

## CLERGY WORK-LIFE BALANCE

### Parental 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 Maternity Leave Policy Diocese of Exeter: Clergy Adoption Leave Policy Diocese of Exeter: Clergy Paternity 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 with parental responsibility to have time off to spend time with and look after a child, or to make arrangements for the child's welfare.

This type of Parental Leave is unpaid whether for the father/mother/other carer.

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.

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 Parental Leave regardless of the length of service.

This policy does not apply to clergy employees. However all employees, including all EDBF employees and all stipendiary office holders have the same statutory right to unpaid Parental Leave subject to their eligibility.

## 3. Definitions

The definitions in this paragraph apply in this policy:

**Partner:** Someone (whether of a different sex or the same sex) with whom you live in an enduring family relationship, but who is not your parent, grandparent, sister, brother, aunt or uncle.

**Expected Week of Childbirth:** The week, beginning on a Sunday, in which their doctor or midwife expects your spouse, civil partner or Partner to give birth.

**Expected Placement Date:** The date on which an adoption agency expects that it will place a child into your care with a view to adoption.

## 4. Notification Requirements

When applying for Parental Leave office holders must give at least 21 days' written notice, other than in exceptional circumstances. As Parental Leave falls outside the normal leave arrangements, the Rural Dean (or incumbent if applicable) and Archdeacon should be advised of Parental Leave to be taken and be assured of cover arrangements. The Finance Officer for Clergy Payroll must also be notified.

If an office holder wishes to take Parental Leave immediately after the birth or adoption of a child, the office holder must give 21 days' notice before the beginning of the Expected Week of Childbirth. In the case of adoption, the office holder must give 21 days' notice of the expected week of placement, wherever possible.

Any leave may be postponed by the Bishop, for up to six months from the date requested where it is considered that an office holder's absence at a particular time would unduly disrupt ministry. If, because of postponement, the period of Parental Leave falls after the child's 18th birthday, the office holder is entitled to take leave after that date.

## 5. Entitlement to Statutory Parental Leave

All office holders who are parents (biological or adoptive) will have a right to Parental Leave subject to the following conditions:

- The Office Holder must have a minimum of one year's continuous qualifying service by the time they want to take the leave.
- The Office Holder must have or expect to have parental responsibility for the child in question.
- The leave must be taken with the purpose of caring for the child.

**However the Diocese of Exeter will remove the continuous service requirement and extend the right to Parental Leave to all qualifying office holders regardless of their length of service.**

We reserve the right to request sight of evidence that an office holder is the parent of a child or has parental responsibility for the child, or confirmation of the disability of the child such as the award of disability living allowance.

Parental Leave is an individual right and cannot be transferred between parents.

## 6. Timing and Length of Parental Leave

Eligible office holders are entitled to take up to 18 weeks of unpaid leave in respect of each child or each adopted child under 18 years and before a child's 18<sup>th</sup> birthday.

It can be taken by both mothers and fathers and both full time and part time office holders. Parental Leave applies to each child not to an individual's job therefore any Parental Leave taken with a previous Diocese counts toward the maximum entitlement.

The maximum amount of Parental Leave that may be taken in any one year in respect of a child is 4 weeks. Parental Leave may not be taken in blocks of less than one week except where the child is disabled in which case it may be taken one day at a time. If less than a week is taken at a time, this will count as a whole week. A 'week' equals the length of time an office holder normally works over 7 days.

The office holder will not receive any payment for any Parental Leave taken.

## **7. Terms and Conditions of Service During Parental Leave**

Office holders remain in office while they are on Parental 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.

The Archdeacon, Rural Dean, churchwardens and members of the parish(es)/Mission Community will work with an office holder to ensure suitable arrangements for cover are made.

If an office holder is returning from a Parental Leave break of 4 weeks or less then they are entitled to return to the role which they left before taking a period of leave.

If Parental Leave is for a longer period than 4 weeks, the office holder is entitled to return to the same role, or if that is not reasonably practical, to a similar role with similar or better conditions.

However, if a period of Parental Leave follows on from Maternity Leave, and it would not have been reasonably practical for the office holder to return to the previous role and it is still not reasonably practical at the end of Parental Leave, the office holder is entitled to return to a similar role which has the same or better terms and conditions of the old role.

## **8. 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.