

## CLERGY WORK-LIFE BALANCE

### Maternity Leave Policy

Policy Approver(s)	Bishop of Exeter and his Senior Team
Policy Owner(s)	Bishop of Crediton Archdeacon of Totnes Diocesan Director of People and Safeguarding
Revised By	Diocesan Director of People and Safeguarding
Next Revision Date	1 January 2024
Related Documents	Diocese of Exeter: Clergy Paternity Leave Policy Diocese of Exeter: Clergy Adoption Leave Policy Diocese of Exeter: Clergy Parental Leave Policy Diocese of Exeter: Clergy Shared Parental Leave Policy
Scope	This Policy applies to all persons beneficed, licensed or otherwise authorised by the Bishop for ministry in the Diocese of Exeter. This includes all clergy holding office under Common Tenure, Qualified Common Tenure and Freehold and applies equally to a Cathedral Clergy, Archdeacons and Bishops.  The Diocese of Exeter reserves the right to amend this policy at its discretion at any time.
Extensions	Individuals identified in Paragraph 2.
Exclusions	Individuals identified in Paragraph 2.

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## 1. Policy Statement

This policy outlines the rights and responsibilities of office holders who are pregnant or have recently given birth and sets out arrangements for antenatal care, pregnancy related sickness, health and safety and Maternity Leave pay.

This policy gives details of the enhanced Diocesan Maternity Pay provision for qualifying office holders in the Diocese of Exeter.

In the event that (*under Regulation 23 of the 2009 Regulations which confers on office holders the same legal entitlement to statutory maternity, paternity, adoption and shared parental leave as employees are entitled to under the Employment Rights Act 1996*) changes are made to the Employment Rights Act 1996 (or any regulations made under it) to the rights of employees in respect of maternity, paternity, adoption and shared parental leave, these changes will automatically apply to office holders and take precedence over this policy.

All matters relating to an office holder's pregnancy will be treated confidentially, unless the expectant mother wishes otherwise, and apart from when disclosure is needed to agree measures related to covering the office holder's duties during the period of leave.

For the latest Church of England guidance:

[Legal Entitlements of clergy office holders who become parents March 2020](#) and

[Guidance note to clergy office holders about to become parents.](#)

This policy is effective from 01 December 2020 and shall not apply to any actions that occurred prior to this date.

## 2. Who is Covered by the Policy?

This policy applies to all stipendiary office holders both full time and part time including stipendiary cathedral office holders, archdeacons and bishops.

Non stipendiary office holders are entitled to Statutory Maternity Leave regardless of the length of service but not Statutory Maternity Pay.

This policy does not apply to clergy employees who have the same statutory rights to pay and leave as other employees, and whose entitlement to enhanced pay during any period of Statutory Maternity Leave will be determined by their employment contract. Clergy employed by EDBF enjoy the same enhanced maternity pay as provided by this policy.

Clergy who have a period of ministry as employees will come off the Commissioners' payroll and will thus have a break in continuous service as far as their right to Statutory Maternity Pay is concerned.

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### 3. Definitions

The definitions based on employment law which apply in this policy:

**Additional Maternity Leave (AML):** This is the right to an additional period of Maternity Leave immediately following the end of Ordinary Maternity Leave for a period of a further 26 weeks. There is no qualifying period of employment for AML. That part of AML which is beyond 39 weeks is unpaid.

**Compulsory Maternity Leave:** This is a period of leave imposed by law on all female employees which prohibits a return to work for a period of 2 weeks from the date of childbirth.

**Expected Week of Childbirth (EWC):** The week in which the childbirth occurs. "Week" means the week beginning with midnight between Saturday and Sunday in which the doctor or midwife expects that the child will be born.

**Maternity Allowance (MA):** Payments to be made by the Department for Work and Pensions to female employees taking Maternity Leave who do not qualify for statutory maternity pay.

**Occupational Maternity Pay (OMP):** Enhanced maternity pay arrangement funded by the employer as an employee benefit. Qualifying periods and restrictions apply.

**Ordinary Maternity Leave (OML):** This is the right of all female employees to a period of 26 weeks Maternity Leave regardless of length of service but provided they comply with certain notification requirements. The allowances payable are Statutory Maternity Pay (SMP) or Maternity Allowance (MA) and the paid period extends into part of the additional Maternity Leave period.

**Statutory Maternity Leave:** This is a leave entitlement of 52 weeks and is made up of *Ordinary Maternity Leave* – the first 26 weeks and *Additional Maternity Leave* – the last 26 weeks.

**Statutory Maternity Pay (SMP):** Compulsory pay payable to all female employees taking Maternity Leave provided they satisfy certain criteria.

### 4. Notification Requirements

To qualify for Maternity Leave the office holder must advise her Archdeacon and Finance Officer for Clergy Payroll in writing, by no later than the 15<sup>th</sup> week before the expected week of childbirth (EWC)(Qualifying Week); or if there are reasons why this is not possible, notice will need to be provided as soon as is reasonably practical to the Archdeacon. Maternity Leave cannot start before the beginning of the 11<sup>th</sup> week before the expected week of childbirth (EWC) unless the baby is born prematurely before that date.

The letter will need to state:

- Her full name and place of work.
- That she is pregnant.
- Give the expected week of childbirth (EWC).

- 
- The date on which the office holder would like to start Maternity Leave (intended start date).
  - Be accompanied by the MATB1 form

The MAT B1 form is provided by the office holder's doctor or midwife from the 20<sup>th</sup> week before the expected week of childbirth. No statutory maternity pay will be payable without this certificate or an acceptable alternative.

The letter and MATB1 form are forwarded to the Church Commissioners via the Finance Team at the Old Deanery for stipend payment purposes.

The office holder has the right to change their Intended Start Date and much will be down to being able to make adequate local arrangements and giving appropriate notice:

- An office holder can postpone their Intended Start Date by informing us in writing at least 28 days before the original Intended Start Date, or if that is not possible, as soon as reasonably practicable.
- An office holder can bring forward their Intended Start Date by informing us at least 28 days before the new start date, or if that is not possible, as soon as reasonably practicable.

## 5. Entitlement to Statutory Maternity Leave

All pregnant office holders are entitled to 52 weeks' Maternity Leave if they give the correct notice to the Diocese. All pregnant office holders regardless of their length of service are covered by the statutory Maternity Leave provision and statutory maternity pay is payable to pregnant office holders if they satisfy the qualifying requirements outlined below.

Maternity Leave is divided into two parts:

- **OML** - Ordinary Maternity Leave, the first 26 weeks.
- **AML** - Additional and unpaid Maternity Leave, the second 26 weeks.

## 6. Attending Ante-natal Appointments

Clergy have the right to take reasonable paid time-off for ante-natal care regardless of the length of service or the number of hours that they work. Appointments made on the advice of a registered medical practitioner, such as relaxation and parent-craft classes that the office holder is encouraged to attend may be included. Where such appointments conflict with the conducting of parish duties please give sufficient notice to the and/or make arrangements for suitable cover

We may ask you to provide the following, unless it is the first appointment:

- A certificate from the doctor, midwife or health visitor stating that you are pregnant.
- An appointment card or other documents to show that an appointment has been made.

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An expectant father or partner of a pregnant woman has the right to take time off work to go to two antenatal appointments. This time off is usually unpaid and is limited to six and a half hours per appointment.

## 7. Miscarriage, Premature Birth and Still Birth

The death of a baby at any stage of pregnancy is devastating and is usually completely unexpected and in every case the death of a baby is traumatic. Following the death, the parents go home without the baby they love and have prepared for and they also face the loss of their dreams, plans and hopes for the future. For clergy to return to their office can be incredibly challenging even with the love, support and understanding of their fellow clergy and parishes.

The grief and shock of losing a baby after 14 or 16 weeks of pregnancy can be much the same as following a stillbirth. This can be very hard for parents who want their baby and their loss to be officially recognised. However for legal purposes, a loss at any stage before 24 completed weeks of pregnancy is called a miscarriage and so the maternity provisions do not apply to an office holder who suffers a miscarriage before the 24th week of pregnancy.

If an individual is unable to return to office after a miscarriage for medical reasons, they will qualify for Sick Leave and Sick Pay, provided a note from the GP is provided. It is good practice to record this separately from other Sick Leave in order to make sure that the woman cannot be regarded as having been treated unfavourably because of the miscarriage. Therefore the office holder can request their pregnancy related absence be recorded as such.

However, if an absence continues for a long time after the miscarriage, it may be arguable that it is no longer pregnancy-related. If an office holder is not sick but needs time off, we will consider allowing them Compassionate Leave or Time Off for Dependants (TOFD). Alternatively, office holders can ask for paid or unpaid leave.

If the baby arrives early, Maternity Leave will automatically start on the day after the birth.

If the baby is stillborn after the twenty fourth week of pregnancy or if the baby is born alive at any point (even if the baby later passes away), the office holder will be entitled to full maternity rights.

If any office holder experiences the loss of a child, through a miscarriage, a still birth or their baby passes away after birth, pastoral support is available to all clergy through the Churches' Ministerial Counselling Service (CMCS). CMCS exists to help individuals to deal with challenging, emotional issues they face, whether work related or personal, through short-term, professional counselling. The service is entirely confidential, and can be accessed anonymously, through self-referral. The Diocese will normally meet the full cost of counselling accessed through the scheme.

For further details, and information on how to self-refer, please view the [service leaflet](#) Churches' Ministerial Counselling Service which can be found at:

An office holder usually has enough flexibility to arrange their duties so as to be able to attend medical appointments, but additional support will be given to help an office holder attend

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such appointments caused by the loss of a child, in agreement with their Archdeacon, and the Diocese will offer other support that is within the Diocese capacity to offer the office holder under such circumstances.

## **8. Health and Safety Considerations While Pregnant**

A pregnant mother is given specific health and safety protection under the European Union “Pregnant Workers Directive” and the Management of Health & Safety at Work Regulations 1999 and the Working Time Regulations 1998. Whilst clergy are office holders not employees, the Diocese recognises sound advice and good practice, and strongly advises expectant mothers to be mindful of these and to take responsibility for familiarising themselves with their content.

The Archdeacon will offer advice and assistance on assessing the risks to which a pregnant mother may be exposed in the course of her duties through discussion at the start of the pregnancy. Where appropriate, adjustments will be agreed, bearing in mind the risks to new and expectant mothers and their unborn child. Individuals have a responsibility to identify any areas of work practices which might adversely affect their work, health and safety, and to raise any concerns with their Archdeacon to identify a suitable course of action.

Where a risk cannot be avoided, a discussion will take place about what measures can be taken to mitigate the risks. Following such a risk assessment, in exceptional cases and where suitable alternative work cannot be found, it may be necessary to consider alternatives.

## **9. Covering Duties During Maternity Leave**

Once an office holder has decided when she wishes to commence Maternity Leave, Clause 2 (2) of the Ecclesiastical Offices (Terms of Service) Directions confers a requirement on office holders ‘in consultation with a responsible person or authority’ to ‘use all reasonable endeavours to make arrangements for the duties of the office to be performed by another person or persons during the period of leave’.

This may start with a discussion with the local rural dean (or incumbent if applicable) and the Archdeacon (or the appropriate member of the Bishop’s staff) about how best to ensure that cover is provided whilst the office holder is on leave, this may include:

- The office holder making arrangements in advance to cover services during the period of absence and delegating other duties to church wardens, or
- Arranging for an appointment under Regulation 29, which allows for someone to be appointed to a post designated as created in order to cover for an office holder's authorised absence from work. This may be held for a fixed term or under terms which provide for the appointment to be terminated on the occurrence of a specified event, such as the return of the original office holder from Maternity Leave.

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## 10. Pregnancy Related-Illness Before Maternity Leave Commences

If an individual is absent from work, due to a pregnancy related illness, at the beginning of the 4th week before the expected week of childbirth, this absence will trigger the start of her Maternity Leave. In this case, her Maternity Leave will commence on the day after the first day of absence after the beginning of the 4th week before the expected week of childbirth. An office holder should let the Finance Officer for Clergy Payroll know if her baby arrives before she was due to commence Maternity Leave.

Periods of pregnancy-related sickness absence shall be paid in accordance with the statutory sick pay scheme in the same manner as any other sickness absence. Sick pay may also be paid under our Sickness Absence Policy. Any payment of sick pay in excess of this as a result of pregnancy-related sickness shall be entirely at the discretion of the Archdeacon and Diocesan Director of People and Safeguarding.

If you are absent for a pregnancy-related reason during the four weeks before your Expected Week of Childbirth, your Maternity Leave will usually start automatically.

A pregnant female office holder is disqualified from receiving statutory sick pay throughout the whole of her 26-week period of entitlement of statutory maternity pay or maternity allowance.

## 11. Starting Maternity Leave

Maternity Leave can start on any day of the week but the earliest date an office holder can start Maternity Leave is 11 weeks before the Expected Week of Childbirth. However if an individual gives birth before the start of her Maternity Leave, then her Maternity Leave will start the day after the birth.

The office holder must notify the Archdeacon of their Intended Start Date and we will then write to the office holder within 28 days to inform them of the date we will expect their return to service if the full entitlement to Maternity Leave is taken (Expected Return Date).

An office holder can postpone their Intended Start Date by informing us in writing at least 28 days before the original Intended Start Date, or if that is not possible, as soon as reasonably practicable.

An office holder can bring forward their Intended Start Date by informing us at least 28 days before the new start date, or if that is not possible, as soon as reasonably practicable.

Maternity Leave shall start on the earlier of:

- Your Intended Start Date (if notified to us in accordance with this policy); or
- The day after any day on which you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth; or
- The day after you give birth

If you are absent for a pregnancy-related reason during the four weeks before the Expected Week of Childbirth, you must let us know as soon as possible in writing. Maternity Leave will be triggered under the paragraph above unless we agree to delay it.

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If you give birth before your Maternity Leave was due to start, you must let us know the date of the birth in writing as soon as possible.

Women whose babies are stillborn, or who miscarry after the 24th week of pregnancy, will still qualify for the full scheme terms.

The law prohibits you from working during the two weeks following childbirth.

## 12. Enhanced Maternity Pay Provision – Occupational Maternity Pay (OMP)

**All qualifying stipendiary office holders regardless of their length of service are eligible for the Diocese of Exeter’s Occupational Maternity Pay (OMP). This is an enhanced rate of maternity pay above the statutory maternity pay rate which has been extended to include qualifying office holders with less than 12 months continuous service.**

**If an office holder leaves office for any reason after the start of the Qualifying week, they are still eligible for SMP but they will not receive the enhanced maternity pay.**

These payments are administered in exactly the same way as Statutory Maternity Pay as outlined below.

The enhanced provision is:

- **First 26 weeks: the office holder is paid their full rate of normal pay, inclusive of SMP/MA**
- **Followed by 13 weeks: SMP paid at the Prescribed Rate which is set by the Government for the relevant tax year, or the Earnings-Related Rate if this is lower.**

To claim the enhanced Maternity Pay complete the form at Appendix 1 and give to the Finance Officer for Clergy Payroll.

## 13. Statutory Maternity Pay (SMP)

**SMP is payable for up to 39 weeks.** SMP will stop being paid if the office holder returns to work. Keeping in touch days are no longer applicable to office holders and office holders may agree how they wish to keep in touch with their parish based upon individual circumstances and with agreement of the archdeacon.

SMP was previously payable to those stipendiary office holders with between 26 weeks and 52 weeks continuous service. These office holders now qualify for the enhanced maternity pay providing they meet all of the other qualifying criteria. The requirement to remain in office is still extant.

**For information - Statutory maternity pay is paid at 90% of average earnings for the first 6 weeks, and the lower of 90% of average weekly earnings or SMP for the remaining 33 weeks.**

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A stipendiary office holder is entitled to SMP if:

- The office holder must have at least 26 weeks continuous service by the end of the 15th week before the expected week of childbirth and must remain an office holder of the Diocese.
- The office holder's average weekly earnings during the eight weeks ending with the Qualifying Week (the Relevant Period) are not less than the lower earnings limit for National Insurance contributions set the Government.
- The office holder has given at least 28 days' notice (or as much notice as is reasonably practicable) confirming the commencement date of their Maternity Leave to the Archdeacon and the diocesan office along with a doctor's or midwife's certificate MATB1 stating the expected week of childbirth.
- The office holder is still pregnant at the 11th week before her baby is due or has had her baby by that time.
- The office holder has ceased to perform her duties.

**SMP accrues from the day on which OML commences and thereafter at the end of each complete week of absence. SMP payments shall be made on the next normal payroll date.**

SMP is paid in the same manner and at the same time as the office holder's stipend would normally be paid. Statutory maternity pay is subject to income tax and national insurance deductions and pension contributions in the same way as normal earnings.

If an office holder becomes eligible for a pay rise before the end of their Maternity Leave, they will be treated for SMP purposes as if the pay rise had applied throughout the Relevant Period. This means the SMP will be recalculated and increased retrospectively, of that the office holder may now qualify for SMP where they did not previously qualify. Any future SMP payments at the Earnings-Related Rate (if any) will also be increased as necessary.

Previously, if an office holder had less than 26 weeks' stipendiary service, they may not have been entitled to SMP. The diocese has extended the maternity pay provision to qualifying office holders with less than 26 weeks' service providing they meet all of the other qualifying criteria.

If for any reason the office holder does not qualify for the enhanced maternity pay provision they will need to seek advice from the Department of Work and Pensions to identify whether they qualify for maternity allowance. This is based on their recent employment and earnings record and is a state benefit paid for 39 weeks. In such cases the Finance Officer Clergy Payroll will issue an SMP1 form to confirm that no stipend payment will be made from the Diocese.

**An office holder will still be eligible for SMP if they leave office for any reason after the start of the Qualifying Week.** In such cases, if their Maternity Leave has not already begun, SMP shall start to accrue in whichever is the later of:

- The week following the week in which holding of office ends; or
- The 11<sup>th</sup> week before the Expected Week of Childbirth

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## 14. Working During Maternity Leave (Keeping in Touch Days)

KIT days do not apply to office holders as they only apply to work performed “under a contract of service” with an employer. As office holders are not engaged under any form of contract, and KIT days do not relate to work carried out in the performance of the duties of an office, office holders are not entitled to KIT days. However, stipendiary office holders do not lose statutory maternity (or other) pay if they carry out any duties of their office during maternity (or other) leave.

If an office holder wishes to undertake any of their duties of office during leave, they are advised to agree, in writing, with their church wardens and archdeacon/rural dean/incumbent (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.

## 15. Terms and Conditions of Service during Ordinary and Additional Maternity Leave

Office holders remain in office while they are on leave which means they retain the rights and responsibilities that go with the office, for example, the right to remain in any accommodation provided for the better performance of their duties and the obligation to ensure that the duties of the office are carried out on their behalf.

## 16. Maternity Leave and Annual Leave

The period of absence on Maternity Leave will be counted as “service” for the purposes of annual leave. Individuals are advised to take their annual leave in the current year before the commencement of their Maternity Leave. Where it is not possible to take the annual leave entitlement before the commencement of the Maternity Leave period, for example where the baby arrives early, then this leave can be taken after the Maternity Leave period.

## 17. Pensions

The Clergy Pension Scheme ensures that office holders pension contributions are paid during paid statutory leave absence. If an office holder on their return to work wishes to pay pension contributions for the unpaid part of their statutory leave, they must contact the Finance Officer for Clergy Payroll.

## 18. Returning to Office After Maternity Leave

Once the office holder has notified the Archdeacon in writing of the Intended Start Date, we will confirm in writing their Expected Return Date. If the start of Maternity Leave was changed we will write to the office holder to confirm a revised Expected Return Date.

Under current regulations, unless the office holder informs the Archdeacon otherwise, senior staff will assume the Maternity Leave will end at the dates which were agreed and the individual will return to the duties of her office on the Expected Return Date.

When an office holder returns she has the right to return to the clergy role in which she was prior to the Maternity Leave period. The individual has not left her office whilst on Maternity

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Leave and therefore returns to work in the existing post as of right unless she resigns or is removed from post. In the exceptional circumstances where a return to post this is not practical or advisable, the Archdeacon will discuss any available options or alternatives. By default therefore, there is no right to be found an equivalent post on return from Maternity Leave.

As the office holder, has most likely kept in touch with her Rural Dean/Archdeacon and the Church Wardens of their parish/benefice/mission community, even carrying out some duties, it is unlikely there will be any unexpected issues arising on the office holder's return.

It is helpful however if, during the Maternity Leave the office holder is able to confirm they will be returning to office as expected. Shortly before the office holder's Expected Return Date it is advisable to have a return to ministry meeting with the Rural Dean/Archdeacon/Church Wardens about returning to office for an official update about any changes that have occurred and any small changes needed to local arrangements.

### **Returning Early**

If an individual wishes to return before her official Expected Return Date, she should discuss this with her Archdeacon in order for arrangements to be made and advice given. The office holder must give eight weeks' prior notice in writing and failure to give eight weeks' notice, the Bishop may postpone the individual's return until eight weeks' have lapsed following receipt of notice.

### **Returning Late**

If an individual wishes to return to office later than the Expected Return Date, they should either:

- Request unpaid parental leave in accordance with our Parental Leave Policy, giving us as much notice as possible but not less than 21 days; or
- Request paid annual leave in accordance with the Statement of Particulars, which will be at the Archdeacon's discretion.

When it has been agreed that an individual can take parental leave immediately following the expiry of Maternity Leave, local arrangements can be discussed with the Archdeacon.

If an office holder is unable to return to office due to sickness or injury, this will be treated as sickness absence and our Sickness Absence Policy will apply.

## **19. Changes to Working Arrangements**

Flexible working, as it is understood in the employment context, does not apply to clergy office holders. The Ecclesiastical Offices (Terms of Service) Directions 2010 currently confer a legal entitlement on clergy to make requests to take time off or make adjustments to the duties of the office to care for a dependant, but not for other reasons (see paragraphs 20 -32). When the right to request flexible working was extended to all employees, the view was taken that it was not appropriate to extend it to clergy office holders, as they already had sufficient flexibility.

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Where an individual wishes to return to work but on a different basis, the office holder may wish to negotiate new working arrangements / adjustment to duties when they return from Maternity Leave and this should be discussed with the Archdeacon.

Although such requests will be considered, there is no guarantee they will be agreed. Any decision will be reached in consultation with the Archdeacon and churchwarden/s or the nominated PCC representative and advice from the Diocesan People Team, and only after having thoroughly explored the details and implications of the request. Such implications of a return to work on a different basis, i.e. part-time include:

- Where a house is provided as an entitlement for the better performances of duties and where the reduction of hours is requested and granted, the entitlements to housing will remain unchanged unless the new agreed working hours fall below the minimum set for entitlement to housing.
- If the individual is receiving a 'housing allowance', the reduction in stipend will come with a proportionate reduction of the 'housing allowance'.
- In cases where the office holder is employed by the parish, then this is a matter between the employer and the individual concerned. However, in cases of 'locally supported ministry' under Common Tenure, the parish may want to follow the same provision as indicated above. These changes will need to be reflected in the 'legally binding agreement'

If approved, the stipend will be adjusted pro rata to reflect the reduced hours. Any permanent changes to working arrangements will need to be formally agreed with the office holder and Archdeacon and documented in a revised Statement of Particulars and Working Agreement and issued by the relevant Archdeacon.

When new working hours are negotiated, there is further impact on other entitlements:

**Pension contributions:** with a reduced stipend, there is a corresponding downward adjustment in pension entitlement

**Heating, lighting and cleaning allowances** will also be impacted when someone moves from a full-time role to a part time role. The office holder is advised to speak to Finance Officer for Clergy Payroll regarding the individual's circumstances.

For advice in cases where **car loans** are concerned, please contact the Finance Officer for Clergy Payroll.

## 20. Deciding Not to Return

If an office holder is unsure about returning to her duties, it is helpful if this can be discussed with us as early as possible. If an individual decides not to return after Maternity Leave, she must inform her Archdeacon and the Bishop, stating her decision to resign from her office and giving the appropriate notice period as detailed in the Statement of Particulars. The amount of Maternity Leave left to run when notice is given must be at least equal to the contractual notice period. Otherwise we may require the office holder to return to office for the remainder of the notice period.

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Once an office holder has given notice they will not be returning to their office, if they change their mind there is no absolute right to return. Although every effort will be made to find an alternative suitable post, with the agreement of the Bishop.

This does not affect an office holder's right to receive SMP.

## **21. Redundancy**

The only situation when this may occur will be in times of pastoral reorganization. In this case, the clergy/licensed lay worker on Maternity Leave will exercise her rights to information, consultation and entitlement to compensation in the same way as the other clergy are involved in the process.

## **22. Self-Supporting Ministers**

Self-supporting ministers have the same entitlement to Maternity Leave as other beneficed and licensed clergy, but are not eligible to receive maternity pay, as they do not receive stipend.

If self-supporting ministers are provided with a house for the better performance of their duties, they have a right to stay in the house during any period of leave, as they remain in office during their Maternity Leave.

Self-supporting ministers will also need assistance with cover while on Maternity Leave (they are unlikely to share leave, as they will not be eligible to receive shared parental pay) and when returning from leave.

## **23. Maternity Leave During Curacy or Other Time Limited Posts**

Under Regulation 29 of Ecclesiastical Offices (Terms of Service) Regulations 2009, there are several categories where the role is given on fixed term basis. Pregnant office holders in these roles have the same rights as those in other roles.

More specifically, for those in curacy roles, provided the office holder has met her obligations in terms of notification requirements, appropriate extensions to the training or other arrangements will be agreed by the Diocesan Director Ordinands (DDO) upon her return from Maternity Leave. However, when the role comes to an end, the SMP rate will apply for the period between the end of post date and the end date of the paid Maternity Leave.

# Appendix 1: Application for Enhanced Maternity Pay and Leave – for Finance Officer for Clergy Payroll.

## PARENTAL LEAVE FORM

SURNAME  N.I. No.

CHRISTIAN NAMES  Date of birth

UNIQUE ID

DIOCESE

Tick as appropriate	Leave Start Date (required)	Return to Work Date (if provided)
Paternity Birth <input type="checkbox"/> or Adoption <input type="checkbox"/>		
Maternity <input type="checkbox"/>		
Adoption <input type="checkbox"/>		
Shared Parental L. <input type="checkbox"/>		

DUE DATE

Please tick appropriate form provided

MATB1  Matching Cert

SC3  SC4

Other (please specify)

### DIOCESAN PARENTAL POLICY

Please fill as appropriate

Full pay  Statutory payment only

Number of weeks

<u>MATERNITY / ADOPTION LEAVE - ONLY</u>	
Is payee taking unpaid leave?	Yes <input type="checkbox"/> No <input type="checkbox"/>
How long is unpaid leave for?	<input type="text"/>
Start date of unpaid leave (if applicable)	<input type="text"/>

### OTHER INFORMATION


AUTHORISED \_\_\_\_\_ Date \_\_\_\_\_  
 DBF Secretary / Cathedral Administrator / CC

## Appendix 2: Clergy Maternity Leave Application Form

To qualify for maternity leave you must advise your Archdeacon in writing, by no later than the 15th week before the expected week of childbirth (EWC -Qualifying Week) (or, if there are reasons why this is not possible, notice will need to be provided as soon as is reasonably practical to your Archdeacon and the People Team). Please complete and send this form to your Archdeacon and then forward to the People Team.

Diocese of Exeter: Clergy Maternity Leave Application Form			
Name		Employee ID	
Role Title		Full-time / Part time	
Home Address		Hours per week	
		Days per week	
I wish to formally advise the Diocese of Exeter that I am pregnant.			
I confirm the Expected Week of Childbirth to be:		(Date)	
I intend to commence my Maternity Leave on:		(Date)	
<p><i>In order to receive maternity benefit you are required to provide us with your MATB1 form. This is provided by your midwife or doctor from 20 weeks before the expected week of childbirth. Please note until we receive your MATB1 from the Finance Team will be unable to confirm any Maternity Pay entitlement.</i></p>			
<p>I confirm by MATB1 form (medical certificate confirming pregnancy) my pregnancy and my expected week of confinement:</p> <p>MATB1 Form is already submitted to People Team <input type="checkbox"/></p> <p>MATB1 Form is attached <input type="checkbox"/></p> <p>MATB1 Form will follow shortly <input type="checkbox"/></p> <p>MATB1 Form has been forwarded to the Jobcentre Plus and I attach a copy (if less than 26 weeks service <input type="checkbox"/></p>			

Please indicate below your intention to take maternity leave OR your intention to resign from your post. If you resign from your post you will not have the right to return to work following the birth of your baby. However, if you indicate an intention to take maternity leave, you may still resign from your post after the birth of your baby if you change your mind at a later date.

**Please indicate your choice regarding MATERNITY LEAVE:**

## Appendix 2: Clergy Maternity Leave Application Form

<p>I wish to take maternity leave and I intend to return to office following the birth of my baby.</p> <p>*My anticipated return to work date is:</p> <p>*You do not have to provide this information but it would assist us with workload planning.</p>	
<p>I do not intend to return to work following the birth of my baby and wish to resign from my office. My last day of service will be the last day on which I receive Maternity Pay.</p>	
<p>I plan to take annual leave at the end of my maternity leave and I will discuss and agree this with my Archdeacon.</p>	

Name	Date
Signature	