



# Policy and Procedure for the Ministry of Clergy Age 70 or Above

## Document Overview

**Purpose** The purpose of this process is to support Clergy who are approaching retirement age to ensure the procedures are in place to prepare them for retirement or enable them to continue ministry after the age of 70. It also provides the policy and process for the continuation of ministry beyond 70.

**Confidentiality** This document is not confidential

**Document owner** Archdeacon Pastor

**Status note** Version 2.0 Approved by BCST

**Distribution** Diocesan Secretary, Director of Operations, Director of Finance, Financial Controller, Bishop of Coventry, Bishop of Warwick, Archdeacon Pastor, Archdeacon Missioner, Area Deans, Bishop's Core Staff, Archdeacon PAs, Assistant to the Archdeacons, Clergy.

**Required Action**

**Proposed next step**

## Version History

Version	Date	Status Note
1.0	10/01/2014	Original 2014 Policy and Procedure reviewed to include the Ecclesiastical Offices (Terms of Service) (Amendment) Regulations 2017
2.0	03/04/2024	Updated following legal and HR advice. Also change of Archdeacon Pastor.
2.1	22/05/2024	Added early PCC discussions to the process

# Policy and Procedure for the Ministry of Clergy Aged of 70 or Above

## Pastoral Note

The thought of approaching retirement age will undoubtedly bring with it a mixture of different emotions and thoughts. For some, retirement will be something that will be embraced as a new phase of life and ministry begins – something which may have been long looked forward to. For others there may be a reluctance to end a ministry which has been fulfilling and has given a sense of identity and the thought of this coming to an end will be difficult, even stressful.

Whatever your feelings about retirement, this policy and procedure sets out both the legal position under common tenure for those approaching the age of 70, as well as how the diocese seeks to help you to navigate and think through these issues confidently and well.

## 1. Introduction

### **The legal position of an office holder on common tenure who reaches the age of 70.**

- 1.1. Those who hold office under Common Tenure are required to retire at 70. The expectation is that the majority by the time they are 70 will have retired from office and will be exercising ministry on the basis of permission to officiate (PTO) which does not commit them to carry out any regular ministry.
- 1.2. However, the Ecclesiastical Offices (Terms of Service) (Amendment) Regulations 2017 came into effect on 1 July 2017. As a result, the provisions governing how clergy over 70 hold office have changed in certain respects.
- 1.3. The changes are of a limited nature and are designed to provide additional flexibility when appointing, or renewing the appointments of clergy over 70.
- 1.4. The main changes are as follows.
  - i. The possibilities in relation to the deployment of priests in charge and assistant curates over 70 are now extended to incumbents who hold office under common tenure. This means that it is now possible for common tenure incumbents over 70 to remain in office for longer than the previous two-year limit, and for clergy over 70 to be appointed to a new office as incumbent. (Incumbents who do not opt into common tenure – which a freehold incumbent may do at any time – remain subject to the old retirement and limited extension provisions in the Ecclesiastical Offices (Age Limit) Measure 1975.)
  - ii. In order for someone over 70 to take up an appointment as an incumbent, priest in charge, team vicar or to any other licensed office, or to enable a person who already holds one of those offices under Common Tenure to continue in office beyond the age of 70 under the new regulation 29A the bishop must issue a specific written direction to that effect.

- iii. This is required for all office holders over 70. The Regulations do not prescribe a maximum age for these offices. The Bishop may only issue a direction if:
  - a. he or she considers that the pastoral needs of the parish or of the diocese make it desirable to give the direction and
  - b. he or she has obtained the consent of the Parochial Church Council.
- 1.5. It is not intended for it to become standard practice that office holders remain in office beyond 70. The bishop may only issue a direction if he or she considers that the pastoral needs of the parish or of the diocese make it desirable to give the direction. It may not be issued in order to enhance someone's pension provision or retain the status of an office holder purely for personal reasons. It is not a reflection on someone's ministry if a decision is made not to issue a direction. There should be no expectation on the part of the office holder or the parish that a direction will be issued.
- 1.6. The Bishop will also need to consider the health of the office holder and their physical and mental capacity and whether any reasonable adjustments would be required to enable them to stay in office beyond 70. This will best be done by arranging for an occupational health assessment.
- 1.7. The retirement age should not be confused with the age (now 68) at which it is possible for clergy to retire on pension without any reduction in retirement benefits for early retirement.

## 2. Diocese of Coventry Process for Clergy Approaching the Age of 70

### **The agreed process is as follows:**

- 2.1. The list of 'Clergy and Licensed Lay Workers Aged 60 Years and Over' will be maintained by the Director of Operations.
- 2.2. The Director of Operations will meet once a month with the Archdeacon Pastor and will highlight all clergy and licensed lay workers who are aged 68 years or over.
- 2.3. The clergy identified will be invited to meetings with the Archdeacon Pastor to discuss their future ministry.
- 2.4. If the cleric indicates that they wish to continue in post at 70, if not already previously agreed, 6 months prior to the Clerics 70th Birthday the Archdeacon Pastor will:
  - i. consult with the Area Dean for an Incumbent or Priest in Charge; the Incumbent or Priest in Charge for Associate Ministers (Assistant Curates); or, in the case of a Curate in training, the New Ministries Lead to ensure they would support continued ministry.
  - ii. consult with all the PCCs to seek their view on continued ministry to ensure that they would be willing to consent to further ministry.
- 2.5. If any concerns are highlighted, the Archdeacon will consult the Bishop on how he or she wishes to proceed.
- 2.6. Following consultation, the Archdeacon will make recommendations to the bishop to either:
  - a. Confirm that they wish to retire and notify the Bishop's Officers for Retired Clergy and Spouses (BORCAS).
  - b. Recommend for the Bishop to extend the term of office for a limited period up to 2 years.
  - c. Recommend to the Bishop to appoint to a licensed post for a fixed or limited term.

- d. Offer them Permission to Officiate, and follow the procedures set in the 'Permission to Officiate Process'.
- 2.7. Clerics over 70 who are appointed to any licensed post will be reviewed at the Pastoral Provisions Meeting (PPM) bi-annually at the ages of 72 and 74; and then on an annual basis. Licenses will only be granted beyond the age of 75 under exceptional circumstances.

## 3. Bishop's Direction Process

- 3.1. The Bishop is required to have regard to the Ecclesiastical Offices (Age Limit) Measure Guidance issued by the Archbishops' Council by virtue of regulation 29A (10) of the Ecclesiastical Offices (Terms of Service) Regulations 2009 ("the Regulations").
- 3.2. In order for someone over 70 to hold an office, the bishop needs to issue a direction for them to hold office under reg 29A of the Ecclesiastical Offices (Terms of Service) Regulations 2009 for a period specified in the direction. This is required for all office holders over 70, whether:
- 3.2.1.the current post is being extended.
  - 3.2.2.they are starting in a new parochial post.
- 3.3. The Bishop may only issue a direction if:
- i. he or she considers that the pastoral needs of the parish or of the diocese make it desirable to give the direction; and
  - ii. he or she has obtained the consent of the Parochial Church Council; and
  - iii. he or she considers the health of the office holder and their physical and mental capacity and whether any reasonable adjustments would be required to enable them to stay in office beyond 70. This will best be done by arranging for an occupational health assessment.
- 3.4. The Archdeacon Pastor will inform the Director of Operations of the Bishop's decision and ask that the following process is undertaken.
- 3.5. Parochial Church Council Consent:
- i. An email will be sent to all PCC secretaries seeking the written consent of the PCC, in the form of a resolution, for the post to be extended on a fixed term or for the new appointment to be made.
  - ii. If all the views are in favour of the appointment, then the Bishop will be informed.
  - iii. If there are mixed views from any of the PCCs or a PCC does not give their consent, then all the views will be collated and forwarded to the Archdeacon Pastor to allow a discussion with the Bishop.
  - iv. The Bishop will agree a way forward with the Archdeacon Pastor and decide on whether the appointment should be taken forward.
- 3.6. Occupational Health Assessment:
- 3.6.1.Regulation 29A(9) provides the Bishop must not give a direction unless he or she considers that the person in question will be capable of performing the duties of the office throughout the period for which the person is to hold the office. Therefore, the Bishop should require the person in question to have an occupational health assessment before issuing a direction, unless there has been an occupational health assessment within the last 12 months.

- 3.6.2. All newly appointed clergy who are aged 70 or above will be required to undertake an Occupational Health Assessment prior to their appointment.
- 3.6.3. There is no requirement to obtain an occupational health assessment every time there is an extension of an existing direction unless, in the Bishop's opinion, there is a specific reason for doing so. However, a new assessment should take place at least every 5 years.
- 3.6.4. If the person in question has a disability which would prevent him or her from performing the duties of the office, Bishop should consider whether there are any reasonable adjustments that could be made to enable that person to hold the office.
- 3.6.5. The Archdeacon Pastor will confirm to the Director of Operations to proceed with an Occupational Health Assessment or exceptionally will ask the Director of Operations to record the bishop's reasons for dispensing with an Occupational Health Assessment.
- 3.6.6. The Director of Operations will contact the Cleric and email the Thrive Worldwide 'Over 70 Occupational Health Review Form' and 'Over 70 Occupational Review Information Sheet'.
- 3.6.7. They will be asked to complete the form and send it directly to Thrive. In order to provide comprehensive and up-to-date clinical information and to minimise the need to obtain further medical reports from their GP or hospital specialist(s) they will be required to obtain from their GP surgery a copy of their GP Summary Care Record.
- 3.6.8. Thrive will forward the results and recommendations of the assessment to the Director of Operations. If the assessment is clear, the form will be forwarded to the Bishop. If there are any concerns or recommendations the Archdeacon Pastor will be informed so that the results can be considered and discussed with the Bishop.
- 3.6.9. The Bishop will decide if the appointment can be taken forward;
  - a. with no conditions;
  - b. with reasonable adjustments; or
  - c. following a Risk Assessment.

3.7. Issuing the Direction:

- i. On satisfactory completion of all the requirements the Director of Operations will email all the supporting documents to the Bishop's PA.
- ii. The Bishop's PA will prepare the Direction for either a 2 year or annual fixed period dependant on the age of the Cleric.
- iii. Once signed by the Bishop the Direction will be sent to the Cleric, Assistant to the Archdeacons and Director of Operations.
- iv. The Assistant to the Archdeacons will send out a signing off email to all interested parties and update CMS with the appointment end date.
- v. A revised Statement of Particulars will be issued by the HR Adviser.

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Director of Operations  
22 May 2024