## **10 Expenses**

- 10.1 The Central Stipends Authority's annual recommendations for the level of stipends are made on the basis that parochial expenses are reimbursed in full. If, therefore, clergy do not claim all their expenses, or their expenses are not fully reimbursed, the value of the stipend will effectively be reduced. PCCs should be committed to reimbursing clergy expenses in full.
- 10.2 The Statement of Particulars for those on Common Tenure sets out the entitlement to be reimbursed for expenses reasonably incurred in connection with carrying out the office. It also makes it clear that reimbursement is the responsibility of the PCC(s).
- 10.3 A booklet that gives guidelines to parochial clergy and PCC treasurers about the reimbursement of expenses is available from the Church of England website using the following link: [www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee/the-parochial-expenses-of-the-clergy.aspx](http://www.churchofengland.org/clergy-office-holders/remuneration-and-conditions-of-service-committee/the-parochial-expenses-of-the-clergy.aspx)
- 10.4 The DBF recommends that the HMRC rates for mileage be used.  
General guidance can be found at [www.hmrc.gov.uk/mileage/](http://www.hmrc.gov.uk/mileage/)  
The rates for the current year, including those for cycling, can be found at [www.hmrc.gov.uk/paye/exb/a-z/m/mileage-expenses.htm](http://www.hmrc.gov.uk/paye/exb/a-z/m/mileage-expenses.htm)
- 10.5 Clergy are asked to seek advice from the relevant archdeacon if they encounter problems with the reimbursement of expenses. The archdeacons are also willing to advise parishes on how to apportion expenses between PCCs in multi-parish benefices.

## **11 Termination of appointment**

### **11.1 *Full Common Tenure***

The term of the office may only be terminated on the following grounds:

- 11.1.1 Resignation: clergy are required to give written notice of not less than 3 months to resign their office but this is variable by agreement with the Area Bishop.
- 11.1.2 Capability: the Bishop of Lincoln is required to give written notice of not less than 3 months to remove a member of clergy from office following a decision to do so under the capability procedure.
- 11.1.3 Discipline: a member of clergy can be removed from office following a finding of guilt under the Ecclesiastical Jurisdiction Measure 1963 or the Clergy Discipline Measure 2003.
- 11.1.4 Death
- 11.1.5 Reaching retirement age: the office terminates when the office holder reaches the retirement age specified in relation to the office in the Ecclesiastical Offices (Age Limit) Measure 1975 (the office holder's 70<sup>th</sup> birthday) or the expiration of any period in which the office holder is permitted to remain in office after retirement age.
- 11.1.6 The office ceases to exist because of a pastoral scheme or order.
- 11.1.7 The office is designated as held in conjunction with another office or employment which ceases to exist.
- 11.1.8 Where the office holder is a priest in charge and the vacancy ends.

### **11.2 *Qualified Common Tenure***

In addition to the reasons given in section 11.1 above, Qualified Common Tenure may be terminated at the expiry of a fixed term.

- 11.2.1 Under Common Tenure a person may be appointed to office for a fixed term or under terms which allow the office to be terminated on the occurrence of a specified event. The circumstances under which this Qualified Common Tenure can be used are set out in paragraph 2.3 of the handbook.
- 11.2.2 Where a qualified Common Tenure post is terminable under specified circumstances or is fixed term, the circumstances or end date of the fixed term must be included in the statement of particulars.
- 11.2.3 For Qualified Common Tenure appointments the compensation for loss of office is limited to a maximum of one year under schedule 4 of the Pastoral Measure.

## **12 Housing**

The majority of clergy are required, for the better performance of their duties, to live in accommodation provided. The archdeacons take the lead in supporting clergy and their families in matter relating to housing.

### 12.1 *Incumbents (both freehold and Common Tenure)*

Incumbents generally occupy the parsonage house owned by the benefice. This is subject to the rights and duties set out in the Repair of Benefice Buildings Measure 1972 and its code of practice.

The same principles are applied to incumbents who are living in other housing provided by the Diocese regardless of legal tenure.

### 12.2 *Other clergy*

Every office holder who holds a full time office for which he or she is entitled to receive a stipend, other than an Incumbent, is entitled under the Ecclesiastical Offices (Terms of Services) Measure to be provided by the relevant housing provider with accommodation reasonably suitable for the purpose. This is known as the house of residence. It is occupied for the better performance of the duties of the office holder. It does not create a relationship of landlord and tenant between the relevant housing provider and the office holder.

The office holder's particulars of office may stipulate that a part-time office holder shall be provided with accommodation. If this is the case he or she shall be entitled to the provision of accommodation on the same basis as a full-time office holder.

The right to the provision of accommodation is subject to any different agreement reached with the office holder and set out in the office holder's particulars of office.

Details relating to the provision of housing and the duties and responsibilities of the housing provider and officer holder can be found at

[www.lincoln.anglican.org/clergy\\_housing](http://www.lincoln.anglican.org/clergy_housing) ((Click ok – file is not harmful)).

Permission for non-residence should be discussed, as appropriate, with the appropriate area bishop.

### 12.3 *Vacating the premises*

Clergy are required to vacate the house within one month of vacating office or within such longer period as may be allowed. The legal responsibility is that of the Diocesan Board of Finance, but clergy should write to the Bishop of Lincoln to request to stay beyond one month.

An additional period of up to two further months may be allowed depending upon the circumstances, and a licence to occupy may be required.

If an office holder dies whilst occupying the property, any member of his or her household living in the property at the time of his or her death will be required to vacate the property within 3 months of the date of the office holder's death or such longer period as may be agreed. An application to stay longer than 3 months should also be addressed to the Bishop of Lincoln.

### 12.4 *Removals*

Please refer to section 8.3 of this handbook for further information.

## **13 Ministerial Development Review**

- 13.1 MDR is about having a guided discussion framed round the office holder's ministry. It should allow reflection on the last two years and the opportunity to plan for the future.

13.2 The basis and purpose of ministerial development review is best summarised by quoting from the Ministerial Development Review interim guidance booklet:

‘Ministerial development review is founded on the assumption that all office holders are responsible to God for the ministry entrusted to them and that they are accountable to the Church and to one another for the way in which it is exercised. Ministry is a gift and a trust for which each individual holds account. Accountability is about preparedness to grow and develop on the basis of experience and the learning gained from it. It is also about how the work is done and how individual ministry can make a real difference. It is about affirmation and encouragement as well as challenge’.

13.3 Under the legislation establishing Common Tenure, the Bishop is required to provide a scheme for Ministerial Development Review. Each office holder is required to cooperate and participate.

13.4 In providing a scheme, the Bishop has to have regard to guidance offered by the Archbishops’ Council.

13.5 Each diocese is able to develop its own scheme which incorporates principles which have been established nationally. It is important to develop a scheme that supports clergy in the development of their ministry. The national principles are that

- MDR should be available to all office holders;
- MDR should be carried out not less than once every two years;
- reviewers to be appointed by the Bishop;
- reviews should be ‘one to one’;
- MDR should include written feedback from a range of those who know about the person’s ministry;
- a review should result in objectives being set; and
- the review should be recorded.

13.6 A bishop is charged at his consecration to love and pray for those committed to his charge and to know and be known by his people.

Ministry Development Review is one means through which the Bishop seeks to exercise his responsibility. There is a deep recognition of the pressures which the clergy experience and of the need to provide appropriate and effective pastoral care for the clergy, as the role of the parochial clergy has become very demanding. Fewer stipendiary clergy have to try to meet the continuing requests for ministry, yet, at the same time, society has become less supportive and more questioning of the Christian faith. Clergy are at the sharp end of these changes and there is a pressing need to give them support in their roles.

In the Diocese of Lincoln we refer to this review as Supported Developmental Review (SDR), taking the view that review should not be seen in isolation from the rest of one’s ministry. Although the area bishops take the lead for overseeing the provision of SCR, the process is led by the Director of CME and initial contact about the scheme should be directed to that officer.

SDR is an opportunity to review one's ministry with the support of an external consultant, with the aim of affirming the strengths of what is being done, identifying areas for development and the ways in which these can be addressed.

Once the agreed summary of the SDR is signed by the reviewer and the minister, a copy goes to the appropriate area bishop.

Full details of the scheme can be found at [www.lincoln.anglican.org/mdr](http://www.lincoln.anglican.org/mdr)

- 13.7 SDR replaces any previous arrangements for review of ministry. Whilst those on Common Tenure are required by the legislation to take part, the bishops hope that all clergy, including those who choose to retain their freehold office, will take advantage of the new SDR scheme.

## **14 Continuing ministerial education**

Regulation 19 of the Ecclesiastical Offices (Terms of Service) Regulations requires bishops to offer continuing ministerial education to office holders.

Continuing ministerial education is about equipping and developing the Church's ministers in order that they may stimulate and enable the whole Church to participate more fully in the mission of God in the world. It involves fostering a culture of lifelong learning which applies to clergy, readers and licensed lay ministers.

### **14.1 *Aims for continuing ministerial education (CME)***

- 14.1.1 To provide, resource and encourage professional development in ministry.
- 14.1.2 To help clergy to engage in dialogue with scripture and tradition and to develop the skills of critical theological reflection.
- 14.1.3 To assist clergy to understand the society of today and how the gospel may be interpreted in relation to the key issues.
- 14.1.4 To promote and sustain ministerial flourishing in all licensed ministers across the Diocese. Ministerial flourishing is seen in the context of the flourishing of all creation which is a fundamental expression of the Mission of God.
- 14.1.5 To assist ministers to exhibit and demonstrate creativity, confidence and competence.

### **14.2 *Expectations***

The bishops in the Diocese expect that clergy and other ministers will set aside regular time for study and for professional development in ministry.

Consideration of continuing education and professional development is a key aspect of Ministerial Development Review.

Clergy are expected to access CME resources and opportunities in such a way as to promote their spiritual and emotional well-being, their theological enrichment and their effectiveness in ministry and mission.

All clergy are expected to participate in at least two days of CME each year, or such additional time as may be identified during the process of MDR. This is in addition to an annual retreat.

Although the Director of CME provides some CME opportunities, clergy are encouraged to use their initiative in finding opportunities that will meet their discerned needs and to use the grant system and other resources to facilitate this.

### 14.3 *Current CME programme and grants*

Details of the current programme of CMD events are available from the Director of CME or can be accessed on the Diocesan website at [www.lincoln.anglican.org/cme](http://www.lincoln.anglican.org/cme)

### 14.4 *Sabbatical leave*

The opportunity to devote time to a period of study or a personal project, which includes rest completely free from parish duties, can be an enriching and affirming experience. It need not necessarily be for a long period, though a month would be the minimum for any real benefit. For some, it may only prove possible when a person is between jobs, but it should be a period genuinely away from the demands of day-to-day work.

As part of the CME provision, the Diocese of Lincoln offers a limited number of sabbaticals for clergy each year. Candidates for sabbaticals will normally be nominated through the MDR scheme. Nominated candidates should meet with the Director of CME to prepare a proposal for sabbatical leave for submission to the appropriate area bishop.

Further information can be found at [www.lincoln.anglican.org/cme](http://www.lincoln.anglican.org/cme)

## **15 Well-being**

There are significant differences between being an office holder and being an employee. The 'duty of care' for oneself is one area where the differences become evident. The office holder has responsibility for the duties of the office until that office is vacated and must make reasonable efforts to see that those duties are carried out during days off or periods of leave that may involve finding cover. However, the office holder also has considerable freedom to decide how those duties are to be carried out, and in the use of time.

The office holder therefore needs to find a balance between the duties of the office and his or her own well-being. The Bishop and his staff will want to support all clergy in finding this balance, and ensure that they do not add unreasonably to their workload. However, it is the office holder who ultimately has the responsibility for working in ways which are conducive to his or her own well-being.

Clergy are encouraged to develop and maintain a good work-life balance. Ordained ministry is demanding – physically, emotionally, mentally and spiritually. No priest can ever 'switch off' his or her vocation and calling to serve Christ. However, periods of rest, refreshment and time off are essential and should be taken.

The demands of ministry can be both stressful and also physically demanding. The bishops hope and expect clergy, as office holders, to take personal responsibility in nurturing and caring for themselves. Days off, holidays, retreats and periods of rest are vital elements in staying mentally and physically fit. Clergy should contact the archdeacon at an early stage if they find that they cannot create an appropriate balance between work and rest.

## **16 Annual leave**

16.1 Clergy as officer holders are responsible for planning their working lives and ensuring that sufficient time is allowed for holiday and rest. The bishops and archdeacons will support the clergy to achieve a proper balance.

16.2 Clergy are encouraged to discuss and co-ordinate their holiday plans and days off with fellow clergy in the benefice, group, cluster or chapter, and to plan holiday absence so that proper provision for cover can be organised. As office holders, it is

their responsibility to organise cover for periods of absence from the parish, including liaison with funeral directors.

- 16.3 Clergy are encouraged to work collaboratively with their rural dean by sharing with them any plans for leave and absence.
- 16.4 Churchwardens and PCCs are encouraged to support their clergy in taking time off in accordance with this guidance.
- 16.5 Clergy are encouraged to take time for an annual retreat (it is suggested that this should not exceed six days) and for CME. Retreats and CME should be considered as features of ministerial formation and should not be regarded as leave.
- 16.6 It is good practice for clergy to ensure that lay leaders are aware when they are going to be away from their benefice for significant periods of time.
- 16.7 Where there is any uncertainty about the appropriateness of clergy having time away from the parish this should be clarified with the involvement of the archdeacon.

#### 16.8 *Clergy on Common Tenure*

16.8.1 Full time clergy on Common Tenure are entitled to at least 36 days annual leave in each leave year, in addition to bank holidays (New Year's Day, Easter Monday, early May bank holiday, spring bank holiday, summer bank holiday and Boxing Day).

16.8.2 Part-time clergy are entitled to periods of rests, holiday and retreat as described in their Statement of Particulars.

16.8.3 In addition full time clergy may not normally take annual leave on any of the principal feasts of the Church of England as set out in Canon B6 paragraph 2 (except after consultation with the bishop or archdeacon). Annual leave should normally be arranged so as to ensure that the responsibilities of your office are exercised effectively throughout the year. Days off in lieu for Christmas Day and Good Friday are included within the 36 days entitlement.

#### 16.9 *Clergy remaining in freehold offices*

For clergy in freehold offices, holiday arrangements continue as before Common Tenure was introduced.

### **17 Rest period**

- 17.1 Clergy on Common Tenure are entitled to a minimum rest period of 24 hours (a day off) within any 7 days. Although this is not an entitlement for clergy in freehold offices, it is the policy of the Diocese to encourage all clergy to take this rest period (day off).
- 17.2 These days off may not be taken on any of the principals feasts of the Church of England (except after consultation with the bishop or archdeacon). Days off should normally be arranged so as to ensure that the responsibilities of your office are exercised effectively throughout the year.

### **18 Special leave**

Special leave is usually granted on compassionate grounds. It is subject to the Bishop's discretion and should be applied for by contacting the appropriate area bishop.

## 19 Entitlement to statutory maternity, paternity and adoption pay

Stipendiary office holders are entitled to statutory maternity, paternity and adoption pay in the same way as employees, by virtue of their payment of National Insurance contributions. This applies to office holders on freehold and Common Tenure.<sup>5</sup>

### 19.1 *Maternity pay*

19.1.1 For employees, statutory maternity pay (SMP) is payable for 39 weeks, at two different rates:

- for the first 6 weeks, 90% of normal weekly earnings;
- for the remaining 33 weeks £124.88 per week or 90% of normal weekly earnings, whichever is the lower.

For a woman to be eligible for SMP, the following conditions must be satisfied:

- She must have been continuously employed for at least 26 weeks at the end of the Qualifying Week (the fifteenth week before the Expected Week of Childbirth ('EWC')). For office holders paid through NCIs' Clergy Payroll Services the number of weeks on the payroll is, in practice, treated as continuous service for this purpose;
- Her normal weekly earnings are at least the lower earnings limit ('LEL') for National Insurance purposes (£97 from 6 April 2010);
- She must give at least 28 days' notice (or as much notice as is reasonably practicable) of the date she intends SMP to start;
- She must still be pregnant 11 weeks before the start of her EWC, or have already given birth;
- She must supply, no more than 3 weeks after the birth, a certificate from a midwife or doctor confirming the date of her EWC;
- She must have ceased to work.

19.1.2 Diocesan maternity pay for office holders

The arrangements for office holders reflect those for employees.

### 19.2 *Paternity pay*

19.2.1 For employees, statutory paternity pay is paid during periods of statutory paternity leave (see paragraph 22.2 below) at the prescribed rate set by the Government each tax year or 90% of the individual's normal weekly earnings (whichever is the lower)

The eligibility conditions are that the individual

- must have been continuously employed between the Qualifying Week and the child's birth;
- must have at least 26 weeks' continuous service at the end of the Qualifying Week;

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<sup>5</sup> The information in this paragraph is believed to be correct in January 2011, although the Government has recently announced a review of entitlements to pay and leave.

- is the father of the child or is married to, the civil partner or the partner of the child's mother;
- has, or expects to have, responsibility for the child's upbringing or (if not the child's biological father) expects to have main responsibility other than that of the mother for the child's upbringing;
- is absent for the purpose of caring for the child, or supporting the mother in her care of the child;
- must have had normal weekly earnings of at least the LEL over the 8 weeks ending with the Qualifying Week;
- have ceased to work.

#### 19.2.2 Diocesan paternity pay for office holders

The arrangements for office holders reflect those for employees.

### 19.3 *Adoption pay*

19.3.1 For employees, statutory adoption pay mirrors SMP, except that the rate of pay is 39 weeks at the prescribed rate set by the Government each tax year or 90% of the individual's normal weekly earnings (whichever is the lower).

The qualifications for statutory adoption pay are

- the individual must be the child's adopter;
- the individual must have continuous service for at least 26 weeks ending with the week the adopter is notified of being matched with a child;
- the individual must have agreed the date of placement with the adoption agency;
- over the eight weeks ending with the date on which the adopter is notified of the match, the individual must have had normal weekly earnings of at least the LEL;
- the individual must have ceased to work.

Within 7 days' of being matched with a child, the adopter must notify the employer of the expected date of placement and the date the individual intends the adoption leave to start.

#### 19.3.2 Diocesan adoption pay for office holders

The arrangements for office holders reflect those for employees.

19.3.3 Either partner may receive adoption pay, but not both. The other partner may receive adoption pay, if they have been continuously employed for the period between the end of the week in which the adopter is notified of being matched and ending with the day on which the child is placed for adoption and subject to eligibility conditions.

## **20 Entitlement to maternity, paternity, adoption and parental leave**

20.1 Office holders do not have a corresponding entitlement to unpaid maternity, paternity, adoption and parental leave. The Archbishops' Council in the exercise of its function as Central Stipends Authority has made directions for the grant of such maternity, paternity, adoption and parental leave for those under Common Tenure

as employees are entitled to under the Employment Rights Act 1996. The periods and conditions of such leave are the same as for employees.

20.2 An office holder who exercises any entitlement to leave under the directions shall in consultation with a responsible person or authority, use all reasonable endeavours to make arrangements for the duties of the office to be performed by another person or persons during the period of leave.

20.3 *Maternity leave*

In addition to paid maternity leave clergy women or licensed lay workers may wish to take an additional 13 weeks' unpaid maternity leave after the end of the period of paid maternity leave.

In accordance with the recommendation of the CSA the Diocese gives clergy and licensed lay workers as the right to return to work regardless of length of service following their maternity leave.

20.4 *Paternity leave*

The individual is entitled to a maximum of 2 weeks within 56 days after the birth, subject to the same qualifying conditions that apply to statutory paternity pay and leave.

20.5 *Adoption leave*

In addition to paid adoption leave clergy or licensed lay workers may wish to take an additional 13 weeks' unpaid adoption leave after the end of the period of paid adoption leave.

20.6 *Parental leave*

20.6.1 The Diocese allows clergy and licensed lay workers to take parental leave, subject to the same conditions and eligibility criteria as applied by statute to employees.

20.6.2 The objective of parental leave is to enable employees with parental responsibility to have time off to spend time with and to look after a child, or to make arrangements for the child's welfare.

20.6.3 Individuals are entitled to a maximum of 13 weeks unpaid leave (of which up to 4 weeks may be taken in any one year) before the child's 5<sup>th</sup> birthday or the 5<sup>th</sup> anniversary of the child's adoption. If the child is disabled, the entitlement is increased to a maximum of 18 weeks to be taken before the child's 18<sup>th</sup> birthday or the 18<sup>th</sup> anniversary of the child's adoption.

20.6.4 Leave must normally be taken in blocks of one week or more, up to a maximum of four weeks in a year for each child. If less than a week were taken at a time, under the statutory scheme, this would count as a whole week. However, parents of disabled children can take leave in blocks or multiples of one day.

20.6.5 The eligibility conditions are as follows:

- the individual must have at least one year's continuous service;
- the individual must have, or expect to have, responsibility for the child;

- the individual must have given at least 21 days' notice of intention to take leave; and
- the employer must not have postponed the leave.

20.6.6 Leave may be postponed by the Diocese for up to six months from the date requested where it is considered that an office holder's absence would be unduly disruptive. If, because of postponement, the period of parental leave falls after the child's 5<sup>th</sup> birthday, the employee is entitled to take leave after that date.

Leave cannot be postponed where an office holder gives notice to take parental leave immediately after the time a child is placed with the family for adoption or the birth of a child.

20.6.7 The Diocese has the right to request sight of evidence that the office holder is the parent of a child or has parental responsibility for the child. Examples of what might be considered suitable evidence are:

- information contained on the child's birth certificate;
- papers confirming a child's adoption or the date of placement in adoption cases;
- in the case of a disabled child, the award of disability living allowance for the child.

20.6.8 At the end of any parental leave of up to 4 weeks' duration, an office holder is guaranteed the right to return to the same role as before.

If the leave is for a longer period than 4 weeks, the employee is entitled to return to the same role, or, if that is not reasonably practical, to a similar role, with similar or better conditions.

20.6.9 If parental leave follows additional maternity leave, and it would not have been reasonably practical for the woman to return to her previous role, and it is still not reasonably practical at the end of parental leave, she is entitled to return to a similar role which has the same or better status, terms and conditions as the old role.

## 20.7 *Pensionable service*

All unpaid maternity, paternity, adoption and parental leave is pensionable, and pension contributions will continue to be paid during this period.

## **21 Time off for dependants**

21.1 An office holder may make a request to the appropriate area bishop, to allow him or her to take time off work or make adjustments to the office to care for a dependant.

21.2 For the purpose of the right to time off, a dependant is defined as follows:

'A partner, child or parent of the employee, or someone who lives with the employee as part of their family (eg, elderly aunt or grandparent)'

In cases of illness or injury, or where care arrangements break down, a dependant may also be someone who reasonably relies on the employee for assistance. This may be where the employee is the primary carer or is the only person who can help in an emergency.

- 21.3 The request should be made in writing.
- 21.4 The appropriate area bishop must consider the request and may agree to any adjustments or time off as they consider reasonable. There is no obligation to agree to the request, and the appropriate area bishop may impose conditions including an appropriate variation in stipend.

## **22 Time off for public duties**

- 22.1 Office holders are entitled to reasonable time off for public duties. The appropriate area bishop should be consulted in order to determine what is reasonable. This does not include time off for activities that would normally be considered to be part of the office.
- 22.2 Public duties are defined as:
- any work done for a public authority including membership of a court or a tribunal, or for a charity within the meaning of the Charities Act 2006 or a registered friendly society;
  - work done in connection with the activities of an independent trade union representing office holders of a description which includes the person in question.

## **23 Jury duty**

On receipt of notice of jury service, clergy should inform the archdeacon and those with whom they share their ministry (eg, the rural dean and the churchwardens), giving notice of the likely period of jury service.

Clergy are expected to claim the attendance allowance which will be paid on a net pay basis.

Clergy should send a loss of earnings form (provided by the Court) to the Church Commissioners' Clergy Payments Department for completion before jury service starts. Clergy Payments will then send the completed form back to enable the allowance to be paid.

When jury service is completed, clergy should inform the DBF of the amount of attendance allowance received. The DBF will then instruct Clergy Payments to reduce the stipend by the amount of the net pay saved, 'grossed up' for tax and National Insurance contributions.

## **24 Sickness**

Office holders must use all reasonable endeavours to make arrangements for the duties of the office to be covered by another person.

### **24.1 *Sickness policy***

24.1.1 When an office holder becomes ill and is unable to perform their duties they should notify the appropriate area bishop (as the nominated officer), or arrange for the area bishop to be notified. The area bishop will notify other people as necessary and appropriate. If the sickness is likely to interfere with public duties, then the churchwardens should be informed and asked to liaise with the rural dean about finding cover.

24.1.2 If an office holder is ill for more than three working days, a self certified sick leave form should be completed and sent to the Diocesan Pastoral

Secretary, who will inform the Church Commissioners on their behalf. The self-certified sickness form can be found at <http://www.hmrc.gov.uk/forms/sc2.pdf> (Click ok – file is not harmful).

This information is required in connection with the administration of stipend.

- 24.1.3 If the period of sickness extends for more than seven days, a Statement of Fitness for Work, often known as a 'sick note' or 'fit note' must be obtained from a GP and submitted to the Diocesan Pastoral Secretary for onward submission to the Church Commissioners in connection with the administration of stipend.
- 24.1.4 The rural dean (or incumbent, in the case of an assistant curate) will notify the appropriate area bishop of an office holder's illness, if there is any doubt that the area bishop has been informed (see 24.1.1, above).
- 24.1.5 Once notified, the area bishop will make contact with the office holder to determine the nature of the illness, any further support required, and visit as necessary.
- 24.1.6 When an office holder is deemed unfit for work by their GP, any involvement with work should be informed by information received from the GP, in the Statement of Fitness. In the case of longer term sickness absence, a GP may indicate that some work activity would be beneficial in the statement. In such a circumstance, the office holder and the area bishop will identify what work, if any, can be safely undertaken, in accordance with the advice of the GP.
- 24.1.7 For any period of longer term sickness, the archdeacon will keep in touch with the office holder to assess progress and to see if an occupational health referral should be made. An occupational health referral will normally be made at 26 weeks of absence.
- 24.1.8 After any period of extended sickness and once an office holder has been deemed fit for work by their GP; they should notify the appropriate area bishop that they are ready to return to work. The bishop will discuss with the office holder any issues around resuming their duties.
- 24.1.9 If after an extended period of sickness, an office holder is being advised by their GP, or as an outcome of an occupational health referral, to consider early retirement, advice and support regarding the process will be available from the appropriate area bishop.
- 24.1.9 Application for resignation on the grounds of ill-health should be made to the Bishop of Lincoln.

## 24.2 *Sickness payments*

- 24.2.1 All stipendiary clergy are entitled to payment of statutory sick pay by virtue of the payment of National Insurance contributions.
- 24.2.2 In order to comply with the statutory requirements for statutory sick pay clergy must report sickness absence as set out above. Further medical certificates must be obtained in a timely fashion, and forwarded to the Diocesan Pastoral Secretary promptly.
- 24.2.3 Clergy are entitled to receive in full any stipend which is payable in respect of their office if they are entitled to receive statutory sickness payments under

part XI of the Social Security and Contributions and Benefits Act 1992. The payment of full stipend will include the entitlement to Statutory Sick Pay (SSP).

24.2.4 SSP is payable for 28 weeks in respect of any one period of incapacity for work. One period of incapacity can be linked to another if they are separated by no more than 56 days. The linked periods constitute a single period for the purpose of calculating the maximum entitlement.

24.2.5 If the sickness absence continues beyond the date when entitlement to SSP ceases, the continued payment of stipend will be at the discretion of the Bishop. Full stipend will be paid until the 28<sup>th</sup> week of absence, after which the Bishop has the following discretion:

- To reduce the stipend by up to 50%
- To reduce the stipend by the amount of benefit received and any other allowances

Current diocesan practice will be to reduce stipend by the amount of benefit received in order to maintain the equivalent of a full stipend.

24.2.7 In cases where the payment continues, it shall be reviewed every three months in the light of the medical evidence available.

24.2.8 After 28 weeks of SSP, the office holder is entitled to claim Employment and Support Allowance (ESA) directly from the Government. Office holders will be notified by the Church Commissioners' Clergy Payments Department when SSP ceases and will be given information on how to claim ESA.

24.2.9 There is no entitlement to SSP during a phased return to work.

24.2.10 Where there is no prospect of the individual returning to work in the near future and all reasonable efforts have been made to resolve the situation, a decision may be taken by the Bishop to cease payment of the stipend.

## **25 Pension**

25.1 The service of stipendiary clergy is pensionable within the Clergy Pensions Scheme.

25.2 Non-stipendiary clergy and ordained local ministers are not covered by the Clergy Pensions Scheme.

25.3 If clergy retire at normal pensionable age and have acquired full-time pensionable service in the Church of England, a full pension (which from 1 April 2010 will be £13,486 pa plus a lump sum retirement benefit of £40,458) will be paid.

If, when retiring, clergy have less than full pensionable service, the pension and lump sum will be reduced appropriately. Pensions are linked to the national minimum stipend for incumbents and are reviewed annually by the Church of England Pensions Board, with any increase being paid from 1 April.

25.4 Under the Ecclesiastical Office (Age Limit) Measure 1975, clergy automatically vacate office on the day they attain the age of 70 (if they have not voluntarily retired earlier). With effect from 1 January 1992, all new entrants to the clergy pensions' scheme had a minimum normal pension age of 65. In 2010, clergy pension arrangements were reviewed and from 1 January 2011 the retirement age will increase to 68. For further details of changes to the Pension scheme see the Pensions

Board website at [www.churchofengland.org/clergy-office-holders/pensions-and-housing.aspx](http://www.churchofengland.org/clergy-office-holders/pensions-and-housing.aspx)

25.5 Clergy may retire earlier on a clergy pension within 5 years of normal retirement age.

25.6 Early retirement may also take place because of permanent ill health.

25.7 *Additional voluntary pensions contributions*

25.7.1 Scheme members can buy an increased pension by making additional voluntary contributions for this purpose.

25.7.2 There is an approved supplementary pension scheme operating under the Church of England Pensions Measure. This scheme enables clergy to save regularly on a voluntary basis. They will obtain full income tax relief on the amounts saved at the highest rate of tax they paid on earned income, and savings will accumulate in a fund free of tax on income and capital gains.

25.7.3 The benefits built up by the savings will eventually emerge at retirement as tax-free cash sum or a pension, which will be in addition to any other benefits the priest is going to receive. As substantial tax reliefs are available, the contributions and benefits are subjected to certain limits set by HMRC.

25.8 For details, see the Pension Board website (see above).

25.9 From 1 January 2011 a number of changes to the scheme will be implemented. The information on the website will be updated to incorporate these alterations.

The changes are summarised below:

- The Clergy Pensions Scheme will be contracted into the State Second Pension Scheme (S2P). This means that clergy will receive S2P in addition to the basic state pension. The full clergy pension will, in consequence, reduce from two-thirds of National Minimum Stipend (NMS) to half of NMS for future service. This means members will thereby earn a smaller scheme pension but a higher state pension for future service. This change will have a broadly neutral effect on total pension entitlement from all sources.
- The Archbishops' Council, acting as the Central Stipends Authority, will adopt a policy that the NMS will, in future, increase on average in line with annual changes in the Retail Prices Index (RPI), subject to the need to review the position if high levels of inflation establish themselves and also once the deficit on the pensions fund has been cleared.
- The accrual period for future service from 1 January 2011 will be 41½ years rather than 40 years.
- In the context of the wider ill-health proposals endorsed by Synod in February 2010, the CEFPS rule has been amended, so that, in future, standard ill-health retirement pension will be based upon years earned without reduction for early payment plus a graduated enhancement calculated according to completed years of service.
- Pension rights in relation to civil partners will be the same as for spouses.

## **26 Retirement housing**

26.1 The Church's Housing Assistance for the Retired Ministry (CHARM) came into operation in 1983; the Pensions Board is able to assist beneficiaries with retirement accommodation through the Shared Ownership Scheme, with rental properties or in Supported Housing Schemes (formerly known as residential homes).

For details see

[www.churchofengland.org/clergy-office-holders/pensions-and-housing/housing.aspx](http://www.churchofengland.org/clergy-office-holders/pensions-and-housing/housing.aspx)

26.2 The Pensions Board administers over 1000 properties which are available from time to time for letting to retired clergy or their widows/widowers who cannot afford, even with help of the pensions Board's equity sharing scheme, to buy a house of their own. Occupants are required to pay a maintenance contribution which is a restricted percentage of gross income.

If occupants have exceptionally high costs or low income, smaller contributions may be allowed at the discretion of the Board.

26.3 Details of the equity sharing mortgage scheme are obtainable from the Pensions Board. The Board can extend a loan on an equity-shared basis to all clergy normally from 62 years of age – thus helping clergy to buy a house in advance of retirement. Lower age limits apply in certain cases: the Pensions Board will advise on individual circumstances.

## **27 Disciplinary measures**

The disciplinary rules and procedures which apply to clergy on both freehold offices and Common Tenure are contained in the Ecclesiastical Jurisdiction Measure 1963 and the Clergy Discipline Measure 2003.

Further information can be found at

[www.churchofengland.org/about-us/structure/churchlawlegis/clergydiscipline.aspx](http://www.churchofengland.org/about-us/structure/churchlawlegis/clergydiscipline.aspx)

## **28 Capability procedure**

As part of Common Tenure, a procedure for dealing with capability issues has been introduced for those who hold office under Common Tenure.

Details of this procedure can be accessed at [www.common tenure.org](http://www.common tenure.org)

## **29 Grievance procedure**

Common Tenure also introduces a new procedure for dealing with grievances.

Details of this procedure can be accessed at [www.common tenure.org](http://www.common tenure.org)

## **30 Pastoral care and counselling**

To seek help at times of personal crisis and stress is a sign of strength not weakness. Moreover, for some people, skilled and professional help at an early stage can be the factor that prevents a major breakdown with all the hurt and waste that can involve. Therefore, it is important that clergy and their partners should know where appropriate help is available.

Clergy may wish to see the advice at [www.lincoln.anglican.org/clergy\\_counselling](http://www.lincoln.anglican.org/clergy_counselling)

## **31 Spiritual direction**

[to be added]

### **32 Grants**

Grants to assist clergy in a wide variety of circumstances are available from a number of institutions. In applying for help, it is important to apply to those sources most likely to give appropriate help. In the first instance, clergy should contact the archdeacon for advice on the possible availability and sources of support.

### **33 Holiday accommodation**

[to be added]

### **34 Other guidance and policies**

References to other guidance, information and policies available on the Diocesan website and elsewhere will be added from time to time.

Please contact the [Archdeacon of Lincoln](#) if you wish to suggest useful links.

### **35 Training posts**

[to be added]

*Issued on 31 January 2011*