



CLERGY - LEAVE

Approved by Diocesan Council
Review due

09 July 2015
09 July 2018

INTRODUCTION

The purpose of this policy is to ensure that clergy and the wider diocese are fully aware of the leave to which clergy are entitled and to ensure that appropriate records are maintained. The policy applies to all parish clergy and clergy in Departments responsible to Diocesan Council.

For the purposes of this policy, the word "Warden" also means "Chairperson of the Department", the words "Parish Council" also means "Department", the word "Archbishop" also means "Archbishop or an authorised delegate", and the words "Assistant Bishop" also mean "Assistant Bishop or an authorised delegate".

Leave is for self-care and for the well-being of family, parish and the wider Church. For healthy human life, clergy should normally rest 1 full day per week and work 48 hours over 6 days.

Annual leave should be taken in the year it is due or in the next year and may not be "cashed out". Annual leave in excess of 60 days at 30 April each year will be lost.

In all instances, the assumption is that leave arrangements will be finalised after consultation between clergy, Parish Council and the Assistant Bishop.

A generic leave process flow chart for all leave except sick leave is attached at **Appendix A**.

A Clergy Leave notification form must be used to notify all leave to the Archbishop. The form is attached at **Appendix B**. An Allied Ministries Clergy Leave notification form is attached at **Appendix C**. Both forms are available on the Diocesan website.

1 ANNUAL LEAVE

1.1 Leave to be Taken

Leave is expected to be taken as soon as practical after clergy become eligible.

Leave can be arranged in:

- (a) one continuous period,
 - (b) where the amount of leave exceeds five weeks but does not exceed 13 weeks, in two separate periods, or
 - (c) where the amount of leave exceeds 13 weeks, in two or three separate periods.
- Long Service Leave is exclusive of annual holidays but is inclusive of all other days off occurring during the leave.
- Long Service leave is not a form of superannuation, nor is it to be confused with study leave. Payments should not be made in lieu of leave except as stated in the Canon.

1.2 Leave accrual

The Annual leave accrual calculation is based on a six-day week. The thirty days annual leave is inclusive of 26 days annual leave plus 4 days off.

Annual leave accrues at the rate of 2.1667 per month, which equates to 24 days plus 2 days in lieu of Good Friday and Christmas Day (ie 26 days per year).



NB: All gazetted public holidays, except Good Friday and Christmas Day, are additional to annual leave. Other than for Good Friday and Christmas Day, if a public holiday falls on a regular day off an additional day off may be taken in the week in which the public holiday occurs. Public holidays may not be accrued.

Annual leave for clergy on a part stipend is accrued as above but on a pro rata basis.

Accrued leave must be cleared within 2 years from the date it is credited. Leave accrued in excess of 60 days at 30 April each year will be lost.

1.3 **Notification of Leave**

At least three months' notice must be given from the date of the proposed Long Service Leave to be taken.

All leave must be taken at a time agreed by the Wardens and the Assistant Bishop. It is the responsibility of the Wardens to ensure that the completed Clergy Leave Notification form is forwarded to the Archbishop.

While a clergyperson will generally have discretion in nominating when he/she takes annual leave, the Parish/Diocese may request that the clergyperson take annual leave at a time more convenient to the operations of the parish.

Should there be a discrepancy between Parish Council or Agency records and Diocesan Office records, in the absence of documentary evidence to the contrary, the latter shall prevail.

1.4 **Change of Appointments**

Outstanding leave should be taken by a clergyperson finishing an appointment before starting a new appointment. Otherwise, the stipend equivalent of the outstanding annual leave shall be paid by the former parish or Department to the new parish or Department.

1.5 **Sickness whilst on Annual Leave**

Should a clergyperson become ill or have an accident while on Annual Leave; a medical certificate must be obtained and forwarded to the Wardens. The Wardens must then advise the Diocesan Archbishop of the medical certificate to enable the lost annual leave to be either: taken at a later date, or for the current leave to be extended to incorporate the lost days.

2 **PERSONAL/CARERS LEAVE 1**

2.1 All appointments or renewals to positions carry a maximum of 10 days per annum personal leave accruable to a maximum of 12 weeks Personal/carer's leave can be taken either when a clergyperson is unfit for work because of their own illness or injury, or to provide care or support for a member of the clergy's immediate family or household, due to illness or unexpected injury.

In addition, a clergyperson who has exhausted paid leave entitlements is entitled to two extra days' unpaid carer's leave on each occasion it is needed.

Clergy applying for any type of personal / carer's leave must give notice to the relevant Warden as soon as practicable, advising them of the period or expected period of the leave.

The provision of reasonable evidence is to be provided to the Warden for periods of absence of three or more consecutive working days. The Diocese considers a medical certificate from a registered health practitioner to be reasonable evidence.



It is the responsibility of Wardens to ensure that the completed Clergy Leave Notification form is forwarded (where necessary with a medical practitioner's certificate) to the Archbishop. Personal/Carer's leave can be accrued. However, unused leave is not paid out on cessation of employment.

2.2 Sickness and accident insurance

The diocesan sickness and accident insurance policy pays for the cost of replacement of the clergyperson (other than in the case of pre-existing illnesses) while on sick leave. The parish continues to pay the stipend of the clergyperson. Should a clergyperson be unable to administer for any period by reason of illness or accident, the parish may make a claim on the policy up to the maximum specified in the policy. If the claim is upheld the benefits will be paid. Claims against the policy must be supported by a medical practitioner's certificate.

2.3 Extended sick leave – Motor Vehicle Allowance 2

The Motor Vehicle Allowance for clergy on sick leave for any period in excess of 30 days should be the fixed component of the allowance covering depreciation and interest on loans only.

3 COMPASSIONATE LEAVE

3.1 A clergyperson temporarily unable to minister by reason of unforeseen circumstances shall be entitled to such compassionate leave as the Archbishop and the Wardens agree.

3.2 Record of Leave Agreed

The Diocesan Office will maintain a record of all compassionate leave agreed

4 STUDY LEAVE

4.1 Introduction

Clergypersons may take Study Leave courses of study, learning, reading or other activities for the attainment of further skills, knowledge or experience that will enhance ministry in the parish, chaplaincy or the Diocese.

For the purpose of this policy, Study Leave does not include Deanery meetings, Clergy School, and annual Clergy Retreat, and is separate and distinct from annual leave or long service leave.

4.2 Study Leave pre-approval

Application for Study Leave must be made in writing to the Archbishop, including confirmation from the parish by way of a Parish Council resolution or from the department head in a chaplaincy or other non-parish ministry (in writing). The Archbishop will need to approve both the course of study and the amount of Study Leave to be taken.

Any Study Leave taken prior to the approval of the Archbishop will be treated as annual leave.

4.3 Study Leave entitlement

Clergypersons are entitled to two weeks Study Leave after every twelve months full time equivalent ministry in the Diocese.

Study Leave may not be accrued.

Study Leave may be taken in conjunction with other types of leave; such a commitment would reinforce the assumption of joint responsibility for professional development between the Worshipping Community or Diocesan Department, and the clergy person themselves.

² Diocesan Council Resolution December 2001



Study Leave must, however, be negotiated with the Wardens and Councillors in a parish context, and with the department head for a chaplaincy or other non-parish ministry.

4.4 Stipend and allowances

While on approved Study Leave, clergypersons are entitled to be paid their stipend and allowances in the usual way.

In the case of a parish-based clergyperson, while the clergyperson is on Study Leave the Parish is responsible for the usual stipend and allowances remittal to the Diocesan Office.

4.5 Study costs

The Parish may, but is under no obligation to, make a contribution to any costs associated with the Study Leave.

Costs associated with study leave may include course fees, books, travel, accommodation, lecture notes, etc.

4.6 Report

A report of the study undertaken and the benefits to the parish or chaplaincy must be made to the Archbishop within three months of the completion of the Study Leave.

A similar report shall be made to the particular parish or chaplaincy department head within three months of the completion of the Study Leave.

4.7 Record

A record of all study leave granted will be kept.

5 PARENTAL LEAVE

5.1 Parental leave provides a system for any member of the clergy to take up to 52 weeks unpaid parental leave in order to reconcile their employment and family responsibilities in respect of:

- (a) the birth of a child to a clergyperson or their spouse; or
the placement of a child with the clergyperson with a view to the adoption of the child by the clergyperson.

For the purposes of this policy - "adoption" is a reference to a child who:

- (b) is not the natural child or the step-child of the clergyperson or their spouse;
- (c) is less than 5 years of age; and
- (d) has not lived continuously with the clergyperson for 6 months or longer.

5.2 A clergyperson who is pregnant or a clergyperson whose wife is pregnant or a clergyperson who adopts a child is entitled to:

- (a) up to one week's parental leave without pay (short parental leave); or
- (b) up to 52 weeks parental leave without pay in order to be the child's primary care-giver ("long parental leave").

5.3 A clergyperson is not entitled to take long parental leave at the same time as his or her spouse, whether the spouse is a clergyperson or employee in the Diocese or not.

5.4 The clergyperson should give at least ten weeks' notice to the Churchwardens and Archbishop of the date on which he or she plans to commence parental leave.

5.5 It is the responsibility of the clergyperson to nominate a suitable commencement date which may be before the date of the child's birth or following the birth of the child. In the case of adoption, the leave shall commence at or about the time the adopted child is received into the family (although the legal adoption may not be complete) or on the expiration of the spouse's parental leave and not later than 12 months after commencement of the leave.

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- 5.6 To be entitled to parental leave, the clergyperson must have completed at least one year's continuous service in the Diocese before the commencement of parental leave.
- 5.7 Any period of parental leave must be a continuous period.
- 5.8 A clergyperson on parental leave may resume his or her ministry at any time before the expiry of such leave provided he or she gives at least two weeks' notice to, and receives the agreement of, the Wardens and the Assistant Bishop.
- 5.9 A clergyperson on Long Parental Leave shall not be entitled to any allowances. Should permission be given by the Archbishop and Wardens for the clergyperson to remain in the Rectory, or as otherwise agreed.
- 5.10 Notwithstanding the foregoing, a clergyperson may during the course of his or her absence on parental leave, with the consent of the Assistant Bishop, provide a limited ministry or services, in which case he or she shall be entitled to receive the pro rata equivalent of the minimum stipend. (One day is equivalent to 1/6th of the weekly stipend).
- 5.11 In the event that a clergyperson resigns his or her ministry or service during the time he or she is absent on parental leave and is living in a property either owned or rented by the Diocese, he or she shall vacate such property within one month following notice of his or her resignation. In the event that the accommodation is rented on behalf of the clergyperson, he or she may remain in that accommodation provided he or she pays the applicable rent for the duration of the agreed term.
- 5.12 A clergyperson on parental leave may apply in writing for an extension of his or her parental leave. The Parish Council may, but is not obliged to, grant an extension, in consultation with the Assistant Bishop and, if appropriate, a medical practitioner, considers an extension is warranted.
- 5.13 If the mother's pregnancy terminates otherwise than by the birth of a living child or the child later dies, the period of parental leave shall be cancelled and the Assistant Bishop and Churchwardens shall exercise their authority in respect to the granting of compassionate leave for the clergyperson, pursuant to paragraph 3.1 above.
- 5.14 In the event a clergyperson who has been granted parental leave ceases to be the primary caregiver during the course of such leave, the leave shall be cancelled.
- 5.15 On the termination of parental leave, the clergyperson shall return to the position he or she held immediately before he or she commenced such leave. If that position is no longer available but he or she is qualified for, and can exercise the duties of, other available positions in the Diocese, he or she shall be employed in whichever of those positions is nearest in status and remuneration to this previous position.
- 6 LONG SERVICE LEAVE**
- 6.1 Provisions for long service leave are in accordance with the Long Service Leave Canon 2010 of General Synod. A summary of the Canon is outlined in Annexure C.
- 6.2 The diocesan process for taking Long Service Leave and appointment of Locum Tenens is shown in Annexure D.
- 6.3 All annual leave is to be extinguished prior to taking Long Service Leave. Annual leave may be taken in conjunction with Long Service Leave.

DIOCESAN COUNCIL POLICY 10.3



- 6.4 The Rectory will continue to be available to the clergyperson on Long Service leave or members of the clergyperson's family.
- 6.5 The Parish or department shall continue to pay the clergyperson the customary stipend and the fixed component of the motor vehicle allowance. Where the clergyperson is entitled to the use of a motor vehicle, they shall continue to have use of that vehicle during the period of Long Service leave.
- 6.6 Payment of all other allowances under any statute or policy of the Diocese (excluding the variable portion of the motor vehicle allowance) shall continue during the period of Long Service leave.

7 PROFESSIONAL DEVELOPMENT AND RETREAT

- 7.1 Days devoted to Professional Development and Retreats are not considered to be leave.
- 7.2 It is the expectation that clergy go on retreat (annually) and attend the clergy conference (bi-annually)

8 LEAVE OF ABSENCE - DEFENCE FORCE CHAPLAINS

A clergyperson who also serves as a Reserve Chaplain Officer in the Australian Defence Force and receives remuneration for any time spent by them on military exercises on deployment or other military related matters must first apply to the Archbishop for leave of absence from their ministry for which time they will not receive a stipend.

9 LONG SERVICE LEAVE FUND INFORMATION PAPER

The Long Service Leave Fund was created by Canon of the General Synod of the Anglican Church of Australia in 1966. It currently operates under General Synod Canon No 7 of 2010 which came into effect on 1 January 2015. All Dioceses of the Australian Church have accepted the provisions of the Canon.

The following information is a summary of Parts 6, 7 and 8 of the Long Service Leave Canon 2010.

This advice explains the main features of the Long Service Leave Canon. It is not intended as a substitute for the Canon which is the legal document covering the Fund. In the event of any conflict between the contents of this advice and the provisions of the Canon, the latter will prevail.

10 EFFECTIVE FROM 1 JANUARY 2015

10.1 Notional Stipend

This is the rate fixed by the Board annually as the stipend payable by the Fund to the diocese, or participating organisation for the period of leave.

10.2 Amount of Long Service Leave

There are two tiers of Long Service leave entitlement.

For each year of qualifying service prior to 1 January 2015, Long Service leave is calculated at the rate of 10 weeks for 10 years qualifying service. On completion of each subsequent year of qualifying service, Long Service leave is calculated at the rate of 1 week for each year.

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For each year of qualifying service after 1 January 2015, Long Service leave is calculated at the rate of 13 weeks for 10 years qualifying service. On completion of each subsequent year of qualifying service Long Service leave is calculated at the rate of 1.3 weeks for each year.

An entitlement to Long Service leave only arises in respect of completed years of qualifying service.

10.3 Qualifying Service

Qualifying Service is defined in section 34 of the Canon. 'Service' means paid service in a full or part time capacity in a diocese of the Anglican Church of Australia or any other Anglican entity that has participated in the national Long Service leave program.

From 1 January 2015, part time service is treated differently. It is the responsibility of the Diocese to notify the Long Service Leave Board if a clergyperson begins or concludes part-time service.

10.4 Leave to be Taken

Leave is expected to be taken as soon as practical after clergy become eligible.

Leave can be arranged in:

- (a) one continuous period,
- (b) where the amount of leave exceeds five weeks but does not exceed 13 weeks, in two separate periods, or
- (c) where the amount of leave exceeds 13 weeks, in two or three separate periods.

Long Service Leave is exclusive of annual holidays but is inclusive of all other days off occurring during the leave.

Long Service leave is not a form of superannuation, nor is it to be confused with study leave. Payments should not be made in lieu of leave except as stated in the Canon.

10.5 Notice of Leave

At least three months' notice must be given from the date of the proposed Long Service Leave to be taken. Refer to **Appendix D**

10.6 Nature of Service

Any payment made by the Long Service Leave Board for a participant service less than full time shall be on a pro-rata basis.

10.7 Payment

(a) Notional Stipend

This is the amount (expressed as a sum per annum) fixed by the Board annually as the stipend payable by the Fund to the diocese, or participating organisation for the period of the leave.

(b) Sabbatical Allowance

This is the allowance paid when Long Service leave is actually taken to assist with the cost of taking leave. The rate, fixed by the Standing Committee of General Synod, is currently set at 35.5% of 1/365th part of the notional stipend for each day of leave taken.

(c) Normal Payment

This is the ordinary stipend paid in respect of the period of leave. This payment would ordinarily be made to the Diocese.

10.8 Payment in lieu on Death

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When a member of the clergy dies a pro-rata payment based on the period of qualifying service not already used is payable by the Fund. Such payment will not include the Sabbatical Allowance.

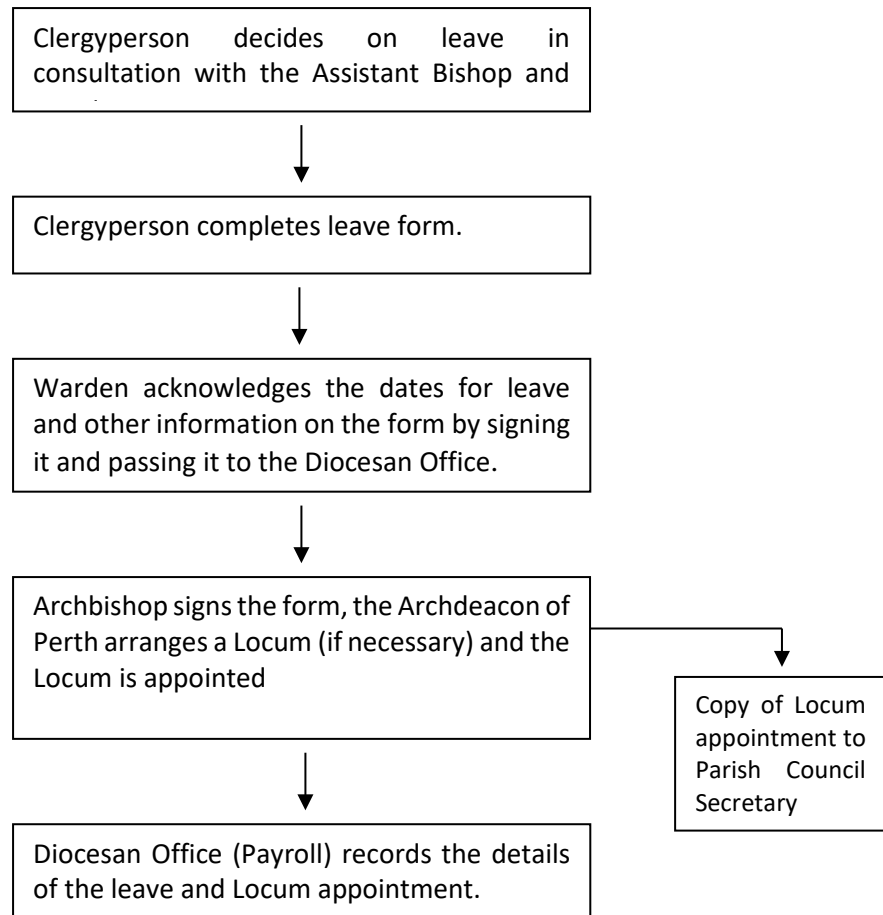
10.9 Payment in lieu on Resignation or Retirement

When the service of a participant terminates other than by reason of the participant's death and the participant has completed at least five years of qualifying service then the participant is to be paid an amount equal to one week for each year of qualifying service prior to 1 January 2015 and 1.3 weeks for each year of qualifying service after 1 January 2015 and pro rata for the nature of service together with a proportionate payment for any incomplete year of qualifying service rendered and pro-rated for the nature of service.

The amount payable will not include a sabbatical allowance.



PROCESS FOR CLERGY LEAVE FORMS



Notes:

- 1 If any discrepancy arises between the records of the parish and Diocesan Office, in the absence of documentary evidence to the contrary, Diocesan Office records will prevail.



PARISH CLERGY LEAVE FORM

One full month's notice of leave would be appreciated. **For details refer to the Clergy Leave Policy 10.**

Please note

- 1 *Study leave must be approved by the Archbishop prior to taking the leave.
- 2 *Compassionate leave on request from the Archbishop.
- 3 Long Service Leave to be submitted on Long Service Leave application form.

Please forward this form to the Archbishop

GPO Box W2067, Perth WA 6846 or archbishop@perth.anglican.org

Name _____

Parish _____

For available annual leave see current pay advice and for personal leave please contact Payroll Officer.

Type of leave

Date

Annual From _____ To _____

Personal (sick/carers) From _____ To _____

Other* (study, compassionate, parental, etc) From _____ To _____

Number of Days In total _____ **Number of Sundays** _____

If full-time, specify day off _____

If part-time, specify days worked M T W Th F S Su

Supply Arrangements

Date _____ Supply Clergy _____

Date _____ Supply Clergy _____

Date _____ Supply Clergy _____

Signed

Clergy _____ Date _____

Warden _____ Date _____

Archbishop _____ Date _____

HR _____ Date _____



APPENDIX C

ALLIED MINISTRY CLERGY LEAVE FORM

One full month's notice of leave would be appreciated. **For details refer to the** Clergy Leave Policy 10.

Please note

- 4 *Study leave must be approved by the Archbishop prior to taking the leave.
- 5 *Compassionate leave on request from the Archbishop.
- 6 Long Service Leave to be submitted on Long Service Leave application form.

Please forward this form to the Archbishop
GPO Box W2067, Perth WA 6846 or archbishop@perth.anglican.org

Name _____

Allied Ministry _____

For available annual leave see current pay advice and for personal leave please contact Payroll Officer.

Type of leave

Date

- Annual From _____ To _____
- Personal (sick/carers) From _____ To _____
- Other* (study, compassionate, parental, etc) From _____ To _____

Number of Days In total _____ Number of Sundays _____

If full-time, specify day off _____

If part-time, specify days worked M T W Th F S Su

Supply Arrangements

Date _____ Supply Clergy _____

Date _____ Supply Clergy _____

Date _____ Supply Clergy _____

Signed	
Clergy _____	Date _____
Co-ordinating Chaplain _____	Date _____
Archbishop _____	Date _____
HR _____	Date _____



APPENDIX D

LONG SERVICE LEAVE

The **Long Service Leave Board** requires **three months' notice**. Queries should be directed to the Payroll Officer. **The Diocesan Code of Statutes states "LSL shall only be taken with the approval of the Archbishop"**. For further details refer to the Clergy Leave Policy Annexure C, the Long Service Leave Canon 1992 (p361) and Long Service Leave (Local Regulations) (p131).

Please forward completed forms to the Archbishop
GPO Box W2067, Perth WA 6846 or archbishop@perth.anglican.org

Name

Parish/Allied Ministry

Available leave confirmed with the Payroll Officer

From **To**

Total Number of Days

Number of Sundays

Locum Arrangements – as arranged with the Archdeacon of Perth

Date **Clergy**

Date **Clergy**

Signed

Clergy **Date**
.....

Warden/Coordinate Chaplain **Date**
.....

Archbishop **Date**
.....

HR **Date**
.....