

# THE ARCHDEACONS' FORUM

for the Church of England and the Church in Wales

## Archdeacons' News

Bulletin no. 40

January 2019

from Norman Boakes  
Archdeacons' National Development Officer

When the Forum Executive (as it is now called) started planning the 2017 Archdeacons' Conference, little did we realise how opportune the title chosen would be: *Open to God in a turbulent world*. When we started the similar process for the conference this month, we were sure that the theme of *Dealers in Hope* would be relevant, but again had little idea just how suitable this would be with all the uncertainty around the United Kingdom leaving the European Union, let alone what is happening in the United States, Russia, the Ukraine, the Yemen, the Holy Land and with climate change. Years ago King George VI, in one of his Christmas addresses, made famous some words by Minnie Louise Haskins and they are as relevant now as then.

I said to the man who stood at the gate of the year:  
"Give me a light that I may tread safely into the unknown".  
And he replied:  
"Go out into the darkness and put your hand into the hand of God.  
That shall be to you better than light and safer than a known way."  
So I went forth, and finding the hand of God, trod gladly into the night.  
And he led me toward the hills and the breaking of the day in the lone East.

Looking forward to being at the National Conference with all of those who can make it.

With all good wishes and prayers,

Norman

[norman.boakes@churchofengland.org](mailto:norman.boakes@churchofengland.org)

023 8076 7735

\* \* \* \* \*

*A reminder – in this newsletter, if something has a purple heading and a black text, it is new material; if it has a black heading and grey text, it has been here before.*

\* \* \* \* \*

## Archdeacons' Training

### Why do appointments go wrong? Going beneath the processes

Thursday 4<sup>th</sup> April 2019 at Church House, Westminster SW1P 3AZ

The aim of this day is not simply to remind ourselves of good practice in making appointments, but to go underneath the processes and explore why our processes do not always produce the results we hope for. What might be going on in these cases, and how might we handle things better?

The day will be led by Leann Dawson, Senior HR Manager and Helen Averill, Clergy Transitions Service Manager at the NCIs. The cost will be £25 per person, and booking forms are obtainable from Liz Brereton [liz.brereton@churchofengland.org](mailto:liz.brereton@churchofengland.org)

### National Archdeacons' Conference – Dealers in Hope

28<sup>th</sup> -30<sup>th</sup> January 2019 at the Hayes Conference Centre, Swanwick.

This conference is now fully booked, and programme details have been sent out in the second week of January as promised. If you are expecting to come and have not received a programme, please let Liz Brereton know. [liz.brereton@churchofengland.org](mailto:liz.brereton@churchofengland.org)

\* \* \* \* \*

## Church Buildings – useful matters from recent CBC mailings

### NALC advice on funding parish churches

We are aware that NALC continues to stand by its advice that parish councils wishing to fund churches could be subject to legal challenge, an uncertainty which we know some councils have taken to heart. We believe the matter is by no means uncertain: both the Church Buildings Council and the board of the Taylor Review into church building sustainability concluded that the provisions of the Localism Act 2011 and the Local Government Act 1972 allow for all local authorities, including Parish Councils, to contribute to the upkeep of church property under certain circumstances – mainly related to the public benefit achieved. This legal advice is included in our [guidance document](#).

The Taylor Review recommendation that this issue be formally resolved through parliament is being progressed via officers at DCMS, working closely with the CBC officers in Church House. It is not hard to imagine why a simple legal change is taking longer than it should to find time in parliament's legislative timetable. If your parishes are facing difficulties in working with their parish councils on this issue we suggest they share our guidance note, which quotes from the government-sponsored Taylor Report, and point out that no legal challenge has ever been started on this matter, suggesting its largely uncontroversial nature.

### Archaeology and churchyards

Recently there have been examples of local authorities, Historic England and the Environment Agency giving unusual and sometimes conflicting advice on works within churchyards. These are:

**TrenchArch system:** The Environment Agency has, in some areas, been demanding hydrological surveys in connection with proposed TrenchArch systems or opposing the installation of this system outright. There is presently no evidence that the TrenchArch system causes any environmental problems, and we are trying to establish the reasons for this issue with the Agency. This has nothing to do with the Historic England research project on this matter, and it does not oppose TrenchArch.

**Evaluations:** there have been cases of overly rigorous interpretation of existing guidance in terms of the depth of evaluation trenches, and their purpose. Evaluation within a churchyard should normally stop when articulated human remains are encountered and they should not normally be lifted / exhumed, rather they should be recorded in situ and covered. The reason for such evaluation is normally to determine the presence and depth of articulated human remains, which should only be exhumed if the planned intervention would disturb them and others underneath, in other words, it is necessary to judge the density and type of burials in an area which is to be disturbed. Burials which will not be disturbed by the development, for example sealed under a raft foundation, should always be left in situ.

**Scheduled Monument Consent:** This can apply within a churchyard, typically on monastic sites, and there is no exemption. If SMC is needed, permission must be sought from Historic England. Again there have been recent examples of what we believe is over rigorous interpretation of the rules in this regard, with onerous requirements for excavation and recording, causing unnecessary expense to parishes. Any examples of any such problems can be referred to the CBC, contact [Joseph Elders](#).

### **[The Phoenix Renewed: Sustainability of Post-War Churches and Cathedrals](#)**

18-19 March, 2019, Coventry Cathedral.

this international conference will discuss themes of significance and change, materials technology and conservation, and consider the management of collections and interiors designed in tandem with the buildings. Over two days, experts from The Getty Foundation, Historic England, C20 Society, Church of England as well as a range of practitioners will present the latest best practice and lead panel debates.

[Online booking is available here](#)

### **Selection of buildings for listing**

In November 2018 the DCMS published revised [Principles of selection for listed buildings](#). Historic England guidance on the selection of places of worship for listing is [published here](#). The definition of historic interest, in section 16 of the revised DCMS *Principles* is noteworthy, given the strong links that often exist between church buildings and locally (and nationally) important people or events.

\* \* \* \* \*

## **Comings and Goings**

The next Archdeacon of Barking is to be Canon Chris Burke, currently Vice Dean and Canon Precentor at Sheffield Cathedral. Chris will be collated and installed in Chelmsford Cathedral on Sunday 12 May 2019 at 3.30pm.

Many congratulations to the Ven. Sarah Clark, Archdeacon of Nottingham, on her nomination to be the next Bishop of Jarrow in the Diocese of Durham. Sarah will be consecrated bishop on the 27th February 2019 and welcomed into the Diocese on April 7th.

The next Archdeacon of Chichester is to be the Revd Luke Irvine-Capel SSC, currently Rector of Christ Church, St Leonards-on-Sea. He succeeds The Venerable Douglas McKittrick who retired last year. Fr Luke will be collated as Archdeacon on Tuesday 9 May at 5.30pm in Chichester Cathedral.

The Ven. Simon Baker, Archdeacon of Lichfield since 2013, is resigning his archidiaconal role on 31<sup>st</sup> May and will become full-time Rector of St Michael's Lichfield. He has been one third time Rector since 2013 alongside his archdeacon's role.

After many years vacant, the Archdeaconry of Ipswich has now been filled. The Revd Rhiannon King, currently Transforming Church Co-ordinator in the Diocese of Birmingham, will be taking up her post later this year.

The Revd Canon Sally Gaze has been appointed to the new post of Archdeacon for Rural Mission in the Diocese of St Edmundsbury and Ipswich. She is currently Dean for Rural Mission Consultancy in that diocese. She will also be made a Residentiary Canon of St Edmundsbury Cathedral on 10 February 2019.

The Ven Rosemary Lain-Priestley, Archdeacon of the Two Cities, has been appointed by the Bishop of London to be one of her Researchers and Advisers on policy and strategy. She stood down as archdeacon at the end of December.

Please pray for:

- those recently appointed as Archdeacons as they say good bye to their current location and prepare for their new role: Chris Burke, Luke Irvine-Capel, Rhiannon King, Sally Gaze.
- those moving onto new opportunities for ministry, and especially for Sarah Clark, Simon Baker and Rosemary Lain-Priestley.

Please pray also for those responsible for filling the vacancies of Colchester, Cornwall, Germany and Northern Europe and the East, Isle of Wight, Two Cities and Plymouth.

\* \* \* \* \*

## Courses and events

The following may be of interest:



Bookings for all ELS events may be made at:  
<https://ecclawsoc.org.uk/events/>

**London Lectures 2019** are held at Winckworth Sherwood, Montague Close, London SE1 9BB (by Southwark Cathedral), starting at 5.30pm; refreshments available from 5pm. These lectures are free of charge and open to members and non-members, but spaces are limited so prior booking is essential.

2019 dates and topics not yet available

**Northern Province Lectures 2019** are held at the offices of the Diocese of Leeds, 17-19 York Place, Leeds, LS1 2EX, starting at 5.30pm. These lectures are free of charge and open to members and non-members, but spaces are limited so prior booking is essential.

- Wednesday 6 February 2019 - Bishop Colin Buchanan on *The transferable vote: a hundred years of Anglican experience*
- Thursday 16 May 2019 – Caroline Mockford, Registrar of the Diocese and of the Province of York, on *Closed Churchyards*.
- Tuesday 16 July 2019 – Bishop Nick Baines on *The Function of Ecclesiastical Law in Effective Parochial Ministry*.

- Wednesday 6 November 2019: Northern Province lecture – Charles George QC, Auditor of the Chancery Court of York, on *Do we still need the Faculty System?*

**ELS Residential Conference 2019** – to be held at Cumberland Lodge, Windsor 5-7 April 2019 – Church and State in the Twenty first Century: re-imagining Establishment for the post Elizabethan age.

### **Foremost in Representing the Laity: The Training of Churchwardens in today's Church**

14<sup>th</sup> March 2019: Manchester Diocesan Office, 90 Deansgate, Manchester M3 2GH 10.30am-3.30pm

A Day Conference for all those responsible for encouraging, enabling and supporting the vocation and ministry of Churchwardens in today's church.

Cost £20.00 for ELS members: £25.00 for non-members. Lunch included.

Booking and information: <https://ecclawsoc.org.uk/education/>

led by: Simon Baker, Archdeacon of Lichfield; Stuart Beake, former Archdeacon of Surrey; Norman Boakes, Archdeacons' National Executive Officer; Stephen Borton, Ecclesiastical Manager, Lee Bolton Monier-Williams; Mark Hill QC, Chancellor and Professor; Andrea Russell, Tutor at Queen's Foundation, Birmingham

A Range of topics around Churchwardens and the Law will be considered during the day, including:

- An ordered church and the ministry of Churchwardens
- The legal responsibilities of Churchwardens
- Resources for training Churchwardens in their responsibilities
- The evolving role of Churchwardens
- Implications of upcoming changes to law and regulation

### **Leadership courses at Sarum College**

Contact Alison Ogden for all booking enquiries

[aogden@sarum.ac.uk](mailto:aogden@sarum.ac.uk) 01722 424826



### **Leading in a Second Chair**

A chance to explore leadership challenges for those who do not appear at the top of an organisation. With a grounding in theology, we will use the latest insights from organisational studies to explore how leaders, both individually and in teams, can help themselves and their organisations thrive.

Tuesday 19<sup>th</sup> March 2019

Tutor: Tim Harle

### **Re-imagining Church in a Changing Culture**

<http://www.sarum.ac.uk/event/2019-re-imagining-church-in-a-changing-culture>

This module aims to go beyond such 'headlines' to equip students to understand and critique patterns of decline and growth which are characteristic of the church in the 21st century using both theological and sociological tools. The Church in the UK will be 'read' in the wider context of social, religious and cultural change and compared with the situation in Europe, America and the developing world. Both the challenges facing the contemporary church and the responses offered will be critically examined, with particular reference to patterns of community, mission and ministry.

Monday 1 April - Thursday 4 April 2019

Tutor: Colin Greene

### **Change and Conflict**

<http://www.sarum.ac.uk/event/2018-change-and-conflict>

This module critically examines theoretical and practical aspects of change through a number of disciplines, especially theology, ecclesiology, missiology, ecology, psychology and complexity theory.

The various strands are brought together to provide a holistic view of the origins and potentially transforming role of conflict. Throughout the course, students will apply the concepts to their own situations to increase shared learning and to provide practical insights for their own practice.

Mon 17 June 2019, 2:00pm - Thu 20 June 2019, 1:00pm

Tutor: Tim Harle

\* \* \* \* \*

## **Ecclesiastical Exemption in Wales**

**The Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (Wales) Order 2018** came into force on 1 January. Under the terms of the Order, conservation area consent will no longer be subject to ecclesiastical exemption and listed and unlisted buildings and structures within the curtilage of a listed ecclesiastical building will now be included under the ecclesiastical exemption.

The Order applies to Wales only – planning and listed building consent being devolved matters.

\* \* \* \* \*

## **Human Resources matters (England)**

*from Patrick Shorrock, HR Manager (Clergy) and Secretary of the Remuneration and Conditions of Service Committee*

### **1. Clergy appointments guidance**

The current guidance for parochial appointments is available at

<https://www.churchofengland.org/more/clergy-resources/national-clergy-hr/guidance-clergy-appointments>

### **2. Update on Apprenticeship for Curates**

#### **Background**

Increasing the number of Apprentices has been a key aim of the government. To encourage this, they introduced in April 2017 an ‘apprenticeship levy’ on ‘large employers’, charging 0.5% on pay bills above £3 million per year. This means a cost of c£1 million per year to the Church Commissioners (who run the national clergy payroll) on the central stipends costs, which they have passed on to dioceses and others who fund the posts.

Those paying the levy have access to the funds they have contributed, but the money can be spent only on the training costs of those undertaking formal Apprenticeships, and 90% of it (becoming 75% next year) can be spent only on those on the payroll from which the levy has been taken. However the government also pays at least 90% of the training costs for non-levy paying employers. An Apprentice must spend at least 20% of their working time on ‘off-the-job’ training (though we have been told that this would be interpreted for full-time clergy as meaning at least a normal working day each week, not 20% of the actual hours they worked). The Apprentice has to be training under a Standard agreed by the Institute for Apprenticeship. The Standard sets out what is needed full competence in a defined job role available across a range of employers, with the Apprentice formally assessed at the end of their training as to whether they have met the Standard. Apprentices normally have to be employed, but at our

request the government made regulations<sup>[1]</sup> to allow office-holding ministers of religion also to be eligible – and in doing so they explicitly stated that these Apprentices can be working not for reward, thus making SSMs and Readers also potentially eligible.

Ministry Council agreed in November 2016 that we should seek to have approved an Apprenticeship suitable for curates (and ecumenical equivalents at a similar stage in their ministry). This was originally entitled ‘Minister in Pastoral Charge’ but for reasons of simplicity and flexibility has now been renamed ‘Church Minister’. The Apprenticeship would be at level 6 and would follow the Integrated Degree model, under which the degree encompasses all the off-the-job training and assessment for the apprenticeship.

The primary reason for doing this was to seek to deploy the money the church was paying in levy on training that would benefit the church, with the training of curates being what already most nearly corresponded to the Apprenticeship requirements. In the process, we would gain clear assurance that these curates were receiving high quality training and rigorous assessment to an agreed standard. It might also enable the provision of specialist training for pioneer curates on a national or regional basis, which dioceses are currently not able to fund. However it was recognised that it would be a decision for dioceses whether or not to make use of the Apprenticeship, and that not all curates would be eligible (especially those who already had a higher award in theology). As the Apprenticeship has been developed, it has become apparent that it might also be suitable for some lay training (see below) – it would potentially provide funding for Readers to continue their training post-licensing, and for people to undertake degrees in ministry as ‘independent students’ at TELs if they were employed by a church as they do so. This might be of significant benefit to the church.

### **Development of the Church Minister Apprenticeship**

The development of those elements of an Apprenticeship which require the approval of the Institute for Apprenticeships or the Department for Education is the responsibility of a Trailblazer

Group. Membership of this is restricted to ‘employers’ who are willing to say they expect to use the standard once it is ready. Our group is chaired by Keith Beech-Gruneberg and consists of the Dioceses of Canterbury, Lichfield, Oxford, Rochester and St Edmundsbury and Ipswich together with Methodist, Baptist, Elim and Unitarian representatives. Training institutions are represented by The Queens Foundation and Bristol Baptist College.

Work on developing the Apprenticeship has been proceeding as fast as possible. However progress has been slower than we would have hoped (as has also been the experience of many other Trailblazer groups). This is primarily due to repeated lack of clarity and changing expectations from the Institute for Apprenticeships. Information on progress is described in what follows.

Four things need to be approved by the Institute for Apprenticeships or the Department for Education before an Apprenticeship can be offered:

1. An Occupation Proposal, which we had approved in January 2017.
2. An Apprenticeship Standard setting out the knowledge, skills and behaviours the apprentice needs to gain. Our proposed Standard was given conditional approval in July 2018. A slightly revised version responding to the conditions was submitted on 17th August 2018. However twelve weeks later we have yet to hear a proper response to this, even though it needed only to be reviewed by Institute for Apprenticeship officers.  
The versions of the Standard submitted in the summer have not been widely circulated. The format required for submissions is unwieldy, and it seemed potentially confusing if a nearly-final version of the standard entered circulation. However all revisions made to the standard over the

---

<sup>[1]</sup> See <https://www.legislation.gov.uk/ukxi/2017/1310/made> section 6.

last year have been adjusting the wording of the standard and making explicit what we would have believed previously to be implicit, rather than adding substantive new expectations. Previous drafts have been circulated to IME2 officers for their comment.

The Standard has been designed to cover what would be expected of those who will be an Incumbent, or equivalent in the other denominations. However nothing in it explicitly requires the Apprentice to be ordained, and the flexibility necessary to make the Standard work ecumenically does mean that we would expect it also to be applicable to lay ministers who are undertaking significant leadership roles in their contexts.

3. An End Point Assessment Plan setting out how the Apprentices will be judged against the Standard at the end of the apprenticeship. Following a workshop in September attended by a number of members of the Trailblazer Group, we are likely to have three elements of assessment, together worth 40 credits of the degree:

- A project in which the Apprentice exercises a significant leadership role in their context, evidenced through a written report;
- An observation of the Apprentice leading worship and preaching (with some brief questioning on this);
- An interview, with a portfolio of evidence assembled during the apprenticeship helping to inform this.

Significantly, before the apprentice can take the End Point Assessment, they have to pass through the 'Gateway', a primary element of which is the 'employer' agreeing that they are ready for final assessment. This means that the diocese can stop a curate entering the EPA process unless it believes they are indeed fit to complete the curacy.

At the end of the workshop, Institute for Apprenticeship staff were going to check some details with colleagues, and send us some further information. We agreed that it would be sensible to have this before doing further work on the EPA plan. A month later some but not all of the further clarification has been forthcoming.

4. The funding band setting out the maximum amount of levy funding which can be used for the Apprenticeship. As might be expected, all level 6 degree apprenticeships to date have been assigned a funding band between £18,000 and £27,000. We need to submit evidence of the expected costs of the training, primarily in the form of quotes from potential providers to have our final band allocated. (There is a process to allocate a provisional funding band, but this fails to take account of the level of the apprenticeship or whether it includes a degree, so regularly generates clearly inadequate results.) Once the format of the End Point Assessment is sufficiently clear, we will be able to gather this evidence. The funding assumes the Apprentice will be doing the whole degree as part of the Apprenticeship, so a curate simply taking level 6 is likely to be eligible for approximately a third of the funding.

## **Delivery**

Dioceses who wish to make use of the Apprenticeship will need to work with TEIs over the implementation. Once the standard has been finalised and there is a clear outline of the End Point Assessment it will be possible to plan how it might be delivered. The training provider has to be on the Register of Apprenticeship Training Providers and Register of End Point Assessment Organisations, and there quite a lot of compliance expectations, as might be expected of an organisation receiving government money for training. Staff are in conversation with Durham University over how the Apprenticeship could be delivered within the Common Awards suite; the possibility of partnerships with other universities which have an interest in apprenticeships is not excluded. It is hoped that dioceses would be able to start curates on the apprenticeship in autumn 2019.

It is difficult to assess the net financial benefit that might accrue from the Apprenticeship, given that both the funding available and the compliance costs are unclear, as well as the likely numbers who would undertake the Apprenticeship. However, to give an illustration of what might be involved, if the funding band were £18,000 (i.e. at the bottom end of the likely range) and 100 curates per year began the Apprenticeship, this of itself would create a total annual income stream of £600,000 before any income in respect of lay Apprentices. It is unlikely that the demands and costs of compliance would be worthwhile for small schemes, so efficient use of resources would be likely to require several dioceses to work in some kind of partnership with one TEI – though actual delivery might still be at the level of individual dioceses.

Ministry Council discussed the Apprenticeship again in November 2018. Concerns were raised over whether it would in practice be possible to implement the Apprenticeship in any particular context in such a way that the benefits would outweigh the costs. However the Council agreed that development work should continue, not least because greater clarity over the costs and benefits would only come in light of this, and the development itself demanded only a small cost in staff time for what might turn out to be significant benefits.

A cross-departmental staff group has met recently to discuss the mechanisms for SSMs accessing funding, since funding is normally related to the Apprentice's employer. Stipendiary clergy are treated for the purpose of payment and disbursement of the Apprenticeship Levy as if they were employed by the Church Commissioners, and it might be to our advantage if SSMs were treated in the same way since their training could then be funded from the Commissioners' levy pot. This will be taken up with the Education and Skills Funding Agency in due course.

### **Other Apprenticeships**

It is also worth noting that other apprenticeships might also be of relevance to ministers, lay and ordained:

- An incumbent has expressed interest in the Senior Leader Masters' degree apprenticeship, and his diocese are happy to support this. Apprenticeships in, for example, adult learning might also be of interest to some ministers. It seems reasonable that each diocese should be able to spend the levy funds it has contributed on whatever eligible Apprenticeship the diocese might wish to support. It also seems likely for the foreseeable future that across the church the levy funding will be sufficient for all clergy Apprenticeships to be funded. Archbishops' Council Finance Committee will be asked in due course to agree a formal policy here (since though the Commissioners operate the payroll, policy matters in relation to it are treated as within the Archbishops' Council's remit).
- Education Division is involved in discussions over the development of an Apprenticeship for youth workers, to ensure that this would meet the needs of faith-based youth workers.

Further apprenticeships are also of relevance to those undertaking administrative roles in dioceses

For further information please contact: [Keith.beech-gruneberg@churchofengland.org](mailto:Keith.beech-gruneberg@churchofengland.org)

### **3. Settlement agreements, what Payroll Services need to process the payment**

If you need to make a settlement agreement payment, there are some things you will need to know and some items we will need in order to make the payment correctly

As you will know we are not qualified to offer tax advice, so there is nothing specific we have circulated around termination/compensation payments as they are very individual and the rules around them are very specific. All we can do is advise you on what we need in order to make the payment correctly.

Firstly it is important to remember that if we are paying a stipend to an individual through the central clergy payroll for a parochial role, then for National Insurance purposes the Commissioners are designated as the "employer" therefore we are required to report PAYE.

We can, and do, make termination payments through the payroll. If it is clear that any payment qualifies to be paid free of tax and national insurance, then we can do this but we do need a copy of the wording from any agreement to support us making the payment without deducting tax and national insurance. You don't have to provide the full agreement but just the sections confirming how the payments are to be treated. We would also ask that there is an indemnity included in any agreement to cover the Church Commissioners. As we would be making any payment and reporting to HM Revenue and Customs, they would come to us for any PAYE hence we need to indemnify the Commissioners from the individual against any additional payment request from HMRC.

An example (again just to give you an idea but this would be for your legal advisers to finalise) could be something like the following, with X being the diocese and Y the individual:

“The **Diocese of X** makes no warranty or representation as to whether income tax or employee national insurance contributions are lawfully payable in relation to the payment made or benefits provided under this agreement. The amount of tax or national insurance contributions due is ultimately a matter for HM Revenue and Customs.

**Y** shall be responsible for and shall indemnify the Church Commissioners against, and shall on demand forthwith pay to the Church Commissioners, any further income tax or employee national insurance contributions and interest, costs, penalties or expenses relating to any tax assessment save for any interest, costs, penalties or expenses incurred solely by reason of the default or delay of the Church Commissioners that the Church Commissioners is required to pay or account for in respect of the payment made or benefits provided by The Church Commissioners to **Y** pursuant to this Agreement in excess of any amount deducted at source. In this regard the Church Commissioners shall be deemed to be obliged to pay any such amount if it received a written demand from HM Revenue and Customs.

The Church Commissioners will give **Y** reasonable notice of any demand for tax which may lead to liabilities on **Y** under this indemnity and shall provide **Y** reasonable access to any documentation **Y** may reasonably require to dispute the claim (provided that nothing in this Clause shall prevent the Church Commissioners from complying with its legal obligations to HM Revenue and Customs).

Other than the relevant parts of the agreement, we also need a change of appointment form completed and a change of personal details form, detailing the payments and what they are for and how they are to be treated for Tax and National insurance purposes.

Please also be aware that some of these payments can be time sensitive, so please contact us as soon as possible so that we can ensure these are paid on time.

As always, we ask that you contact us with any non-standard requests so we can explain what is needed and if we can do what you are asking or if there are any problems.

For further information, please contact [payrollservices@churchofengland.org](mailto:payrollservices@churchofengland.org)

\* \* \* \* \*

*continued on page 11*

## Church of England (Miscellaneous Provisions) Measure 2018

This Measure received royal assent on 20<sup>th</sup> December 2018. Among its many provisions, the following might be of interest.

### 4 Funerals: conduct

(1) A clerk in Holy Orders who is authorised to officiate in accordance with the Canons of the Church of England may perform a funeral service in a crematorium, cemetery or other place which is not a church or churchyard, and in which the clerk would not otherwise be entitled to perform the service, if—

- (a) the persons concerned have asked the clerk to perform the service, and
- (b) the clerk has, so far as practicable, informed the relevant minister and sought his or her goodwill.

(2) The “relevant minister” is—

- (a) the minister of the parish on whose electoral roll the deceased’s name was entered, or
- (b) if the deceased’s name was not entered on the electoral roll of a parish or the persons concerned do not know whether it was, the minister of the parish which included the deceased’s usual place of residence.

(3) The performance of a funeral service in accordance with subsection (1) does not require the consent, and is not subject to the control, of the minister of the parish in which the service is performed.

...

(7) After that subsection insert—

“(4A) Each of the following may perform a funeral service under an arrangement made under subsection (2) or (4)—

- (a) a clerk in Holy Orders who is authorised to officiate in accordance with the Canons of the Church of England;
- (b) a duly authorised deaconess, reader or lay worker.”

(8) The first rubric at the beginning of the Order for the Burial of the Dead in the Book of Common Prayer (which notes that the Order may not be used if the deceased is unbaptised, excommunicate or a suicide of sound mind) is omitted.

In regulation 5 of the Ecclesiastical Offices (Terms of Service) Regulations 2009 (10) For regulation 23 of those Regulations substitute –

### “23 Maternity, parental, adoption etc. leave and time off for carers

(1) An office holder is entitled to maternity, paternity, parental, adoption or shared parental leave for the same periods and subject to the same conditions as for the time being apply in the case of an employee under the Employment Rights Act 1996 or regulations made under it.

(2) Before exercising an entitlement under paragraph (1), an office holder must, 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 one or more other persons during the period of leave.

(3) An office holder may request the appropriate authority to give him or her time off work or to make adjustments to the duties of the office to allow him or her to care for a dependant; and for this purpose, “the appropriate authority” is—

- (a) unless the office holder holds office in a cathedral, the bishop of the diocese;
- (b) if the office holder is the dean of a cathedral, the bishop of the diocese;
- (c) if the office holder holds another office in a cathedral, the dean of the cathedral.

(4) A request under paragraph (3) must be in writing; and the Archbishops’ Council may impose other conditions as to the manner in which the request is to be made, including as to the supply of information with the request.

- (5) The appropriate authority must consider a request under paragraph (3); and when doing so in the case of an office holder who does not hold office in a cathedral, it must consult the parochial church council of each parish belonging to the benefice concerned.
- (6) Where the appropriate authority decides to grant a request under paragraph (3), it may—
- (a) give such time off work or make such adjustments to the duties of the office as appear to it to be reasonable, and
  - (b) impose reasonable conditions on the grant of the request, including appropriate variations in the stipend which would otherwise be payable to the office holder.
- (7) In this regulation— “dependant”, in relation to an office-holder, means any person who would, if the office-holder were an employee for the purposes of the Employment Rights Act 1996, be a dependant within the meaning of section 57A of that Act, and “shared parental leave” means leave under section 75E or 75G of that Act.”
- (11) In consequence of subsection (10), the following are revoked—
- (a) the Ecclesiastical Offices (Terms of Service) Directions 2010 (S.I. 2010/1923);
  - (b) the Ecclesiastical Offices (Terms of Service) (Amendment) Directions 2015 (S.I. 2015/1612).
- (12) The amendments made by subsections (2), (3), (7) and (8) are to be treated as having always had effect.”

#### **14 Provision of services to PCC by member**

(1) After section 7 of the Parochial Church Councils (Powers) Measure 1956 (“the 1956 Measure”) insert—

#### **“7A Provision of services to council by member**

In its application to a council, section 185 of the Charities Act 2011 (remuneration of charity trustees providing services to charity) has effect as if, in subsection (3)(a), the words “or under a contract of employment” were omitted (and a council may, accordingly, enter into a contract of employment with a member or connected person under which remuneration is provided).”

(2) Section 3A of the 1956 Measure (employment of members and other contractual services) is repealed.”

\* \* \* \* \*

## **Safeguarding**

On 2<sup>nd</sup> January, the Church of England published new House of Bishops’ guidance on reporting safeguarding and other Serious Incidents to the Charity Commission. This is the first time the Church of England has produced Charity Commission approved guidance. The Charity Commission updated its guidance on Serious Incident Reporting in October 2018, with a particular focus on the reporting of safeguarding Serious Incidents following recent high-profile incidents in the charity sector. All PCCs and DBFs and most Religious Communities are charities and their trustees (eg PCC members, DBF directors) are required to report any Serious Incidents – both safeguarding and non-safeguarding – to the Charity Commission.

The CofE’s bespoke new guidance for PCCs (Parochial Church Councils), DBFs (Diocesan Boards of Finance) and Religious Communities – all charities – seeks to support them to understand what needs to be reported as a serious incident and to do so in a timely and effective way. A safeguarding Serious Incident is an actual or alleged safeguarding incident, which results in or risks significant harm either to people linked with or employed by the charity or to its reputation. Other Serious Incidents are actual or alleged adverse incidents, which result in or risk loss of the charity’s money or assets, damage to its property or harm to its work or reputation.

The new CofE guidance sets up a system which provides for the reporting of all safeguarding serious incidents by PCCs to be through their diocese. The Charity Commission has also agreed to the bulk reporting of safeguarding serious incidents by DBFs every six months – unless an incident is very serious, for example it presents a live risk, in which case it must be reported immediately. Religious Communities (except closed communities which are not charities) will continue to report directly to the Charity Commission, but will now use the new template reports to assist them.

The new detailed guidance on reporting, which PCCs, DBFs and religious communities must now follow, includes explanatory cover notes and templates for reporting safeguarding and other serious incidents. The National Safeguarding Team will be alerted to all reporting of safeguarding serious incidents and for the first time will be able to develop a national picture of safeguarding serious incidents.

The guidance does not change how any PCC deals with safeguarding as the House of Bishops' policy and guidance must still be followed; any safeguarding concerns or allegations must be reported to the Diocesan Safeguarding Adviser (DSA) within 24 hours, who will liaise with statutory agencies, as required.

[Responding to, Assessing and Managing Safeguarding concerns or allegations against church officers](#)

\* \* \* \* \*

## Future Dates

### 2019

January 28<sup>th</sup> – 30<sup>th</sup> National Archdeacons' Conference @ The Hayes Conference Centre, Swanwick  
Title: ***Dealers in Hope***

Speakers so far: Bishop Graham Tomlin, Professor Richard Bauckham, Canon Jessica Martin, Gisela Kreglinger, Professor Francis Campbell, Br Stuart Burns OSB.

February 21<sup>st</sup> Welsh Archdeacons 11.00 – 15.00 Lion Hotel Shrewsbury

March 21<sup>st</sup> Eastern Archdeacons @ Ely

April 8<sup>th</sup> South West Archdeacons @ Taunton

April 11<sup>th</sup> Welsh Archdeacons @ Provincial Offices, Cardiff

June 10<sup>th</sup> & 11<sup>th</sup> Southern Archdeacons @ Farnham Castle

July 18<sup>th</sup> – 19<sup>th</sup> Welsh Archdeacons @ tbc

September 17<sup>th</sup> – 19<sup>th</sup> New Archdeacons' Conference @ Hinsley Hall Leeds

September 21<sup>st</sup> – 24<sup>th</sup> Eastern Archdeacons' @ tba

October 3<sup>rd</sup> – 4<sup>th</sup> South West Archdeacons @ Tiverton Best Western Hotel

October 9<sup>th</sup> Welsh Archdeacons @ Provincial Offices, Cardiff

December 11<sup>th</sup> Welsh Archdeacons @ Lion Hotel Shrewsbury

## 2020

June 1<sup>st</sup> – 3<sup>rd</sup> Northern Archdeacons' Conference @ Hinsley Hall

## 2021

January 25<sup>th</sup> – 27<sup>th</sup> National Archdeacons' Conference @ The Hayes Conference Centre, Swanwick

\* \* \* \* \*

## Just a thought...

David Heywood has recently completed an interesting article on *Re-imagining Ministerial Formation*. If you might be interested in what he has written, the article is available at:

[https://gallery.mailchimp.com/d12dcf1ac0951a3d0a9c1829f/files/0974d3b2-19a0-4e1e-ad9b-d7e339518611/Reimagining\\_Ministerial\\_Formation.pdf](https://gallery.mailchimp.com/d12dcf1ac0951a3d0a9c1829f/files/0974d3b2-19a0-4e1e-ad9b-d7e339518611/Reimagining_Ministerial_Formation.pdf)

\* \* \* \* \*

### **Confidentiality notice**

*We are not responsible for the content of external links. Views expressed in this bulletin are not necessarily those of The Archdeacons' Forum, the Archbishops' Council or the Representative Body of the Church in Wales.*