

## **Changes to rules for annual leave for parish clergy**

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### **1. Introduction**

The Standing Committee recently amended the rules for annual leave for ministers, senior assistant ministers and assistant ministers licensed to parishes (parish clergy). The purpose of this paper is to inform you of those amendments.

The amendments deal with the following matters -

- amending the rules for the time within which annual leave is to be taken after an entitlement arises (see section 3 below)
- allowing the archdeacons to exercise certain discretions which previously were exercisable by the Archbishop (see sections 2, 3 and 4 below)
- requiring that the churchwardens maintain records and adequate financial provisions for annual leave for parish clergy (see section 6 below)

### **2. Entitlement of parish clergy to annual leave**

Parish clergy remain entitled to 4 weeks annual leave for every 52 weeks of service in their parish.

The archdeacon (in the place of the Archbishop) can authorise the taking of annual leave before an entitlement arises.

### **3. Time within which annual leave is to be taken**

In accordance with the pre-existing rules, all leave under leave entitlements arising before 14 November 2005 is to be taken within 2 years after the date on which the entitlement arose, unless the Archbishop agrees to the contrary. Otherwise, those entitlements are lost.

The amendments made by the Standing Committee are intended to give more flexibility about when leave is taken.

Now, leave under a leave entitlement that arises on or after 14 November 2005 must still generally be taken within 2 years. However, the taking of the leave can be delayed beyond that period with prior consultation with the churchwardens, or with the approval of the archdeacon (in the place of the Archbishop).

This amendment recognises that special circumstances may arise which prevent a member of the clergy taking leave within the time prescribed. In such circumstances, the leave entitlement should not be lost.

The expectation remains that parish clergy will take annual leave within 2 years of their entitlement arising. To avoid unreasonable delay in taking leave, the archdeacon now has power to direct that a member of the clergy take leave if it has not been taken within that time. The direction can only be given at the request of the churchwardens. It is expected that such directions will only be made in extreme circumstances.

#### **4. Preconditions to taking annual leave**

The general preconditions to a member of the clergy taking leave are unchanged -

- consultation is to take place with the churchwardens, and
- suitable arrangements are to be made for another person to perform the duties of the person taking leave in their absence.

The archdeacon (in the place of the Archbishop) can amend or waive these preconditions in a particular case.

#### **5. Entitlements during annual leave**

A member of the clergy taking leave is entitled to be paid their ordinary stipend and allowances during the period of their annual leave. These rules remain unchanged.

#### **6. Records and provisions**

From time to time disputes arise about how much leave a member of the clergy has accrued, or how much annual leave has been taken.

At other times, parishes have had difficulty funding the entitlements of the person taking annual leave and the costs of another person performing his or her duties in the first person's absence.

To assist in minimising such disputes and difficulties, the churchwardens are now required to maintain the following records and financial provisions -

- records of the annual leave entitlement accrued, and the annual leave taken, by each member of the clergy licensed to their parish, and
- a sufficient financial provision in their accounts for any annual leave entitlement of a member of the clergy which has accrued but not yet taken.

#### **7. A copy of the new rules?**

The new rules are found in the Annual Leave Ordinance 1983 (as amended).

#### **8. Any questions?**

If you have any questions about the new rules, or annual leave for parish clergy generally, please contact your bishop or archdeacon or SDS ClergyServices on 9265 1555.

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