

## FAMILY LEAVE

The material on this website and 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.

### **INCORPORATING POLICIES AND PROCEDURES FOR:**

- **MATERNITY LEAVE AND PAY,**
- **PATERNITY LEAVE AND PAY,**
- **ADOPTION LEAVE AND PAY,**
- **SHARED PARENTAL LEAVE<sup>[EL1]</sup>,**
- **PARENTAL LEAVE,**
- **TIME OFF TO CARE FOR DEPENDANTS,**
- **RIGHT TO REQUEST ADJUSTMENTS TO DUTIES TO CARE FOR DEPENDANTS**

### **MINISTRY AND FAMILIES POLICY**

**Provisions:** The diocese has adopted the Central Stipends Authority recommended Provisions (as incorporated under the Ecclesiastical Offices (Terms of Service) Directions 2010) for maternity leave and pay, paternity leave and pay, adoption leave and pay, shared parental leave and pay, parental leave, time off to care for dependents, and the right to request adjustments to duties to care for dependents.

The Provisions apply to all office holders - clergy and licensed lay workers (both full and part time). They do not form part of a contractual entitlement.

**Returning to work:** Office holders remain in office while they are on leave and therefore retain the rights and responsibilities that go with the office. On returning from maternity, paternity, shared parental or adoption leave they return to work in their existing post as of right.

However, it should be noted that the length of a training post may be extended to take account of a period of leave.

**Pensionable service:** All maternity, paternity, adoption and shared parental and parental leave is pensionable, including unpaid leave, and pension contributions will continue to be paid during these periods.

**Further details:** A summary of the Provisions is given below. To obtain further details or to enquire about procedure please contact the Assistant Diocesan Secretary at the diocesan office.

## **RESPONSIBILITIES OF OFFICE HOLDERS**

**Covering the duties of office:** An office holder who exercises any entitlement to leave as detailed below is required by the Directions 'in consultation with a responsible person or authority' to '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. The office holder has a responsibility, therefore, to be in contact with an appropriate authority, which will normally be the archdeacon, at an early stage.

**Notification and procedures:** It is essential that procedures are adhered to and that appropriate notification is given in respect of periods of paid leave so that Payroll Services can recover the full amounts to which the diocese is entitled from the Government. For full information about applying for family related leave, and details of procedures and practical arrangements involved, visit the national Church of England website or contact the Assistant Diocesan Secretary at the diocesan office.

## **SUMMARY OF THE PROVISIONS**

Subject, where applicable, to eligibility criteria and certain conditions the following provisions apply:

### **Maternity leave and maternity pay**

All pregnant office holders are entitled to ordinary maternity leave (OML) of 26 weeks and additional maternity leave (AML) of a further 26 weeks. There is no qualifying period.

During OML maternity pay equivalent to normal stipend (pro rata in the case of a part time appointment) will be paid subject to eligibility criteria which include the mother having 26 weeks' continuous service assessed at the 15<sup>th</sup> week before the week the baby is due. Stipend payment will continue for the first thirteen weeks of AML. The remaining thirteen weeks will be unpaid.

### **Adoption leave and adoption pay**

Entitlement to and arrangements for adoption leave and pay are essentially the same as for maternity leave and pay. Either partner may take adoption leave and receive adoption pay, but not both. The other partner is entitled to paternity leave and pay and may also be eligible for shared parental leave and pay (see below).

### **Paternity leave and paternity pay**

All qualifying office holders are entitled to two weeks' ordinary paternity leave (OPL) on normal stipend. Leave must be taken in two one-week blocks or one two-week block within 56 days of the birth of the child or date of adoption. Shared parental leave and pay may also be available (see below).

### **Shared Parental Leave**

Shared parental leave (SPL) is a form of leave that may be available in addition to maternity<sup>[EL2]</sup> and paternity leave. If both parents are eligible, it allows leave to be split between them and parents can decide to be off work at the same or different times. The total amount of SPL available is 52 weeks, less the weeks spent by the child's mother on maternity or adoption leave. Clergy who exercise an entitlement to Shared Parental Leave and who meet the eligibility requirements of the Statutory Shared Parental Pay (General) Regulations 2014 are entitled to Statutory Shared Parental Pay<sup>[EL3]</sup>.

For further information please consult the Diocesan Office.

### Parental Leave

Subject to conditions and eligibility criteria, office holders may take parental leave to spend time with and look after a child, or to make arrangements for the child's welfare. Parental leave is unpaid and is for a maximum of 18 weeks in respect of each child<sup>[EL4]</sup>. Parental leave can be taken at any time up to the child's 18<sup>th</sup> birthday. Leave should be taken in blocks of a week or a whole number of weeks up to a maximum of four weeks in any one year. Special rules apply where the child is disabled which allows leave to be taken in blocks of less than one week. However, the entitlement remains the same and there is still a limit of four weeks a year. For further information, please contact the Diocesan Office.

### Time off to care for dependents

Reasonable time off may also be taken (e.g. less than a day, or one or two days at most) to deal with unexpected or sudden problems affecting dependants and to make any necessary longer term care arrangements. Payment of stipend is entirely at the discretion of the bishop, but it is expected that the amount of leave will be less than one day, or one or two days at the most and will generally be accommodated within the natural flexibility afforded by the nature of parochial ministry.

### Right to request adjustments to duties to care for dependents<sup>[EL5]</sup>

Office holders have a general right to request adjustments to their working arrangements to care for their children or dependants. However, the essentially self directed nature of parochial ministry and the fact that the office holder usually lives in the benefice in which they serve generally affords greater scope for flexibility than in is the case in most employment arrangements. The Bishop has no obligation to accede to such a request, which must be made through a formal written process, but will always consider it and make any adjustment as is considered reasonable in all the circumstances.