STATUTORY INSTRUMENTS

2010 No. 1923

ECCLESIASTICAL LAW, ENGLAND

The Ecclesiastical Offices (Terms of Service) Directions 2010

Made - - - -	*27th July 2010*
Laid before Parliament	*30th July 2010*
Coming into force - -	*1st January 2011*

In pursuance of Regulation 23(1) of the Ecclesiastical Offices (Terms of Service) Regulations 2009(**a**), the Archbishops' Council, in the exercise of its functions as the Central Stipends Authority, hereby makes the following Directions:

Citation, coming into force and interpretation

1.—(1) These Directions may be cited as the Ecclesiastical Offices (Terms of Service) Directions 2010 and shall come into force on 1st January 2011.

(2) In these Directions "the 1996 Act" means the Employment Rights Act 1996(**b**) and any reference to the 1996 Act or to regulations made under it is a reference to that Act or, as the case may be, to regulations as it has or they have effect on the date of the coming into force of these Directions.

Entitlement to maternity, paternity, parental and adoption leave

2.—(1) Subject to the provisions of this paragraph, an office holder shall be entitled to maternity, paternity, parental and adoption, leave for the same periods and subject to the same conditions as apply in the case of an employee under the 1996 Act or any regulations made under that Act.

(2) An office holder who exercises any entitlement to leave conferred by sub-paragraph (1) shall, in consultation with a responsible person or authority, 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.

Time off work for caring for dependants

3.—(1) An office holder may request the appropriate authority to allow him or her to take time off work or to make adjustments to the duties of the office to care for a dependant.

(2) The request under sub-paragraph (1) shall be in writing and the Archbishops' Council may impose such other conditions as it thinks fit as to the manner in which the request is to be made, including any information which is to be supplied with the request.

(**a**) S.I. 2009/2108.
(**b**) 1996 c.18.

(3) The appropriate authority shall be under a duty to consider the request under sub-paragraph (1) and may grant such time off work or adjustments to the duties of the office as appears to the appropriate authority to be reasonable and may impose reasonable conditions on the grant, including any appropriate variations in the stipend which would otherwise be payable to the office holder.

(4) In this paragraph "the appropriate authority" means—

(a) in the case of an office holder holding any office other than an office in a cathedral, the bishop of the diocese,

(b) in the case of an office holder holding office in a cathedral (other than the dean), the dean of the cathedral, and

(c) in the case of the dean of a cathedral, the bishop of the diocese.

(5) In the case of an office other than an office in a cathedral, the bishop shall, before granting a request for time off work under sub-paragraph (3), consult the parochial church council or councils of the parish or parishes belonging to the benefice concerned.

(6) In this paragraph "dependant" has the same meaning as in section 57A of the 1996 Act.

The draft of these Directions was approved by the General Synod of the Church of England on 11th July 2010.

David Williams
Church House, London SW1P 3AZ — Clerk to the Synod

THE COMMON SEAL of the Archbishops' Council was hereunto fixed on 27th July 2010.

L.S.

D.P. White
Church House, London SW1P 3AZ — *K.P. Norris*

EXPLANATORY NOTE

(This note is not part of the Directions)

These Directions (in paragraph 2) make provision for the grant of maternity, paternity, parental and adoption, leave to office holders who are subject to Common Tenure under the Ecclesiastical Offices (Terms of Service) Measure 2009 and the Ecclesiastical Offices (Terms of Service) Regulations 2009 and for the conditions under which such leave is to be enjoyed. The periods and conditions of such leave are the same as those to which an employee is entitled under the Employment Rights Act 1996.

Paragraph 3 provides for an office holder to request time off work and adjustments to the duties of the office which the bishop of the diocese (or, in the case of an office in a cathedral other than the office of dean, the dean) may grant subject to any reasonable conditions, including appropriate variations in the stipend which would otherwise be payable to the office holder.

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