



# Clergy Maternity, Paternity, Adoption and Shared Parental Leave Policy

## Document Overview

**Purpose** To inform all clergy and licensed lay workers who minister in the Diocese of Coventry about their entitlement to both statutory and enhanced maternity; paternity; shared parental; adoption leave and time off to care for dependants' rights.

**Confidentiality** This document is not confidential

**Document owner** Dean of Women's Ministry and the Archdeacon Pastor

**Status note** Approved by BCST

**Distribution** All Clergy, Bishop of Coventry, Dean of Women's Ministry, Bishop of Warwick, Diocesan Secretary, Churchwardens, Parochial Church Councils, Director of Operations, Archdeacon Pastor, Archdeacon Missioner, Archdeacons' PAs, HR Administrator.

**Required Action**

**Proposed next step**

## Version History

Version	Date	Status Note
1.0	17/05/18	Approved to be reviewed 1 <sup>st</sup> April 2019
2.0	04/11/21	Approved by BCST
3.0	13/03/24	Paternity section updated in line with law changes

# Clergy Maternity, Paternity, Adoption and Shared Parental Leave Policy

## 1.Introduction

- 1.1. It is important that those whom God has called to positions of authorised ministry have confidence that the Church will support them properly and enable them to continue in ministry if they become parents.
- 1.2. Office holders are entitled to maternity, paternity, adoption and shared parental leave for the same periods and subject to the same conditions as an employee under the Employment Rights Act 1996. Further details can be found at:  
<http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/Expectingorbringingupchildren/index.htm>.

## 2.Maternity Leave

- 2.1. The appropriate people for a clergywoman to notify that she is pregnant is the Dean of Women's Ministry (DoWM), and the Archdeacon Pastor. The DoWM will work with her and guide her through this process.
- 2.2. In addition to this, the clergywoman is required to send a copy of her Maternity Certificate ('MAT B1' form including the expected due date) to the Director of Operations who will ensure Clergy Payroll Services receive a copy.
- 2.3. The DoWM will, by mutual agreement meet with the clergywoman, give to her copies of these Diocesan guidelines and discuss their implications with her.
- 2.4. There will be agreement about when it is appropriate to inform others of the pregnancy and maternity leave expectations. This will include the Bishop, Archdeacon, Area Dean, Incumbent (if applicable), Churchwardens and congregation. If it is desired, the DoWM will be able to be present to offer support and guidance in these meetings.
- 2.5. At this stage it may be useful to offer to put the clergywoman in touch with other women who have or have had babies at a similar stage of ministry.
- 2.6. Office holders have the right to time off for ante natal care regardless of their length of service or number of hours that they work. Where they are stipendiary, and have to be absent from their usual duties for such care, they will be paid, and any necessary cover will be provided. Incumbents are asked to make initial efforts to provide such cover, with the Area Dean or Archdeacon Pastor doing so if necessary.
- 2.7. There will need to be conversations at this stage which are appropriate to the particular context, that take into account the following issues:
  - 2.7.1. What provision can there be for the continuity of ministry in that place?

It is important that the clergywoman is encouraged to think about the on-going ministry in that place during the time of maternity leave. It may be possible to explore the secondment of a curate or retired clergyperson to cover the leave.
  - 2.7.2. Arrangements for cover

As office holders, clergy (unless they are Curates in Training) are legally responsible for arranging their own cover for any reason, including maternity, paternity, parental, shared parental and adoption leave, as they remain in office whilst on maternity (and other) leave.

In preparation for the leave, the clergywoman and the parish, with the support of the Area Dean will work on providing good cover arrangements. During the leave this will be the responsibility of the leaders in the parish and the Area Dean.

During the time of maternity leave, the CDBF will meet the costs of the cover, paying any fees as necessary. Coventry DBF will make payments in accordance with the Fees for Additional Ministry Policy for covering maternity, paternity, adoption and shared parental leave for licensed parish clergy.

#### 2.7.3. Arrangements to be put in place for the protection of the clergywoman's privacy during the leave.

This will be an issue of particular importance if the clergywoman is living in an obvious church house. She will be encouraged to think about safeguarding her privacy whilst enabling the on-going ministry in that place. For example, additional phone lines, clear notices, etc.

#### 2.7.4. "Keeping in Touch Days" (KIT Days)

Unlike employees, clergy office holders do not lose SMP if they stay in touch with the parish or CDBF or carry out some of the duties of their office during their maternity leave. Therefore, Clergy office holders do not specify Keeping in Touch ("KIT") days, as they do not lose stipend when they keep in touch with parishioners or the CDBF. While there is no expectation that clergy office holders will conduct any duties while on maternity leave, they may choose to engage with certain ministerial tasks or training. However, clergy will need to think through in advance quite carefully what arrangements they want to make for keeping in touch during any period of maternity (and other) leave, as they may wish to set out clear boundaries.

Examples of keeping in touch activities include: the clergywoman leading some Sunday services as she prepares to begin duties again; or the clergywoman choosing to take a significant funeral that falls during the leave; or attending Continuing Ministerial Development/training.

When planning maternity leave, the clergywoman needs to be encouraged to think about any plans to keep in touch with parish or CDBF. The parish will need to understand the context of any ministry or training undertaken during maternity leave, particularly if it is the responsibility of the clergywoman to ensure that the churchwardens, parish officers and congregation are aware of the nature and scope of these keeping in touch activities.

*See Guidance note to clergy office holders about to become parents.*

<https://www.churchofengland.org/media/19923> .)

#### 2.7.5. What are the early thoughts about returning to duty?

Although this may feel a long way off, and decisions do not need to be made yet, it would be good for those involved to do some preparation and reflection on this.

Through these conversations, the CDBF will seek to be supportive and flexible, whilst recognising the practical constraints.

#### 2.7.6. During the leave, the DoWM will be available as a point of contact and support for the clergywoman.

- 2.8. On returning to duty, the clergywoman will be offered the support of a mentor by the DoWM, in consultation with the Archdeacon Pastor, who will offer help in reflecting on the changes in working patterns and new family arrangements. The mentor and the DoWM might be available to help with negotiating any changes or adjustments in working patterns.

## Leave

- 2.9. You are entitled to up to 52 weeks' maternity leave , which is comprised of 26 weeks Ordinary Maternity Leave and 26 weeks Additional Maternity Leave.
- 2.10. **Before the 15<sup>th</sup> week before the Expected Week of Confinement (EWC), or as soon as reasonably practical afterwards, you must tell us:**
- 2.10.1. That you are pregnant (preferably by submitting a MAT B1 form – usually given to the woman by her midwife);**
  - 2.10.2. The EWC;**
  - 2.10.3. The date on which you intend your ordinary maternity leave to start; and**
  - 2.10.4. If requested, provide medical evidence of the EWC.**
  - 2.10.5. The Director of Operations will confirm to you in writing the date upon which your 52-week maternity leave period will end.**
- 2.11. Maternity leave may start any time after the 11th week before the expected week of childbirth and no later than the day after childbirth.
- 2.12. If you change your mind about when you want your maternity leave to start you must give at least 28 days' notice.
- 2.13. You are legally prohibited from working during the 2 weeks immediately after the birth; this is known as the "compulsory maternity leave period" and is considered part of the ordinary maternity leave period.
- 2.14. If you give birth before your intended maternity leave start date, your maternity leave will start automatically on the day after the birth of the child.
- 2.15. If you wish to return to duty before the end of the 52-week period of maternity leave you must give at least 8 weeks' notice of your intended date of return.
- 2.16. The above information is given for guidance purposes only and with the exception of Enhanced Maternity Pay confers no extra rights to you beyond those provided by statute. In the event that the statutory scheme is amended then the statutory scheme takes precedence over this policy.
- 2.17. Self-supporting ministers have the same entitlement to maternity (and other) leave as other beneficed and licensed clergy, but are not eligible to receive maternity (and other) pay, as they do not receive stipend.

## Maternity and Long-Term Sick Leave during Training Curacies

- 2.18. This policy has been agreed to ensure that, when taking Maternity or Long-Term Sick Leave during their curacy, Curates are not disadvantaged and have the opportunity to complete their curacy within an agreed time extension period.
- 2.19. Reasons for this provision include:
- Equal opportunity to prepare for their end of title assessment
  - Extended flexible time at the end of their curacy for either repeating their assessment or seeking their next post
  - Not disadvantaging curates by insisting they stay longer in curacy if they can demonstrate completion of their title outcomes
  - Within the 3½ year Curacy term, an 8-month flexible period of time is already in place which allows for additional study time if required with an opportunity of an extension if agreed. This policy allows for those who take Maternity or Long-Term Sick Leave during their curacy an automatic entitlement to this extension if required.

## 2.20. Curacy Extension Options:

Curates who have been on a single maternity leave during the title period (the first 2.5 years of curacy) or who have been on long term sick leave in the same period will automatically have the option to:

- a) Extend the period prior to end of title assessment for up to the length of time of their agreed leave. For example, 8 months maternity leave would trigger the option for end of title assessment to happen in August rather than January of the third year.  
and if requested;
- b) Have the four month extension which is usually discretionary (December to April of the fourth year) as an automatic extension if they choose to do so.

2.21. Clergy returning to duty after maternity (and other) leave who wish to complete their training on a part time basis and have the length of their training curacy extended should use the process for making a request for time off or adjusting their duties to care for a dependant. See the procedure at:

<https://www.churchofengland.org/sites/default/files/2019-04/requesting-time-off-or-adjustments-to-care-for-a-dependant-april-2019.pdf>

## Statutory Maternity Pay (SMP)

2.22. A clergywoman who has completed 26 weeks service ending with the 15th week before the Expected Week of Childbirth (EWC), should be entitled to:

2.22.1. Statutory Maternity Leave for 52 weeks. Clergy may be entitled to receive Statutory Maternity Pay (SMP) and enhanced maternity pay for up to 39 weeks of the leave.

2.22.2. If clergy qualify for SMP, it is paid:

- for the first six weeks at 90 per cent of your stipend
- for the remaining 33 weeks at the lower of either the statutory rate or 90 per cent of your stipend whichever is lower.

2.23. If an office holder is not eligible for SMP from their current office, they may be eligible for all/part of the SMP to be paid by a previous employer or they may be eligible for Statutory Maternity Allowance, which is claimed directly from HMRC by the beneficiary.

## Enhanced Maternity Pay

2.24. Effective 4 November 2021, as approved by Bishop's Council, the Diocese of Coventry has agreed that, clergy may receive Enhanced Maternity Pay, irrespective of whether they qualify for Statutory Maternity Pay or have held office in the diocese for any length of time.

If the mother intends to return to her role after maternity leave, she is entitled to receive:

- her existing level of stipend (which includes Statutory Maternity Pay) for the first 26 weeks.
- Statutory Maternity Pay or 90% of her average earnings (whichever is the lower) for up to a further 13 weeks.
- an additional 13 weeks' maternity leave without pay.

2.25. This enhanced provision is in order to:

- ensure that stipendiary office holders are not disadvantaged (if, for example, they do not have a statutory entitlement to statutory maternity or adoption pay because their maternity or adoption leave starts shortly after commencing their curacy);
- provide adequate support to clergy and their families;
- demonstrate that the Church is serious about providing good care and support for its clergy when they have family responsibilities.

## 2.26. Failure to return to your office after receiving enhanced Maternity Pay:

Office holders are advised that the CDBF reserves the right to reclaim the non-statutory element of maternity pay, if the office holder fails to return to duties and/or continue in office for at least three months following each period of maternity leave. These three months are in addition to any accrued leave during the paid time off. Therefore when returning from leave, if any accrued leave is taken, they will be required to work further 3 months to qualify for the enhanced maternity pay.

Therefore, if a clergy person is unable to return to duty after one period of maternity leave due to another pregnancy, but still intends to return to duty after the subsequent pregnancy, for them to both continue to benefit from any occupational maternity pay and not repay the non-statutory element of maternity pay they must agree to return to duty for a longer period of time than three months i.e. three further months for each consecutive maternity leave.

Please note that this repayment requirement will apply to clergy who opt to take a 'career' break immediately following maternity leave. It will not apply to those who opt to take parental leave immediately following maternity leave, providing the employee returns to duty for a three-month period following the parental leave.

- 2.27. The Bishop may consider requests for additional support separate to this policy strictly on a case by case basis. This would be entirely at his discretion.
- 2.28. This pay is taxable and attracts National Insurance deductions. It also, (including the 13 weeks unpaid Additional Maternity Leave) remains as pensionable leave.
- 2.29. All other rights remain the same for the clergywoman (this includes housing, PCC contributions to expenses etc.).
- 2.30. Clergy receiving maternity or other pay will continue to earn pension as usual. If they pay voluntary contributions, these also continue but can be reduced or stopped. If clergy take Unpaid Leave, this is not pensionable.

## After Maternity Leave

- 2.31. It is recognised that there is more than one way in which the vocations to motherhood and ministry can be fulfilled together. The Diocese seeks to be flexible and realistic in enabling clergywomen to continue their ministry in a way which is right for them and their family.
- 2.32. The following three models outline options within which the Diocese is willing to enable clergywomen to minister. Each of these options can follow on from maternity leave.
- 2.33. Whilst it cannot be required, it would be most helpful if, before the period of maternity leave begins, an expectant clergywoman gives a non-binding indication to the DoWM and Incumbent/Area Dean of the model she is most likely to adopt. During the period of leave the DoWM will maintain contact with the clergywoman, and will inform the relevant Diocesan staff of any changes in intention. If the DoWM is unavailable, the next point of contact would be the Archdeacon Pastor's office.

## Possible models

### 2.34. Full-time ministry

- 2.34.1. A clergywoman may return to her usual full-time ministry following the period of maternity leave.
- 2.34.2. Formal notification: The CDBF will assume that the clergywoman is returning to full-time ministry unless notified otherwise, at the latest 8 weeks before the intended return to duty.
- 2.34.3. Housing: The family may continue to live in the parsonage house during the period of maternity leave.

## 2.35. Part-time ministry

- 2.35.1. A clergywoman may negotiate with the Archdeacon Pastor and PCC with a cleric's desire to return to ministry on a part-time basis referred to the Bishop – however it cannot be guaranteed that such an option would be possible. For those in positions of incumbency status, the usual minimum basis would be 50%-time.
- 2.35.2. Formal notification: Written notice of desire to return to ministry part-time must be submitted to the Bishop at the latest three months before the end of maternity leave, together with an indication of how long the part-time ministry is expected to continue.
- 2.35.3. Housing: the family may continue to live in the parsonage house during the period of maternity leave.
- 2.35.4. Working Agreement: an appropriate working agreement must be established before the end of the period of maternity leave. The DoWM / Area Dean can be used to facilitate discussions in this area.  
  
The precise meaning of 'part-time' will determine the level of stipend payable. Pension payments will be proportionate to the level of stipend.
- 2.35.5. It may be possible, through negotiation with the CDBF, that the part-stipend which would be 'saved' by the CDBF may be made available to enable the deployment of ordained, or employment of lay, support staff in the parish. Any such arrangement would need to be made through the Archdeacon Pastor before or during the period of maternity leave.
- 2.35.6. All clergy with children under 6 years of age (or if disabled, under 18 years of age) have a right to ask the diocese once a year to explore the possibility of seeking part-time ministry.

## 2.36. 'Career break'

- 2.36.1. A clergywoman may choose to resign and take a 'career break' whilst caring for her family, and return to stipendiary ministry when family commitments enable her to do so.
- 2.36.2. Formal notification: Written notice of resignation must be submitted to the Bishop at the latest three months before the end of maternity leave. The resignation date will be the first day following the period of leave.
- 2.36.3. Housing: The family can continue to live in the parsonage house for the period of maternity leave. The CDBF will not be responsible for providing housing during the 'career break', and the family will be required to have moved by the date of resignation.
- 2.36.4. Self-supporting ministry: The clergywoman may choose to exercise a self-supporting ministry during the time of her 'career break'. She will need to request a Permission to Officiate, or new License, from the Bishop.
- 2.36.5. Maternity Pay: Any maternity payments made over and above the Statutory Maternity Pay, may have to be repaid to the CDBF if the clergywoman takes a career break.
- 2.36.6. Returning to stipendiary ministry: The Bishop will actively seek to place the clergywoman in a suitable post following her 'career break' but is not in a position to guarantee a post.

# 3. Paternity Leave

- 3.1. Paternity leave is available on the birth of a child if you have been continuously in office with us for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth and either:
  - 3.1.1. You are the biological father and will have some responsibility for the child's upbringing; or

- 3.1.2. You are the husband or civil partner of the biological mother and will have the main responsibility (with the mother) for the child's upbringing.
- 3.2. Paternity leave is available where a child is placed with you for adoption by an adoption agency. In such cases you may be entitled to take adoption leave instead (see our Adoption Policy). However, adoption leave may only be taken by one adoptive parent. Paternity leave is available to the other adoptive parent (of either sex).
- 3.3. Subject to satisfying the eligibility criteria above, you are entitled to choose to take either one week or two weeks' Paternity Leave (not odd days) if you:
  - 3.3.1. Have been continuously employed for at least 26 weeks by the 15th week before the Expected Week of Childbirth (EWC) or by the week in which an Approved Adoption Agency matches you with a child;
  - 3.3.2. Have given notice of your intention to take the leave in or before the 15th week before the EWC specifying the EWC, length of period you have chosen to take and the date you have chosen the leave to begin; and**
  - 3.3.3. Take the leave within 52 weeks after the birth (or the date on which the child is placed for adoption) ..
- 3.4. Discussions should take place with the Archdeacon Pastor about when and how this leave is to be taken.
- 3.5. If you change your mind about when you want your paternity leave to start you must give at least 28 days' notice.
- 3.6. Paternity Leave and Pay are available for up to two weeks.
- 3.7. Effective 4 November 2021, as approved by Bishop's Council, the Diocese of Coventry has agreed that, clergy should receive Enhanced Paternity Pay, irrespective of whether they qualify for Statutory Paternity Pay or have held office in the diocese for any length of time.
- 3.8. Coventry Diocese has agreed that paternity leave will be paid at full stipend. However, you must notify the Archdeacon Pastor or Director of Operations and submit completed Form SC3 so that the CDBF can claim the statutory element from the government. Form SC3 is available on the HMRC website, [www.hmrc.gov.uk/forms/SC3.pdf](http://www.hmrc.gov.uk/forms/SC3.pdf)
- 3.9. The above information is given for guidance purposes only and with the exception of enhanced paternity pay confers no extra rights to you beyond those provided by statute. In the event that the statutory scheme is amended then the statutory scheme takes precedence over this policy.

### **Time Off for Accompanying a Pregnant Woman to Antenatal Appointments**

- 3.10. You may take time off to accompany a pregnant woman to an antenatal appointment if you have a "qualifying relationship" with the woman or the child. This means that either:
  - 3.9.1. you are the baby's father;
  - 3.9.2. you are the pregnant woman's spouse or civil partner, are living with her in an enduring family relationship and she is not your sister, mother, grandmother, aunt or niece; or
  - 3.9.3. you are one of the intended parents in a surrogacy arrangement and expect to obtain a parental order in respect of the child.



## 4.ADOPTION LEAVE/PAY

- 4.1. Individuals should inform the Archdeacon as soon as possible of their intention to adopt in order to receive information/advice regarding their entitlement to adoption leave and pay. It is recognised, however, that people may not wish to share this information and confidentiality will be respected.
- 4.2. Individuals have the time right to paid time-off for specific introduction meetings with appropriate social workers/children. They should let the Archdeacon Pastor know when they are planning to take time off and provide any evidence that may be required.
- 4.3. Leave arrangements can begin once an individual can demonstrate that they have been matched with a child through an authorised adoption agency.
- 4.4. Once an individual has decided the date on which they wish to commence their Ordinary Adoption Leave they should discuss this with the Archdeacon Pastor.

### **Statutory Adoption Leave**

- 4.5. If you are adopting a child you have the right to take 52 weeks' adoption leave.
- 4.6. You will be entitled to take adoption leave provided:
  - 4.6.1 you have been matched with the child for adoption by a UK adoption agency;
  - 4.6.2 you have notified the agency that you agree that the child should be placed with you and you have agreed on the date of placement;
  - 4.6.3 you have not already taken ordinary adoption leave in relation to this child as a result of that child being placed, or expected to be placed, with you as a foster parent by a local authority in a 'fostering to adopt' arrangement; and
  - 4.6.4 you have complied with the notification/evidential requirements below.
- 4.7. Adoption leave is made up of 26 weeks of ordinary adoption leave (OAL) and a further 26 weeks of additional adoption leave (AAL) starting immediately after OAL.
- 4.8. To be eligible for Statutory Adoption Pay you must meet the requirements in paragraph 4.6 above and:
- 4.9. earn on average in the previous eight weeks at least the lower earnings limit for national insurance contributions;
  - 4.9.1. have continuous service in the Diocese for at least 26 weeks ending with the week in which notification was received of having been matched with the child for adoption (the Qualifying Week);
  - 4.9.2. be absent from duty due to adoption leave;
  - 4.9.3. have elected to receive SAP (which is only possible if you have not elected to receive statutory paternity pay (SPP)). If you are in doubt about whether you qualify you should contact the Director of Operations;
  - 4.9.4. have notified the Diocesan Office of your wish to claim SAP; and
  - 4.9.5. have provided the documents/information in paragraph 4.10 below.
- 4.10. Officers must give documentary proof to the Archdeacon Pastor to show that they have the right to paid Statutory Adoption Leave. This is usually a matching certificate from the adoption agency. The adoption agency must be recognised in the UK.
- 4.11. Statutory adoption leave can start either:
  - 4.11.1. From the date the child starts living with the you

- 4.11.2. up to 14 days before the date the child is expected to start living with the you.
- 4.12. You must tell the Archdeacon Pastor within seven days of being told that you have been matched with a child, if this is not possible you must tell us as soon as possible.
- 4.13. Adoptive parents will have the right to attend 'adoption appointments' (up to five paid appointments for the main adopter and up to two unpaid appointments for the secondary adopter).
- 4.14. Adoption leave is available to either partner, but is not available to both. One party may claim adoption leave; the other party may be entitled to 'Paternity Leave'. Both parties may additionally be entitled to Shared Parental Leave.
- 4.15. If you require further information about adoption leave and pay you should speak to the Director of Operations.
- 4.16. The above information is given for guidance purposes only and confers no extra rights to you beyond those provided by statute.

### **Statutory Adoption Pay**

- 4.17. For the first six weeks Statutory Adoption Pay (SAP) is payable at the earnings related rate (equivalent to 90% of earnings) and for the remaining 33 weeks at the statutory rate as set by the Government, (or 90% of average weekly earnings if this is less than the standard rate).

### **Enhanced Adoption Pay**

- 4.18. Effective 4 November 2021, as approved by Bishop's Council, the Diocese of Coventry has agreed that, the main adopter should receive Enhanced Adoption Pay, irrespective of whether they qualify for Statutory Adoption Pay or have held office in the diocese for any length of time.
- 4.19. If the parent intends to return to their role after adoption leave, she/he is entitled to receive:
- their existing level of stipend (which includes Statutory Adoption Pay) for up to 26 weeks.
  - Statutory Adoption Pay or 90% of her average earnings (whichever is the lower) for up to a further 13 weeks.
  - an additional 13 weeks' adoption leave without pay.
- 4.20. Failure to return to your office after receiving enhanced adoption Pay:
- Office holders are advised that the CDBF reserves the right to reclaim the non-statutory element of adoption pay, if the office holder fails to return to duty and/or continue in office for at least three months following each period of adoption leave. These three months are in addition to any accrued leave during the paid time off. Therefore when returning from leave, if any accrued leave is taken, they will be required to work further 3 months to qualify for the enhanced adoption pay.
- If a clergy person decides not to return to duty after taking adoption leave, or returns to duty but subsequently decides not to continue in office for a period of at least three months, the CDBF has the right to reclaim any enhanced adoption pay that they received that is in excess of any statutory adoption pay that they have received.
- Please note that this repayment requirement will apply to clergy who opt to take a 'career' break immediately following adoption leave. It will not apply to those who opt to take parental leave immediately following maternity leave, providing the employee returns to duty for a three-month period following the parental leave.
- 4.21. The Bishop may consider requests for additional support separate to this policy strictly on a case by case basis. This would be entirely at his discretion.
- 4.22. This pay is taxable and attracts National Insurance deductions. It also, (including the 13 weeks Additional Adoption Leave) remains as pensionable leave.

- 4.23. Either partner may receive Statutory Adoption Pay but not both. The other partner may receive Statutory Paternity Pay. Both partners may be entitled to opt into Shared Parental leave and pay.
- 4.24. If you require further information about adoption leave and pay you should speak to the Director of Operations.

## 5. BOUNDARIES DURING MATERNITY (AND OTHER) LEAVE

- 5.1. We may make reasonable contact with you from time to time during your leave although we will keep this to a minimum. This may include contacting you to discuss arrangements for your return to duty.
- 5.2. While there is no expectation that clergy will undertake ministry or training during maternity leave, some many choose to keep in touch with parish and/or diocese in various ways during their leave.
- 5.3. Unlike employees, clergy office holders do not lose SMP if they stay in touch with the parish or diocese or carry out some of the duties of their office during their maternity leave. Therefore, Clergy office holders do not arrange Keeping in Touch ("KIT") days, as they do not lose stipend when they keep in touch with parishioners or the diocese.
- 5.4. However, for their own well-being, if an office holder wishes to undertake any of their duties of office during leave, they are encouraged to agree, in writing, with their church wardens and archdeacon/area dean (as appropriate) what these duties will be and when they will be undertaken. This will enable the office holder to set clear boundaries to protect their leave which can be communicated to the PCC.
- 5.5. When planning leave, the clergyperson needs to be encouraged to think about how they might take these days, and the parish will need to understand their context, particularly if it is the responsibility of the clergyperson to ensure that the churchwardens, parish officers and congregation are aware of the nature and scope of these days. It will then be important to observe scrupulously any boundaries that they have set, in order to encourage parishioners to respect them. It may be helpful for the Churchwardens to be the initial point of contact. See also **Guidance note to clergy office holders about to become parents**.
- 5.6. Clergy on unpaid maternity (and other) leave should not generally be working, because, if they are, then they should be being paid for it. But if they do find that, for exceptional reasons, they have worked (which might include contact with parishioners that was not purely social or attending a diocesan meeting) for a day during a period of unpaid leave, they should arrange to have an additional day's leave following their return to duty.

## 6. PARENTAL LEAVE

### The Entitlement

- 6.1. The objective of Parental Leave is to enable employees with parental responsibility time off to spend time with and to look after a child or to make arrangements for the child's welfare.
- 6.2. Parental Leave which is unpaid, is for a maximum of 18 weeks for each child and can be taken by both parents. Leave taken with a previous 'employer' counts towards the maximum entitlement.

## **When Leave May Be Taken**

- 6.3. Leave may be taken in blocks of one week or more, up to a maximum of four weeks in a year for each child. However, parents of disabled children can take leave in blocks or multiples of one day.
- 6.4. Employees can choose to take Parental Leave at any time up until the child's 18th birthday.

## **Making Application for Leave**

- 6.5. Parents must give 21 days' notice of their request for Parental Leave. Such an application should be addressed to the Archdeacon Pastor.
- 6.6. If an officer wishes to take Parental Leave immediately after the birth or adoption of a child, the officer must give 21 days' notice before the beginning of the expected week of childbirth. In the case of adoption the officer must give 21 days' notice of the expected week of placement, wherever possible.

## **Evidence of Entitlement**

- 6.7. The CDBF reserves the right to request sight of evidence that an officer is the parent of a child or has parental responsibility for the child. Examples of what might be 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.

# **7.Shared Parental Leave**

- 7.1. Shared Parental Leave will enable eligible mothers, fathers, partners and adopters to choose how to share time off work after their child is born or placed for adoption. This could involve returning to duty for part of the time and then resuming leave at a later date. See relevant separate policies.
- 7.2. Qualifying mothers and adopters continue to be entitled to Maternity and Adoption rights but they may also be able to choose to end this early and exchange it for Shared Parental Leave and Pay. They and their named partner will then need to decide how they want to share this new entitlement.
- 7.3. Two weeks of paid Paternity Leave continues to be available to qualifying fathers and the partner of a mother or adopter. However, Shared Parental Leave has replaced the Additional Paternity Leave entitlement.

# **8.Annual Leave**

- 8.1. You still accrue your holiday entitlement while on:

- maternity leave
- paternity leave
- adoption leave
- shared parental leave

For example, if you take a year of maternity leave, you'll return with a whole year's accrued holiday.

Please advise the Archdeacon Pastor whether you're going to take this holiday before or after your leave.

# 9. Additional Support

## Help with Childcare Costs

- 9.1 Please check out the Church of England website for information on the help available for childcare costs. <https://www.churchofengland.org/more/clergy-resources/national-clergy-hr/clergy-payroll/help-childcare-costs> <https://www.churchofengland.org/more/clergy-resources/national-clergy-hr/clergy-payroll/help-childcare-costs>

## Still Birth

- 9.2 In the event of a stillbirth or miscarriage in the first 24 weeks of pregnancy, a period of sick leave and/or compassionate leave should be provided as appropriate.
- 9.3 If someone suffers a stillbirth in or after the 25th week of pregnancy, she has the right to maternity leave and maternity pay.
- 9.4 In these cases appropriate pastoral support will be provided to help the parent resume the duties of their office or recommence training.

## Disrupted adoption

- 9.5 If Adoption leave has started, but the parent is then notified that the placement will not take place, or, if the child is returned to the adoption agency after placement, or if, the child dies after placement, the entitlement to adoption leave (and if applicable, adoption pay) will continue for a further 8 weeks from the end of the week in which the disruption occurred, unless leave and/or pay would have ended earlier in any event.

## C of E Family Friendly Policies

- 9.6 Those called to public ministry are also called to other vocations. These enrich ordained ministry. There are times when clergy and ordinands are likely to need additional support if their family life and, as a consequence, their ministry is to flourish. It is important that clergy and ordinands know that they will be properly supported and feel able to ask about this. Here are some of the resources provided to indicate what support might be available and to help bishops, archdeacons, DDOs, TEI principals and others to provide appropriate support.

<https://www.churchofengland.org/more/clergy-resources/national-clergy-hr/family-friendly-policies>