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1. INTRODUCTION

The purpose of the circular is to provide advice to clergy and parish officers of essential information relating to a wide range of administrative arrangements in operation within Diocese. It is not exhaustive and the range of matters will be added to from time to time.

Any comments would be appreciated.

2. CLERGY CONDITIONS OF SERVICE

2.1 Employment versus Office

For many years there has been debate about the way in which clergy hold tenure. Legal advice is that clergy (who are not assistant clergy) are office holders rather than employees of a parish or of the Diocese. This makes a difference in some legal matters but there are also many ways in which clergy are treated as employees. For example, PAYG tax, fringe benefits, 'employer' contributions to superannuation and long service leave.

2.2 What is a Stipend?

A stipend is a form of payment given to clergy to permit them to devote themselves to their ministry. The stipend is a 'monetary allowance' rather than a salary or fee for services rendered. It needs to be distinguished from a salary or wage.

A salary is remuneration for work carried out, usually on the basis of an assessment of the value of the kind of work in question. A stipend, while paid to clergy in a general way for their ministerial work, is not to be construed as a payment for a particular work, e.g. particular duties or particular hours of work.

The relationship between employer and employee is contractual in the case of a salary and covenantal in the cases of a stipend.

The relationship between a parish and a member of the clergy is covenantal; a congregation covenants to pay a stipend to a minister and the minister covenants to fulfil a ministerial role as agreed between the Bishop, the Bishop-in-Council and the parish, but that minister is, strictly speaking, not accountable to the parish but to the Bishop.

The requirement of a just and equitable stipend

Ministers should be paid a fair and adequate stipend. This follows from the idea that relationships in daily life should be built on the principles of equity and justice. It would not be just to pay a stipend that was inadequate for the legitimate needs of a minister. Neither would it be just to insist upon a stipend which, by reasonable standards, exceeded the church's capacity to pay.

A fair stipend will have regard to the general quality of life of a nation and reflect the average wage of a nation, calculated in an accepted way. It will recognise that sacrifices of income and other advantages will often have been made or continue to be made by ministers and by those who support ministry. It will recognise that ministry requires a high level of gifts and skills, even though it will not be set on these criteria alone, unlike other professions.

An adequate stipend will be sufficient to cover the living expenses of ministers, their spouses and families, relative to the community in which they minister. Living expenses are highly individual; what one family regards as a necessity might be regarded by another as a luxury. Nonetheless, judgements have to be made by Bishop-in-Council about reasonable and standard living expenses across Gippsland.

Stipends and other clergy conditions of Service are based on the *Guidelines for the Remuneration of Parish Clergy and Lay Ministers* at Attachment D. These guidelines were endorsed by General Synod in October 2004.

2.3 Centralised Payment of Stipends

Clergy stipends and the salaries of most lay staff are paid through the Registry Office on or before the 15th of each month.

Stipend and other payments are recovered from parishes by means of an invoice at the end of each month. Stipend and travel payments are charged in advance and other payments such as superannuation and long service leave are charged in arrears.

2.4 Minimum Clergy Stipend Effective from 1 January 2019

On 15 December 2017, Bishop-in-Council, on the recommendation of the Stipends Commission, determined that as from **1 January 2019** the following minimum stipends will be payable in the Diocese: -

Category	Percent age	Minimum Stipend	Increase
Persons in Orders in Charge of a Parish **	100%	\$59,594 pa	3.9%
Person in second and subsequent years in orders	90%	\$53,635 pa	3.9%
Person first year in orders	80%	\$47,675 pa	3.9%

** This is equivalent to the “in charge” stipend applying in the Diocese of Melbourne from 1 October 2019.

2.5 Other Benefits

Clause 11 of the Stipends, Remuneration and Allowances Act 1994 provides that the total costs of heating, lighting and telephone calls (except personal long distance calls but including internet connection fees) are payable by the parish for an incumbent or assistant minister. A residence is also provided along with the cost of travel.

2.6 Superannuation

Most clergy in the Diocese belong to the *Australian Super*, however a small number belong to other funds. Employer and employee contributions are forwarded to superannuation funds on a monthly basis.

The current superannuation contribution rates are as follows:

Parish – 15%

Clergy – 10% (by salary sacrifice and determined by Bishop-in-Council under Section 13 of *The Clergy Superannuation Benefits Act 1979*)

Superannuation contributions are calculated on the basis of the cash stipend only. The reason that employer superannuation contributions are paid in excess of the SGC rate (9.5%) on behalf of clergy is to reflect the full clergy stipend package which includes not only the cash stipend but also housing, travel and other benefits.

2.7 Travel Funding & Casual Services

There are three components to travel funding as follows:

- Car Replacement
- Fixed Costs
- Kilometre Allowance.

These rates are unchanged from the previous year except for the fixed costs rate as they are in excess of those paid in the Diocese of Melbourne. The rates will be held at the current level until the Melbourne rates exceed rates paid in this Diocese.

2.7.1 Car Replacement

An annual sum of **\$5,426** per annum (Melbourne: \$4,560) for car replacement plus an additional **twenty three cents** for kilometres travelled in excess of 20,000 kilometres. An amount of **\$452.17** per month will be charged to parishes and credited to the Car Replacement Accounts for each clergy member held in the Diocesan Trust Accounts. Half of this amount may be used for car loan repayments. See *Car Loans Policy* at Attachment K.

2.7.2 Fixed Costs

An annual sum of **\$1325**** is provided for fixed costs motor vehicle registration, insurance, servicing and RACV membership. This will be paid monthly either directly to the clergy member or retained and invested in a Trust Account and used to pay above items.

** Percentage stipend increase (2.1%: CPI - All groups June 2018) applied to previous year's rate of \$1299 to the nearest \$5

2.7.3 Kilometre Allowance

A flat rate of **23.0 cents** (Melbourne: 21.0 cents) per kilometre.

To assist in arriving at appropriate figures, the following table may be of some assistance: -

Agreed Distance (Kms)	Annual Fixed Cost Component	Annual Vehicle Replace.	Annual Kms	Monthly Fixed Costs	Monthly Vehicle Replace.	Monthly Kms	Total Mthly Paym't
5,000	\$1,325.00	\$5,426.00	\$1,150.00	\$110.42	\$452.17	\$95.83	\$658.42
8,000	\$1,325.00	\$5,426.00	\$1,840.00	\$110.42	\$452.17	\$153.33	\$715.92
10,000	\$1,325.00	\$5,426.00	\$2,300.00	\$110.42	\$452.17	\$191.67	\$754.26
12,000	\$1,325.00	\$5,426.00	\$2,760.00	\$110.42	\$452.17	\$230.00	\$792.59
14,000	\$1,325.00	\$5,426.00	\$3,220.00	\$110.42	\$452.17	\$268.33	\$830.92
16,000	\$1,325.00	\$5,426.00	\$3,680.00	\$110.42	\$452.17	\$306.67	\$869.26
18,000	\$1,325.00	\$5,426.00	\$4,140.00	\$110.42	\$452.17	\$345.00	\$907.59

2.7.4 Casual Services

The rates payable are as follows:

One service \$80.00 (previously \$75) (1/14th of weekly stipend rounded to nearest \$5.00)

Additional Services \$40.00 (50% of the "One Service" rate)

Travelling allowance is paid at the casual travelling rate (see below).

2.7.5 Casual Travelling

- Casual Travel and Occasional Services

A flat rate of **87.0 cents** per km.

Parishes finding difficulty in paying this amount should contact the Bishop or the Registrar for assistance. Generally

any assistance will be considered in cases where the travel involved is 100kms in total i.e. at least 50kms one-way.

- Extra Parochial Travel

Stipendiary clergy in receipt of a travelling allowance are paid for extra parochial travel at **23.0** cents per km.

2.7.6 Out of Pocket Expenses – Honorary and Retired Clergy and Lay Ministers

In parishes where retired clergy are resident in a parish and when lay ministers are used on a regular basis to take services at centres of the parish requiring significant travel, it is recommended that parishes provide some contribution to out-of-pocket expenses such as petrol. This is a matter for negotiation between the person concerned and the parish and a conversation should be initiated by the incumbent of the parish in the first instance.

2.8 Stipendiary Lay Officers

The determination for Stipendiary Lay Officers (pastoral workers, youth workers etc) is set out below for the assistance of parishes.

From 1 January 2019

Category	Minimum Stipend	Increase
Persons who have appropriate qualifications or at least 3 years work experience.	\$53,635 pa	3.9%
All others	\$47,675 pa	3.9%

Part-Time Rate – Stipendiary Lay Officers

Expressed as an hourly rate based on a 35-hour week, using one of the predetermined rates referred to under full time Stipendiary Officers.

Travelling - Full Time Stipendiary Lay Officer

The depreciation rate is **\$5,426pa**.

The fixed cost component is **\$1,325pa**.

The travelling rate is **23.0**cents per kilometre.

Travelling - Part Time Stipendiary Lay Officer

A flat rate of **87.0** cents per kilometre.

There is no entitlement under the provisions of Clergy Car Finance Act.

2.9 Salary Sacrifice

The salary sacrifice rate is 30% of the total of the cash stipend amount, the value of housing and the “employer” contribution to superannuation. For 2019 the salary sacrifice amount will be based on the following:

From 1 January 2019

Stipend	\$59,594
Superannuation – Employer Contribution (15%)	\$8,939
Housing Value (as determined by the Diocese of Melbourne)	\$23,400
Total	\$91,933
Salary Sacrifice Amount (Fringe Benefits) – 30%	\$27,580

The guidelines for salary sacrifice are at Attachment D, paragraph 5.5ff. There are some variations in practice within the Diocese of Gippsland, namely:

- There is no limitation on what funds from the salary sacrifice account may be spent on provided it is legal of course;
- Arrangements are made directly with the Diocesan Office and not the parish;
- Receipts are not required to be produced for any expenditure but should be kept for tax purposes.

2.10 Implementation of Variations to Clergy Conditions of Service

Parish accounts issued by the Diocese as at the end of December 2018 will include these rates as they relate to the stipend and travelling payments made in January 2019.

Any Parish wishing to make any changes to the stipend arrangements relating to that parish should advise the Registrar as soon as possible. Travelling allowances are calculated on the agreed distance and this may be varied from time to time by agreement between the Incumbent and the Parish Council. The *Stipends, Remuneration and Allowances Act 1994* requires the Parish Council and the Incumbent or Assistant Minister to agree on a travelling distance annually. Any such adjustment should be advised to the Registrar for implementation.

The Bishop-in-Council reminds parishes which cannot meet the stipend and travelling payments to advise the Registrar or the Archdeacon as soon as possible.

2.11 Clergy Leave

See Clergy Leave Guidelines at Attachment L

2.12 Clergy Removals

The costs associated with the removal of the furniture and effects of clergy are normally met from diocesan funds up to 9% of the rector's stipend.

The amount payable in 2019 will be \$5,363.00.

Any additional cost is shared equally between the Diocese and the parish (BIC Decision 11/03, 20 February 2003).

This arrangement usually applies to **clergy removals between parishes or from another Diocese** following an appointment arising from the Clergy Appointment Advisory Board process.

It also applies to **clergy on retirement** except that any costs incurred above the amounts referred to above are shared by the Diocese and the clergy member concerned (BIC Decision 358/05, 13 October 2005).

If desired, the cost of packing may be included in the quotation.

Clergy should obtain three quotations for consideration by the Registrar.

It should be noted that the personal furniture and effects of clergy in transit are insured by the Diocese.

2.13 Policy Guidelines For Parish Purchase of Cars for Clergy

See Attachment B

2.14 Clergy Residences

The following is an extract from the Parish Administration Act:

32. (1) *The relevant churchwardens of the parish must report to the parish council on any expenditure necessary to keep the rectory and residences of the incumbent and clergy of the parish in good order and repair.*

(2) *The relevant churchwardens in the parish must inspect the rectory and other residences of the clergy of the parish at least once each year at a time convenient to the occupant of the rectory or residence.*

See also the following:

Attachment H – Guidelines on Clergy Occupancy of Church-owned residences (page 55)

Attachment I – Clergy Residence Standards (page 57)

2.15 Clergy Living in Own Residence

Parish incumbents and other full-time clergy are normally required to live within the boundaries of the Parish in which they are licensed in church owned or leased residences.

However, there may be circumstances in which a member of the clergy may seek approval to live in his/her own accommodation in cases where a church-owned residence is available. Approval will be given by the Bishop in consultation with the archdeacon and the parish.

A housing benefit will be paid and calculated on two-thirds of the rental received on the church-owned residence which in most cases will be leased on the open market for a commercial rent.

As far as possible the housing benefit should not exceed the amount the parish would have to pay if the church owned residence was occupied by the clergy member bearing in mind that rates and land tax would be payable in these circumstances. The housing benefit should also not provide a financial incentive for clergy to choose this arrangement.

Before approval is given by the Bishop the following matters will be taken into account:

- a) The location of the house would need to be considered. Is it close enough from the parish to enable appropriate ministry to be delivered?
- b) Is the clergy member approaching retirement?
- c) Will the parish incur additional expenses under any proposed arrangements?
- d) Is there a market for leasing the rectory in particular location?
- e) If the rectory was leased, will its location create difficulties for parish activities and operations?

In the unusual circumstances where the church is unable to provide a residence for a clergy member the parish and the clergy member will negotiate the value of the housing benefit in consultation with the Bishop and the Registrar having in mind the particular circumstances. In general, the housing benefit would reflect the full rental value of a rectory standard residence in the particular location.

(Bishop-in-Council Decision 12 December 2013)

2.16 Health Insurance

A corporate program has been put in place with *Latrobe Health Services* for stipendiary clergy and lay people employed by the Church. Clergy who hold a PTO or retired lay employees are also included. This program provides cheaper premium rates principally because of group buying and because the Diocese pays the excess on any hospital costs. Enquiries may

be made to 1300 362 155 and quoting the Anglican Diocese of Gippsland Corporate Plan.

2.17 Centrelink Income Assessment of Clergy

The treatment of income differs significantly between the Australian Tax Office and Centrelink. Each system has a definition of reportable income to determine eligibility for various taxation and social security benefits. The Australian Taxation Office determines income according to A New Tax System Act 1999 and Centrelink determines income on the basis of the Social Security Act 1991.

2.18 Archdeacons' Allowances

These allowances are paid to the parishes whose rectors are archdeacons. The archdeacon and the parish council should negotiate how the allowance is to be split. This is especially the case where the archdeacon maintains his/her own motor vehicle. The Dean is also paid this allowance.

The rate for 2019 will be \$19,101 per annum (33.3% of the 2018 stipend of \$57,363. To be held at this rate for the time being).

2.19 Regional Deans' Allowances

These allowances are paid to the parishes whose rectors are regional deans. The regional dean and the parish council should negotiate how the allowance is to be split. This is especially the case where the regional dean maintains his/her own motor vehicle.

The current rate for these allowances is half a day per week of the 2018 minimum stipend payable monthly to the regional dean's parish (stipend: $\$57363 \div 312 \text{ days} \div 2 \text{ (for half day)} \times 52 \text{ weeks} \div 12 \text{ months}$). The rate for 2019 will be \$398.35 per month. The allowance will be held at this rate for the time being.

2.20 Clergy Professional Development

There is an obligation on clergy to attend the clergy conference and the clergy retreat as part of their professional development. The costs associated with these events are dealt with as follows:

- parishes pay for the cost of accommodation and meals for the clergy conference for each clergy member attending from a particular parish; and
- parishes pay for 50% of the cost of accommodation and meals for the clergy retreat for each clergy member attending from a particular parish. The Diocese will pay the other 50%.

The Diocese meets all other costs associated with speakers and retreat leaders.

3. FAIR WORK ARRANGEMENTS

Complying with Fair Work Act

While clergy fall outside the jurisdiction of the Fair Work legislation, authorised stipendiary lay ministers and all other employees (both referred to as employees) do fall within the jurisdiction. Churchwardens should ensure that parish employees are receiving the following minimum standards:

The 10 national employment standards (NES)

<https://www.fwc.gov.au/creating-fair-workplaces/the-national-workplace-relations-system/national-employment-standards-0>

The 10 NES relate to the following matters:

- Maximum of 38 weekly hours of work—plus reasonable additional hours.
- Requests for flexible working arrangements—in certain circumstances employees can request a change in their working arrangements.
- Parental leave and related entitlements—up to 12 months unpaid leave for each employee, plus a right to request an additional 12 months unpaid leave, plus other forms of maternity, paternity and adoption-related leave.
- Annual leave
 - ❖ 4 weeks paid leave per year
 - ❖ plus an additional week for certain shift workers.
- Personal/carer's leave and compassionate leave
 - ❖ 10 days paid personal/carer's leave
 - ❖ 2 days unpaid carer's leave as required
 - ❖ 2 days compassionate leave (unpaid for casuals) as required.
- Community service leave—unpaid leave for voluntary emergency activities and up to 10 days paid leave for jury service (after 10 days is unpaid).
- Long service leave—a transitional entitlement for employees as outlined in an applicable pre-modernised award, pending the development of a uniform national long service leave standard.
- Public holidays—a paid day off on each public holiday, except where reasonably requested to work.
- Notice of termination and redundancy pay
 - ❖ up to 4 weeks' notice of termination (plus an extra week for employees over 45 years of age who have been in the job for at least 2 years)
 - ❖ up to 16 weeks' severance pay on redundancy,both based on length of service.
- The Fair Work Information Statement is available at the Fair Work Commission website at <http://www.fairwork.gov.au/>

4. MISSIONARY AGENCIES - HANDLING OF FUNDS

Parishes should remit funds collected for mission agencies directly to the agency concerned.

5. COLLECTIONS AT CONFIRMATION AND INDUCTION SERVICES

It is normal practice for the loose collections at these services to be set aside for clergy training. Clergy are requested to announce this at these services and to ensure that the funds are forwarded to the Registry Office as soon as possible after the service.

6. INSURANCE

6.1 Insurance Cover

Details of insurance policies in place within the Diocese are published in the Insurance Manual which is issued separately.

6.2 Payment of Premium

Parishes now have the opportunity of paying insurance premiums by two methods:

- (a) in one amount if paid by 31 January; or
- (b) in twelve equal instalments during the year (usually December to November). An additional charge applies to this arrangement.

7. ACCOUNTS ISSUED BY REGISTRY OFFICE

The monthly amounts to be shown on the **Stipend accounts** from 31 December 2018 will be:

	Per Month
(a) 2019 Stipend	\$4,966.17
(b) Travel Allowances (where applicable)	varies

The monthly amounts to be shown on the **Bishop-in-Council accounts** from 31 January 2019 will be:

Item	Per Month
(a) Superannuation (Employer Contribution of 15% based on actual stipend)	\$744.90
(b) Long Service Leave (Note 2)	\$130.00
(c) Assessment	1/12 of annual amount
(d) Gippsland Anglican (except January)	1.50c per copy
(e) Insurance	1/12 th of annual premium plus premium funding costs

(f) One-off items such as copyright licence fees once a year.	
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8. SUBMISSION OF PROPOSALS TO THE DIOCESE

Approval from the Diocese is required in the following general circumstances:

ACTION	METHOD OF SUBMISSION	APPROVING AUTHORITY
Borrowing Funds	Application to be made to the Registrar	Bishop-in-Council
Altering a building on church land	See Attachment C	Bishop-in-Council
Constructing a building on church land		Bishop-in-Council
Varying the furnishings or ornaments in a church		Bishop
Legal documents	All legal documents, contracts, transfer of land, building contracts should be forwarded to the Registrar	Trusts Corporation

This list is not exhaustive. Please contact the Registrar in cases where some uncertainty exists.

9. ELECTION OF LAY MEMBERS OF SYNOD

The **Synod Act** governs election of Synod members. Synod elections are held every three years for all lay members. The next election of lay synod members of the 40th Synod will take place in November 2021 for the ordinary synod session to be held in May 2022.

The first session of the 39th Synod will be held over the weekend of **17-19 May 2019** in Sale.

The dates and venues of Synod sessions are in the Bishop's hands under Section 29 of the Synod Act 1997.

It is proposed that the dates and venues for the next three sessions of Synod be as follows:

39th Synod

15-17 May 2020, Western Region (Pentecost – 31 May)

14-16 May 2021, Sale (Pentecost – 23 May)

40th Synod

13-15 May 2022, Sale (Pentecost – 5 June)

These dates normally include the third Sunday in May unless Pentecost occurs on that Sunday.

10. MCNEILLY TRUST

Grants have been suspended from this Trust for the time being.

11. THE NATURE OF PARISH INCORPORATION

The following form of words is normally used to describe the nature of parish incorporation. It is also used in relation to Diocesan organizations (e.g. Anglican Women, Cursillo etc) where these bodies are not incorporated by other means.

“A parish is an established unit of the Anglican Diocese of Gippsland. While the Diocese is an unincorporated body, its existence is recognised in the Church of England Act 1854, the Anglican Trusts Corporations Act 1884 and the Anglican Church of Australia Constitution Act 1960 of the Parliament of Victoria.

Property held for the use of the Anglican Church of Australia within the Diocese is vested in the Anglican Trusts Corporation of the Diocese of Gippsland, a body corporate formed and incorporated under the Anglican Trusts Corporations Act 1884 of the Victorian Parliament. It is not incorporated under Company Law.

The Trusts Corporation is the corporate trustee for the Diocese. Property of the Diocese, including parishes and organisations, is held by and in the name of the Corporation. Formal contracts in writing by or on behalf of the Diocese or any of its parishes or organizations are entered into by the Trusts Corporation as trustee for the Church in the Diocese. This includes applications and agreements in relation to government grants, building contracts and property leases.”
(Advice of Diocesan Chancellor received on 24 January 2006 on this statement)

12. COPYRIGHT

Since October 1996, the Diocese has a licence issued by *Christian Copyright Licensing International (CCLI)* covering all parishes and organisations within the Diocese. This brings with it a substantial discount of 30% on the cost of the licence. The cost is apportioned among parishes according to a formula determined by CCLI relating to numbers in each congregation. Unfortunately parishes do not have the choice of opting-out of the arrangement. See <http://au.ccli.com/> for more information.

See also Attachment F for copyright issues relating to *A Prayer Book for Australia*.



(Brian Norris)
Registrar
7 January 2019

ATTACHMENT A

**LONG SERVICE LEAVE FUND CANON 2010 – COMMENCEMENT DATE 1
JANUARY 2015**

SUMMARY OF THE MAIN PROVISIONS OF THE FUND

The Long Service Leave Fund was created by Canon of the General Synod of the Anglican Church of Australia in 1966. As from 1 January 2015 it will operate under General Synod Canon 2010 (former Canon 1992-1995).

ELIGIBLE PARTICIPANTS (FORMERLY KNOWN AS MEMBERS)

Eligible participants, in accordance with section 1(i) – (vi) is a member of Clergy.

A member of clergy includes:

- i) A bishop of a diocese;
- ii) a person in holy orders collated instituted or licensed by the bishop of a diocese to the cure of souls in a parish or to any other appointment in a parish;
- iii) a bishop, dean, archdeacon, canon, principal, vice principal or tutor in holy orders of a university or theological college, a principal of a school or a chaplain, or other person in holy orders licensed to a distinct official position in the diocese or holding some other licence of the bishop of the diocese.
- iv) A person in holy orders on missionary service; or
- v) A person licenced by the bishop of the diocese to exercise the office of deaconess in that diocese.
- vi) The Bishop to the Defence Force, and Defence Force chaplains in holy orders. *(Please note effective 1 January 2015 that this is a new class of eligible participants)*

As from the commencement date of the 2010 Canon, participants in part time service in a participating diocese or organisation are eligible to be in the Fund in respect to eligible service from that date. The payment of leave is pro-rated according to the advice given to the Fund by the participating diocese or organisation.

The LSLF Board resolved at the meeting of 24 March 2011 to consent to, and pertaining to section 4(ii)(a) of the former Canon 1987-1992, to define a member of the LSLF Fund to include;

1. Lay persons engaged as Lecturers in Theological Colleges.
*(Note: the college must:
(a) Be a Participating Organisation
(b) Employ the person full time as a lecturer.)*
2. Lay persons licensed as Chaplains by a Bishop
3. Lay persons licensed by a Bishop to a Ministry in a Parish.

Participating Organisation means –

- 1) An organisation which employs 1 or more members of the clergy and agrees to the terms and conditions of participating in the scheme of this Canon, upon application to and approval by the Board to becoming a participating organisation.

Qualifying Service and Entitlements

Qualifying Service is service rendered in a participating diocese or organisation, and who participates in the schemes of the former Canons and the current Canon.

- i) In accordance with the former Canon 1992-1997 members of the Long Service Leave Fund are entitled to 10 weeks LSL on completion of 10 years qualifying service in respect of each year of qualifying service prior to the Commencement Date of the LSLF 2010 Canon.
- ii) Commencing 1 January 2015, the 2010 Canon comes into effect. Members will receive a rate of 13 weeks for 10 years qualifying service, 1.3 weeks in respect of each year of qualifying service from and after this commencement date.
- iii) It is unlawful for members to take Long Service Leave and continue with paid employment during the period of leave taken.
- iv) Long Service Leave cannot be paid as cash in lieu of leave, except as provided for in the Canon.

Payments of Long Service Leave

Notional Stipend

The Notional Stipend is reviewed annually by the Board. The Standing Committee upon advice by the Board approves the rate of the Notional Stipend, which is used to determine the amount paid for each week of LSL taken.

Benefits are paid by the Fund and are made to the appropriate diocese or participating organisation, to be paid to the member requesting the leave. The leave benefits should be paid to the participant in accordance with diocesan policies and/or relevant federal or state legislation.

The balance of the leave payment is facilitated by the Diocese to assist them in the payment for the replacement locum, etc.

Sabbatical Allowance (formerly known as Supplementary Allowance)

From the 1 January 1987, to encourage and assist participants to take LSL as and when it falls due, a Sabbatical Allowance was introduced.

This amount of benefit is currently set at 80% of the Notional Stipend amount. The Sabbatical allowance is to be paid to the member in full, after the appropriate taxation. The Sabbatical Allowance is payable for actual Long Service Leave taken, and is not payable on resignation, retirement, death or permanent disablement.

Payment in lieu of resignation or retirement

When a participant of the Fund who completes not less than 5 years qualifying service resigns or retires, the participant is to be paid one week for each year of service completed before the Commencement Date, and 1.3 weeks for each year of service completed after the Commencement Date, together with a proportionate payment for any incomplete year of qualifying service. This payment is not to include the sabbatical allowance.

Payment in lieu of death

If the qualifying service of a participant terminates by reason of the participant's death, then an amount for each completed year of service is to be paid, one week for each year qualifying service before the Commencement Date, and 1.3 weeks for each year completed after the Commencement Date, together with a pro-rata payment for any

incomplete year of service rendered. This payment is not to include the sabbatical allowance.

Periods of leave

Any period of leave granted must be comprised of complete weeks of 7 days. There is no minimum amount of weeks of leave that a participant may take.

The Long Service Leave period is to include public holidays but to exclude annual holidays and sick leave.

Notice of leave

Every participating diocese or participating organisation must determine when members may take leave, and if the member so agrees must give at least 3 months' notice of the date from which the leave is proposed to be taken.

Shirall Mayers
LSLF Manager
27 August 2014

Note This advice explains the main features of the Long Service Leave Fund. It is not intended as a substitute for the Canon which is the legal document covering the Fund. In the event of any conflict between the contents of this advice and the provisions of the Canon, the Canon will prevail.

CHURCH-OWNED VEHICLES

A. BISHOP-IN-COUNCIL VEHICLE PURCHASING GUIDELINES

Bishop-in-Council recognises that under the current tax regime, vehicles can be obtained under Government purchasing arrangements.

1. Bishop-in-Council recommends this as an option for parishes, alongside the present scheme in which clergy provide their own vehicles.
2. Purchases should be for new vehicles of a suitable make and model that are readily available on the Australian market. Changeovers should be made at the most economical time.
3. Where vehicles are purchased for clergy they should be registered in the name of 'The Trusts Corporation of the Diocese of Gippsland' and name the parish or other ministry entity.
4. If vehicles are to be financed, this must be through ADF-Gippsland. Insurance should also be under the Diocesan policy.

B. GUIDELINES ON THE CLERGY USE OF CHURCH-OWNED VEHICLES

The following guidelines will normally apply in these circumstances. Any variations should be based on discussion and the reaching of a mutual understanding between the member of the clergy and the parish council.

Provision of Vehicles

1. The parish members of the clergy appointments board are responsible to provide the Bishop with a clear indication of the travelling arrangements in the parish, so that proper consideration can be given when the board meets. Where parishes own the vehicle and it is agreed that this arrangement should continue, careful consideration must be given to the situation of the incoming incumbent who has had his or her own vehicle so that he or she is not financially disadvantaged if he or she agrees to follow the normal practice in the parish.
2. When buying a vehicle, consideration should be given to the types of vehicle that will cope with the roads in the parish and the size of the clergy family. The views of the member of the clergy on the size of vehicle required for both parish and family use should determine the size of vehicle purchased. The model purchased would normally be of a type commonly available in Australia.

Operation of Vehicles

3. As early as possible during the appointments process the member of the clergy and the parish council should discuss from the application of these guidelines so

that any misunderstandings do not arise in the future due to different expectations of the member of the clergy and parish council members.

4. The member of the clergy is responsible for the careful driving, regular maintenance and general care of the vehicle so that it is constantly available for his or her use. It is recommended that the parish council appoint a person or person with whom the member of the clergy may issues relating to the vehicle.
5. A qualified mechanic should carry out all work on the vehicle. The service record book belonging to the vehicle should be kept up-to-date throughout its life.
6. The member of the clergy shall have the use of the vehicle at all times for parish and personal use, and for travelling outside the parish, including holidays. The member of the clergy will pay for fuel only when the vehicle is used for annual leave or long service leave.
7. The member of the clergy shall be responsible for determining who may drive the vehicle.
8. The vehicle is to be insured in the name of the Anglican Trusts Corporation and the name of the member of the clergy as driver, and the parish will pay all excess due in the case of any accident. If persons in the clergy family under 25 are to drive the vehicle, the clergy family shall pay any surcharges.
9. The parish should not expect the member of the clergy to use alternative transport unless he or she indicates a preference.
10. It is expected that members of the clergy will respond to normal diocesan obligations and relationships with other clergy, which may necessitate travelling outside the parish.

Resolution of Any Issues

11. These guidelines must be formally received at Parish Council before a purchase is entered into.
12. The Archdeacon must be satisfied that both the clergy member and the parish council are comfortable with the arrangements.
13. Where a difficulty or dispute arises in regard to arrangements, the matter should be referred in the first instance to the Regional Archdeacon.

ANGLICAN DIOCESE OF GIPPSLAND

Guidelines Relating to the Construction and Alteration of Church Buildings

See Division 2 (sub-sections 10 to 19) of the Parish Administration Act. This Act provides that a church building or alterations to an existing church building need approval of Bishop-in-Council. The following is a practical outworking of the Act that has evolved for the Diocese of Gippsland.

1. The first step is approval of the Parish Council for the erection of a church building (Church, Hall, Rectory, etc.) or alterations to any church building in the parish.
2. Plans then need to be discussed with the relevant Archdeacon. When agreement is reached, the parish should apply to Bishop-in-Council.
3. It has become a practice in the diocese for a letter of 'preliminary advice' to be sent to the Registrar of the Diocese for Bishop-in-Council which, if it agrees, will give 'approval in principle' thus enabling the Parish to proceed with detailed plans and specifications for the building or alterations suggested by the parish.
4. When these plans are completed, the parish should meet again with the relevant Archdeacon to discuss them before the formal application is made to Bishop-in-Council.
5. Alterations of a minor nature to a church building can be made with the approval of the Registrar who, in consultation with the relevant Archdeacon, has authority to give approval up to a certain limit.
6. Application for approval of a church building or alterations above the Registrar's limit of authority must be given in writing to the Registrar of the Diocese accompanied with proper plans and specifications and a written estimate of the cost involved, together with proposed arrangements for meeting that cost.
7. Construction of major alterations shall not proceed until a contract has been executed.
8. The Registrar needs to be informed if any serious difficulties arise during the course of the building construction or renovations to a church building.
9. Faculties. Fabric, furnishings and ornaments of a church must not be added to, removed, or altered except in accordance with a faculty from the Bishop. See Section 19 of the Parish Administration Act 1995 which reads as follows:

Faculties

19. (1) Fabric, furnishings and ornaments of a church must not be added to, removed or altered except in accordance with a faculty from the Bishop.

(2) Application in writing for a faculty may be made by the incumbent and churchwardens of a church on the recommendation of the parish council after consultation with the relevant Archdeacon and otherwise in such manner as the Bishop prescribes from time to time.

10. Application for a faculty must be on the form provided and signed by the Incumbent and Churchwardens.

Prepared by Archdeacon Clem Watts

ATTACHMENT D

TRUST POLICIES APPROVED BY BISHOP-IN-COUNCIL (As revised from time to time)

12 September 1989

1. Parish Trusts General

That is funds left to Parishes by Will or donation but which are not governed by expressed terms or directions from the Will or Donor. The funds in this category can be used for charitable purposes other than day-to-day running expenses.

Policy

That Parish Trusts which were not restricted by Trust terms be able to be withdrawn without the necessity of Bishop-in-Council's approval for charitable purposes and not for day to day running expenses.

2. Parish Trusts - Specific Terms

These funds are received by way of bequest or from a donor who gives specific terms and directions as to what and how the funds may be appropriated.

Policy

That Parish Trusts with specific Trust terms be able to be withdrawn upon an application being made to the Registrar. He would be required to refer the request to The Trusts Corporation (or Diocesan Legal Advisor if appropriate) whose duty is to ensure that the purpose for which the funds were to be used accords with the terms of the Trust.

3. Parish Trusts - Land Sale Proceeds

These Trusts usually derive from the sale of Parish land and traditionally have only been applied to other land purchases or capital works. It is reasonable also to form the view that the original donors may have created an implied trust and that such proceeds ought only be applied to land and buildings.

Policy

That the approval of Bishop-in-Council be required for the release of land sale proceeds that such funds be only released for purchases of land, erection or renovation of buildings.

4. Parish Trusts - Parish Investment

These funds are placed with the Diocese for investment and represent surplus funds from the parish.

Policy

That Parishes be able to be withdrawn without the necessity for Bishop-in-Council approval and without restriction on their use and application.

5. Parish Trusts - Parish Funds Raised for Particular Purposes.

A parish may have a fund raising event to raise money for a particular purpose and moneys invested with the Diocese.

Policy

That funds be available for withdrawal provided it is for the stated purpose. Where it becomes impractical to apply funds for the stated purpose, application and approval be obtained from Bishop-in-Council to vary the terms.

6. Diocesan Trusts

It was noted that apart from those trusts which gave express authority to the Bishop of Gippsland to allocate, Diocesan Trust funds may only be appropriated on the authority of the Bishop-in-Council as it may direct from time to time.

13 December 2007

7. Sale of Church Property

That in recognition of the wider needs of the church the net proceeds of the sale of all church properties be allocated as follows:

- 20% to the Gippsland Ministry Foundation for the ongoing benefit of the Anglican Diocese of Gippsland;
- 80% being established as a Parish Trust for the particular parish in which the property is situated

This policy may be waived or varied by Bishop-in-Council

- in cases where, in the opinion of the Council, the parish's viability is at risk; or
- in respect of that portion of the funds that are to be used for capital purposes within the parish which have been approved by the Council as essential to its mission

(Amended 14 April 2011)

8. Distribution of Interest on Trust Funds

- That all income from trust funds be released for parish operating purposes in each financial year less the CPI minus 2% of capital.
- In relation to the annual income of the Gippsland Ministry Foundation, 10% and no more than 20% of the income of the Foundation is be applied to Aboriginal ministry in the diocese through the Gippsland Aboriginal Ministry Fund. (Added 14 April 2011)



(Brian Norris)
Registrar
14 April 2011

TO REGISTRARS

24 February 2006

EXPLANATION OF APBA COPYRIGHT LICENCE FOR PARISHES

It has been drawn to our attention that there are different understandings in Parishes relating to the need for a licence to reproduce material from APBA for regular use on Sundays and other times. This paper clarifies the situation for Parish and Diocesan staff.

Background

APBA was approved for publication at the 1995 General Synod after which an agreement was reached between the Trust Corporation and EJ Dwyer to publish the book and material from it. EJ Dwyer in turn developed a process whereby Parishes and other Anglican entities could reproduce material from APBA upon conditions in the licence and the payment of an annual fee, which eventually settled at \$125.

EJ Dwyer went into liquidation in 1998 and the stocks of materials as well as existing policies were taken over by the Publishing Committee of Standing Committee to be managed by the General Synod Office. Each year the General Synod Office sent invoices to those Parishes that were on the list passed over from Dwyers.

It was clear that not every Parish was applying for a copyright licence but it was possible that every Parish that was regularly reproducing material was applying. With the resources in the GSO it was never possible to check.

Establishment of Broughton Publishing and epray

Epray was made available in 2003 and it was decided that the purchase of epray would include the cost of the licence for APBA as well as the licence for the epray software. Any Parish that had been paying the \$125 APBA copyright licence was released from this payment through the payment of the \$145 annual epray licence payment.

Broughton Publishing was licensed by the Trust Corporation to sell APBA and also to collect the copyright licence fee on APBA. Since 2003, Broughton has been issuing the invoices and the licences for the APBA copyright licence.

In summary,

A Parish **does not need to apply** for an annual APBA copyright licence if:

- It has a current epray annual licence or
- It is not regularly reproducing material from APBA for Sunday, Christmas or Easter services.

A Parish **must apply** for an annual APBA copyright licence if:

- It does not have a current epray annual licence and
- It is regularly reproducing material from APBA for Sunday, Christmas or Easter services

A copy of the APBA licence rules is attached for your information.

It should be noted that the conditions are similar for schools, with some differences, but the annual amount is \$200.

A copy of the APBA rules for schools is also attached for your information.

Anyone requiring more information on this matter should contact Katherine Blyth, Manager, Broughton Publishing, on

(03) 9560 7077

or

katherineblyth@e-pray.org.au

IMPORTANT NOTICE

RULES FOR REPRODUCTION OF MATERIAL FROM A PRAYER BOOK FOR AUSTRALIA (APBA)

A. LICENSED CUSTOMISED SERVICES

An **annual** licence for the reproduction of material from APBA for regular use on Sundays, including Easter and Christmas, and all services other than one-off events will be granted under the following conditions:

- “Material” refers to any material from APBA, which is the copyright of the Anglican Church of Australia, unless the publisher believes it excessive;
- The material reproduced can be re-used, and no dates need be printed;
- The reproduced copies must not be sold;
- The Liturgical guidelines of the General Synod must be followed;
- Permission must be sought of copyright holders for any material which is not the copyright of the Anglican Church of Australia;
- The copyright notice must appear on every copy, in the following form:

Copyright © 1995, The Anglican Church of Australia Trust Corporation. From the text of A Prayer Book for Australia, published under the imprint of Broughton Books. Reproduced with permission.

- The applicant (parish, school or other body) must have purchased at least 20 copies of APBA Shorter Edition *or* 10 copies of the Complete Edition.

- *A Prayer Book for Australia is now available and can be purchased from John Garrett Publishing, Ph: (03) 9545 3111; Fax: (03) 9545 3222*
- A fee of \$125.00 must be paid; this annual fee is uniform, regardless of the size of the parish/school and includes the GST component. The licence runs for 12 months from date of payment of the fee.

There is still the requirement to apply in writing each year, preferably between 1 October and 31 December, outlining what is to be reproduced. Licences granted after 1 October in any one year for the following year will also cover the rest of that earlier year at no extra charge.

B. ONE-OFF OCCASIONS (SUCH AS WEDDINGS, FUNERALS, BAPTISMS, BUT NOT REGULAR SUNDAY OR WEEKDAY SERVICES):

PERMISSION IS NO LONGER REQUIRED and copies of the reproduction need not be sent to the General Synod Office. However, the following usual conditions remain:

- The reproduction must be dated, and cannot be sold;
- They cannot be re-used;
- The Liturgical guidelines laid down by the Anglican Church of Australia must be followed;
- Permission must be sought of copyright holders for any material which is not the copyright of the Anglican Church of Australia (as indicated in APBA);
- Each copy of the reproductions must carry the complete acknowledgment worded as in the italicised paragraph above;
- The parish, school or other body must have purchased at least 5 copies of *A Prayer Book for Australia*, Complete Edition.

ATTACHMENT F

Anglican Diocese of Gippsland

**GUIDELINES ON CLERGY OCCUPANCY OF CHURCH-OWNED
RESIDENCES**

These guidelines are for the use of parish clergy and the parish councils to clarify responsibilities in relation to clergy housing. They are designed to ensure that residences are maintained at an appropriate standard once they have been occupied.

Before the appointment is made, the parish members of the clergy appointments advisory board are responsible to provide the Bishop with a clear indication of the condition of clergy residences to be occupied by a new appointee. The Archdeacon has the responsibility to inspect the residence to ensure that it is up to an acceptable standard. These guidelines cover the position once upgrading before occupancy has been arranged.

As early as possible at the time of appointment to a parish the clergy member and the parish council, perhaps through the churchwardens, should consider these guidelines and come to a mutual understanding if there are to be any variations. This process is intended to prevent misunderstandings because of different expectations held by the clergy member and the parish council.

1. The Parish Council will:

- a. in consultation with the relevant Archdeacon, ensure that the premises comply as far as is practicable with diocesan clergy residence standards and are in a reasonably fit condition for use as a clergy residence at the commencement of the occupancy;
- b. allow the clergy member and his or her family to occupy the residence as a private home and to place no obligation on the clergy member which would involve the parish use of any part of the rectory without his or her initiative;
- c. pay all maintenance costs, rates and other outgoings on the residence;
- d. complete without delay all reasonable repairs relating to the clergy members ordinary use and occupation of the residence; and
- e. give authority to the clergy member to effect repairs including those involving the engagement of tradespersons, on non-discretionary matters such as plumbing and electrical problems. An annual financial guideline of \$500 is recommended for these items.

2. The Clergy Member will:

- a. ensure that the premises are used only as a residence other than for any parish use agreed to by the clergy member;

- b. takes care of the residence and keeps it in a clean condition, in particular:
- i. keep the grounds and gardens tidy and free from rubbish and the guttering and storm water downpipes free from debris and foul matter;
 - ii. take special care of the parish items within the residence including carpets and curtains;
 - iii. make no alterations or additions to the residence without the consent of the parish council;
 - iv. do no decorating that involves marking, defacing or painting any part of the premises, without the consent of the parish council;
 - v. ensure that nothing is done that might prejudice any insurance which the parish has in relation to the residence;
 - vi. notify the parish council promptly of any loss, damage or defect in the residence;
 - vii. take all reasonable precautions against the outbreak of fire in the premises; and
 - viii. keep up and preserve in good condition the lawn and garden belonging to the residence.

Note: Parishes are encouraged to assist clergy in relation to items listed under i. and viii. especially in cases where Rectories and gardens are extensive and bearing in mind that clergy are expected to be available to undertake ministerial responsibilities for six days per week.

3. General

The parish council and the clergy member will:

- arrange an inspection of the residence to be carried out by the churchwardens on an annual basis;
- facilitate the inspection of the residence by a diocesan representative from time to time.

ATTACHMENT G

Anglican Diocese of Gippsland

CLERGY RESIDENCE STANDARDS

1. Planning Guidelines

The following "benchmark" is used by Bishop-in-Council when considering plans for new residences or the upgrading of existing residences.

The residence should include as far as possible:

- 4 bedrooms
- 2 bathrooms
- a study (12 square metres with a minimum width of 3 metres)
- lounge room
- family room
- kitchen
- laundry
- double garage (preferably constructed as part of the residence and constructed of the same materials)

In planning clergy residences, particular attention should be given to separating the bedrooms and family living areas from the "public" areas such as the study and lounge room. If possible, there should be separate external access to the study.

The use of an architect is strongly recommended.

2. Furnishings and Fittings

The following items are normally required:

- a fenced area for the safety of children and for Rectory privacy;
- insect screenings on doors and windows and exterior openings such as chimneys;
- garage, or at least a carport with lock-up shed for tools, garden implements and storage space;
- rotary clothes hoist or other clothes line;
- television antenna;
- septic tank where sewerage is not available;
- appropriate fire extinguisher, properly maintained;

- floor coverings (carpet throughout except that the kitchen floor should have either kitchen carpet or hard coverings, and the laundry and bathroom(s) should have hard coverings);
- all windows to have curtains or drapes and security locks;
- built-in linen cupboard (recommended minimum dimensions 1.8metres high, 1.8 metres wide, 0.6 metres deep);
- all bedrooms to be built-in wardrobes (recommended dimensions 1.8metres high, 1.8 metres wide, 0.6 metres deep) with drawers or shelves if requested;
- light fittings in all rooms;
- normal modern fixtures in kitchen, bathroom and laundry, including a hot water system and dishwasher;
- study furniture (a suggested minimum: bookshelves, large filing cabinet, cupboard space for robes and other equipment); and
- adequate provision for heating in living areas.

ATTACHMENT H

CAR LOANS POLICY

(Approved by Bishop-in-Council 21 April 2016)

1. That Bishop-in-Council delegate to the Registrar authority to approve loan applications up to \$30,000, the repayment term was not to exceed five years.
2. That a maximum loan limit of \$40,000 be established. This limit to be adjusted annually on Consumer Price Index for Melbourne at the December quarter for the past twelve months.
3. That a minimum monthly loan repayment amount of \$300 be set. That up to one half of the car depreciation deposit may be applied towards repayment of any car loan.
4. That a purchaser has a minimum equity of 20% of the value of the proposed car purchase.
5. That the maximum loan period not exceed five years.
6. That loans be approved for new car purchases, and /or near new cars which still have at least one year remaining of new vehicle warranty.
7. That loans be approved for second hand vehicles provided the loan is for not more than 70% of the purchase price. Any second hand vehicle should not exceed five years of age at the time of purchase and have travelled less than 80,000 kilometres.
8. That an RACV vehicle examination be submitted with the purchase of a second hand vehicle, showing that the vehicle is of a reasonable standard. It is preferred that any used vehicle be purchased from a franchised Motor Car Dealer where title, condition and warranties apply.
9. That where possible, New Vehicle purchasers be encouraged to purchase vehicles subject to Fleet owners discount.
10. That funds only be allocated for the purchase of the principal family vehicle, However, a second vehicle will be considered for a spouse where living under the same Roof as the principal vehicle is garaged. The same conditions as above will apply. However the policy in item 3, re-depreciation deposit will not apply, for the second vehicle.
11. That the minimum sum advanced for major repairs be \$600 (excluding the purchase of tyres, normal wear and tear expenses).
12. That a person or persons be appointed in an advisory capacity to offer assistance of a technical or financial nature where an applicant desires such assistance.
13. That Bishop-in-Council may approve loans not in accordance with these provisions in extenuating circumstances.

ATTACHMENT I

DIOCESE OF GIPPSLAND

CLERGY LEAVE GUIDELINES

1. Introduction:

The purpose of these guidelines is to set out the various forms of clergy leave. The guidelines were adopted by Bishop-in-Council on 8 December 2011.

The guidelines may be seen as either describing what it is good practice, except possibly for the one day off a week for clergy, and as a consequence not in need of synod legislation or if necessary some of the provisos might need to be provided for by future Synod legislation.

These guidelines should be discussed by parishes with their clergy and where there are issues to be resolved, these need to be worked out with the wardens and if necessary, the Parish Council, the Archdeacon or the Bishop.

Part 1 GENERAL WORKING CONDITIONS

2. Clergy hours

- 1) A clergy member who is in full time service in a parish is generally expected to work six days a week and is entitled to one day off per week.
- 2) A day is to be defined as a minimum of two sessions, where a session is morning afternoon or evening
- 3) Sessions beyond this may be regarded as voluntary.
- 4) Any Sessions over 12 per week may be taken as TIL

3. Days Off

- 1) Where it is not possible for a clergy person to take a day off in a week due to a ministry commitment or commitments, another day in the same week should be taken.
- 2) When it is not possible to take a day off in a particular week, these days may be accumulated as TIL (Time in Lieu) and to be taken as soon as possible.

4. Time in Lieu (TIL)

That given the pressures demands of ministry and the difficulties clergy may have in having a regular day off , clergy be encouraged to work a TIL System.

- 1) TIL may be taken by clergy when:
 - i. Clergy have worked more than twelve sessions in a week
 - ii. A day off has not be taken in the week
- 2) TIL accrued should generally be taken within a six months period

unless other arrangements have been made.

5. Clergy working conditions to be administered by Clergy, Wardens and when necessary the Bishop.

A clergy member should decide working conditions in consultation with mentor, (professional development supervisor), wardens and the Bishop as the final arbitrator. In working these patterns out clergy be encouraged to have a rule of life, that is the basis for any criteria to assess performance.

PART 2- ANNUAL LEAVE

Clergy annual leave is provided for in the Appointments Act 1994 as follows -

Recreation leave and temporary absence

24. "(1) The incumbent of a parish and an assistant minister in a parish is entitled to recreation leave at the rate of 28 days, including 4 Sundays, in each year of service in the parish.

(1A) For the purposes of sub-section (1), "year" means a year beginning on the date of induction, commissioning or licensing in the parish".

(2) An assistant minister shall take the leave at such time as is agreed with the incumbent.

(3) An incumbent or assistant minister in a parish shall not -

(a) be absent from the parish or ministry for more than 72 hours without first advising the relevant Archdeacon and an officer of the parish; and

(b) be absent from the parish for more than 28 consecutive days without also first obtaining the approval of the Bishop.

(4) Recreation leave must be taken in the year in which it accrues or in the next succeeding year, unless the Bishop otherwise approves.

(5) Recreation leave accrued during an appointment to a parish must be taken before the end of that appointment."

Leave forms may be obtained from the Registry Office or on the Diocesan website (User name and password required). Clergy are requested to complete the form and send it to the Registry Office. The Registry will send a copy of the form to the relevant

archdeacon.

PART 3 - LONG SERVICE LEAVE

The Long Service Leave Fund will provide funds for long service leave on the basis of a notional stipend determined by the Standing Committee of General Synod. In 2017 the notional stipend will be \$71,457pa and will be disbursed as follows:

	For leave commencing on or after 1 January 2019
Cash Stipend paid to member (minimum)**	\$59,594
Paid to parish to cover: <ul style="list-style-type: none">• employer's superannuation contribution• long service leave contributions• stipend continuation insurance/WorkCover	\$14,805
Total	\$74,399

** While on long service leave the member is paid at his or her normal rate even if that rate exceeds \$59,594pa from 1 January 2019

In addition, during 2019 the supplementary allowance will be \$1,144.60 per week.

Further information on Long Service Leave is at Attachment A.

PART 4 STUDY LEAVE AND PROFESSIONAL DEVELOPMENT

6. Clergy Entitled to Two weeks Leave for Study and Professional Development

- 1) A clergy member who is in full time service in that parish is entitled to two weeks study and professional development leave per year
- 2) This leave may be taken as a block or in part. As with all other leave when and how needs to be by mutual agreement with the Parish.
- 3) This leave can only be accumulated by agreement
- 4) The use of this leave should be as flexible as possible and not restricted to formal study programs but rather be in harmony with the life and Ministry directions of the clergy person has discerned in consultation with their professional development supervisor, mentor and the bishop.

PART 5 – SICK LEAVE, MATERNITY LEAVE, PATERNITY LEAVE, ADOPTION LEAVE AND

COMPASSIONATE LEAVE

7. Awareness needed that Clergy are in need of these provisions

Parishes need to be aware that clergy are entitled to Sick, Leave, Maternity Leave, Adoption Leave and Compassionate Leave. The social rule of thumb is two weeks sick leave a year. Unless a legislative path is chosen with regard to these provisions, then, given the diversity of circumstances and life situations it is suggested that these provisions are best provided for by the establishing of or extending existing financial provisions so that the burden on Parishes can be equitably shared. See below.

PART 6 – FINANCIAL PROVISIONS

8. Establishing a fund or extending the Provisions of Existing fund

That financial provision is made so that the burden of sick leave, maternity leave and adoption leave is shared by the Parishes of the Diocese rather than by the Parish in which the Clergy Person resides. Current provisions whereby funding for sick leave is available after eight days of sickness, would seem to cover this adequately at the moment.

PART 7 – PART TIME MINISTRY

9. These Guidelines to apply pro rata to part time ministries

A clergy member whose paying authority is a Parish Council and who is in part time service in that parish is entitled to the provisions of this ordinance, pro rata.

PART 8 - NOTES

10. Guidelines to be seen in the light of Ministry as a Vocation

No provisions within this ordinance are to be seen as detracting from the essential nature of ministry as a vocation and that clergy are paid a stipend that they might serve God in whichever way God leads them.

ATTACHMENT J

DIOCESE OF GIPPSLAND PRIVACY POLICY FOR THE DIOCESE AND PARISHES

PURPOSE To encourage sensitivity and appropriate respect for individuals in the collection and use of information for Church purposes.
To provide formal guidelines for the Diocese and Parishes to ensure protection of people's privacy.

GUIDELINES **1. Collection**
It is usual for the Parish Councils and the Diocese to collect personal information about Church members and potential Church members including their religious practices. In addition it is usual for the Diocese and Parish Councils to collect information from service providers, contractors and agents. It is important that the collection of personal information is fair, lawful and not intrusive. A person must be told the name of our organisation, the purpose of collection and how to get access to their personal information and what happens if the person chooses not to give the information.

2. Use and disclosure
In relation to Church Members or potential Church members it would only be normal to collect from such individual, the individual's name, contact details, date of birth and history of Church membership.

In relation to individuals acting as service providers, contractors or agents of the Diocese or of a Parish Council it would only be normal to collect from such individual the individual's name, contact details and relevant information concerning that individual's dealings with the Diocese or Parish Council.

Information should only be disclosed for the purpose it was collected (primary purpose) unless the person concerned has consented, or a secondary purpose is related to the primary purpose and a person would reasonably expect such use or disclosure. A normal secondary purpose is communication about our activities, funding needs and philosophies.

3. Data quality
Reasonable steps must be taken to ensure that the personal information collected, used or disclosed is accurate, complete and up-to-date.

4. Data security
Reasonable steps should be taken to protect the personal information held from misuse, loss and from unauthorised access, modification or disclosure.

5. Openness

A document should be available outlining the information handling practices of the Diocese and Parish Councils and made available to anyone who asks for it.

6. Access and correction

An individual has the right to access the personal information held by the Diocese or Parish Council about them. Unless exempted from doing so by law, individuals should be permitted access to their own records. It is intended that any request for such access be made through the Office of the Diocesan Registrar.

7. Identifiers

Identifiers that have been assigned by a Commonwealth Government agency (eg Tax File Number, Medicare number, Pension number etc.) should not be obtained, used or disclosed except where required by law (eg in the case of a Contractor – ABN No. or where funds are invested with the Diocese – TFN No.).

8. Anonymity

Individuals should be given the option to interact with the Diocese or a Parish Council anonymously whenever it is lawful and practicable to do so.

9. Transborder data flows

The Diocese and Parish Councils should only transfer personal information to a recipient in a foreign country in circumstances where the information will have the appropriate protection.

10. Sensitive information

Sensitive information will not be collected unless a person has consented to its collection, it is required by law, or the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any other individual.

11. It is the policy of the Diocese that individual Parishes should adopt the Parish's own Privacy Policy.

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*** **Attached** to this document is a model privacy policy for each Parish to adopt and make available to those who have dealings with the Parish including Church Members. The document should only require modification where shown to become Parish specific.

ANGLICAN DIOCESE OF GIPPSLAND PRIVACY POLICY

The Anglican Diocese of Gippsland (“**Diocese of Gippsland**”) commits to protecting the privacy of personal information regarding potential Church members, Church members, service providers, contractors and agents.

1. Collection

In most circumstances information is collected directly from you. This may be through correspondence, E-mail, in person and by telephone. Indicative information we may collect includes your name, contact details, date of birth history of Church membership etc.

In relation to individuals acting as service providers, contractors or agents of the **Diocese of Gippsland** the information collected is confined to your name, contact details and relevant information concerning your dealings with the **Diocese of Gippsland**.

2. Purpose of Collection

The information is collected for the purpose of recording members of the Parish and its congregations and to enable the Parish and Diocese to communicate about the activities of the Church, its funding needs and programs and its philosophies.

In relation to individuals acting as service providers, contractors or agents, the **Diocese of Gippsland** may use your information to access or use services provided by you or an organisation that you work for.

3. Use and disclosure of information

We will only use or disclose information for the purpose it was collected (primary purpose) unless the person has consented, or the secondary purpose is related to the primary purpose and a person would reasonably expect such use or disclosure. A normal secondary purpose is communication about our activities, funding needs and philosophies.

4. Accuracy of Personal Information

We will take all reasonable steps to ensure the information we collect is accurate, complete and up-to-date at the time of collection. If your circumstances change or if you have reason to believe our records are not accurate, complete or up-to-date please contact us immediately and we will take all reasonable steps to amend the information in accordance with the above criteria or an alternative may be discussed with you.

5. Openness

A document is available outlining the information handling practices of the **Diocese of Gippsland** and made available to anyone who asks for it.

6. Access

You may request the right to access the personal information that we hold about you. However, our discretion, duties and obligations under the Law may restrict your access. Given this, all reasonable actions will be taken to assist access or to address any reasons you have to seek access. If access is deniable we will provide you with reasons in accordance with the Law. If access is provided a reasonable fee may be charged for the time and other costs incurred in providing access. Individuals may apply for access to the personal information held about them by application to the Diocesan Registrar.

7. Identifiers

Identifiers that have been assigned by a Commonwealth Government agency (eg Tax File Number, Medicare number, Pension number etc.) will not be adopted, used or disclosed except where required by law (eg in the case of a Contract).

8. Anonymity

Individuals are given the option to interact with the **Diocese of Gippsland** anonymously whenever it is lawful and practicable to do so.

9. Transborder data flows

The **Diocese of Gippsland** will only transfer personal information to a recipient in a foreign country in circumstances where the information will have the appropriate protection.

10. Sensitive information

Sensitive information will not be collected unless a person has consented to its collection, it is required by law, or the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any other individual.

ANGLICAN DIOCESE OF GIPPSLAND PRIVACY POLICY OF THE PARISH OF

The Parish Council of the Parish of ##### in the Anglican Diocese of Gippsland (“**Parish Council**”) commits to protecting the privacy of personal information regarding potential Church members, Church members, service providers, contractors and agents.

1. Collection

In most circumstances information is collected directly from you. This may be through correspondence, E-mail, in person and by telephone. Indicative information we may collect includes your name, contact details, date of birth history of Church membership etc.

In relation to individuals acting as service providers, contractors or agents of the **Parish Council** the information collected is confined to your name, contact details and relevant information concerning your dealings with the **Parish Council**.

2. Purpose of Collection

The information is collected for the purpose of recording members of the Parish and its congregations and to enable the Parish and Diocese to communicate about the activities of the Church, its funding needs and programs and its philosophies.

In relation to individuals acting as service providers, contractors or agents, the **Parish Council** may use your information to access or use services provided by you or an organisation that you work for.

3. Use and disclosure of information

We will only use or disclose information for the purpose it was collected (primary purpose) unless the person has consented, or the secondary purpose is related to the primary purpose and a person would reasonably expect such use or disclosure. A normal secondary purpose is communication about our activities, funding needs and philosophies.

4. Accuracy of Personal Information

We will take all reasonable steps to ensure the information we collect is accurate, complete and up-to-date at the time of collection. If your circumstances change or if you have reason to believe our records are not accurate, complete or up-to-date please contact us immediately and we will take all reasonable steps to amend the information in accordance with the above criteria or an alternative may be discussed with you.

5. Openness

A document is available outlining the information handling practices of the **Parish Council** and the Diocese of Gippsland and made available to anyone who asks for it.

6. Access

You may request the right to access the personal information that we hold about you. However, our discretion, duties and obligations under the Law may restrict your access. Given this, all reasonable actions will be taken to assist access or to address any reasons you have to seek access. If access is deniable we will provide you with reasons in accordance with the Law. If access is provided a reasonable fee may be charged for the time and other costs incurred in providing access. Individuals may apply for access to the personal information held about them by application to the Diocesan Registrar.

7. Identifiers

Identifiers that have been assigned by a Commonwealth Government agency (eg Tax File Number, Medicare number, Pension number etc.) will not be adopted, used or disclosed except where required by law (eg in the case of a Contract).

8. Anonymity

Individuals are given the option to interact with the **Parish Council** anonymously whenever it is lawful and practicable to do so.

9. Transborder data flows

The **Parish Council** will only transfer personal information to a recipient in a foreign country in circumstances where the information will have the appropriate protection.

10. Sensitive information

Sensitive information will not be collected unless a person has consented to its collection, it is required by law, or the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any other individual.