

The Anglican Church of Australia – Diocese of Newcastle

Clerical Ministry Ordinance Amendment Ordinance (Ensuring Clergy Wellness) 2017

Explanatory Memorandum

The Clerical Ministry Ordinance (the Ordinance) establishes conditions of office for clergy within the Diocese of Newcastle. They do not form part of a contract for employment or services but are intended to be an expression of relationship on which the member of the clergy, the people they serve and the wider diocese may rely.

The Ordinance provides a structure for the ministry week which is based on six days of ministry per week within one day off. The Ordinance provides for an additional day off per month.

The calling of clergy by God is at the core of their being and clergy want to respond with all their heart to this vocation. Because being a deacon, priest or bishop has to do with “being” and identity, as well as function it is impossible to define ministry in the same way that work is defined..

Some clergy will receive a stipend in order to exercise the ministry to which he or she is called by God and the church. The church has traditionally spoken of it as a ‘living allowance’ paid to clergy to cover their needs as they exercise their ministry rather than a salary. It reflects a mutual relationship between the church and the clergy, a covenant relationship, in which the church provides for clergy so they may fulfil their calling.

A stipend is not paid for particular duties or hours of work or obligations to a parish or deploying body. The stipend paid to clergy is related to the particular ministry exercised but is not remuneration for services rendered. Some clergy are in a position to undertake this ministry without this form of living allowance. Others will be available for ministry on a less than full-time basis and sometimes the ministry available will be less than full-time. Clergy serving in a part-time capacity can reasonably expect a stipend to be calculated on a proportional basis.

Clergy have autonomy in making decisions about their working hours. They are neither measured nor pre-determined. At the same time clergy have a deep relationship to the community which provides the stipend and are accountable to the Bishop, to the church as a whole and finally to God in carrying out their ministry. It is expected that clergy will arrange their ministerial week to meet the requirements of the particular needs of the communities they serve and the basis of their appointment.

A recent Church Times article on clergy well-being quoted Monica Furlong from her paper, “The Parson’s Role Today”: *“I am clear what I want of the clergy. I want them to be people who can by their own happiness and contentment challenge my ideas about status, about success, about money, and so teach me how to live more independently of such drugs. I want them to be people who can dare, as I do not dare, and as few of my contemporaries dare, to refuse to work flat out (since work is an even more subtle drug than status), to refuse to compete with me in strenuousness. I want them to be people who are secure enough in the value of what they are doing to have time to read, to sit and think, and who can face the emptiness and possible depression which often attack people when they do not keep the surface of their mind occupied.*

“I want them to be people who have faced this kind of loneliness and discovered how fruitful it was, as I want them to be people who have faced the problems of prayer. I want them to

be people who can sit still without feeling guilty, and from whom I can learn some kind of tranquillity in a society which has almost lost the art."

It is essential that clergy have adequate time off to ensure a healthy work life balance. In the wider community the ordinary working week is based on 38 hours of duties with occasional and reasonable additional hours.

In organising the ministerial week, clergy should bear in mind the need for ministry to be productive time and be aware that there is evidence of increased risks to health and safety and lower productivity from working excessively long hours.

The Diocesan Council has heard concern from the Bishop Administrator that a number of clergy are experiencing workload stress in their ministry placements. This has become particularly apparent for clergy working with a number of roles and for some with complex diocesan responsibilities.

The availability of clergy on six days each week for three weeks of the month and five days for one week of the month has become equated with a workload expectation of 48 hours per week. Many clergy are now diarising ministry and responsibilities around this threshold with the effect that additional pastoral demands or new ministries are added on top of this workload. This has become more evident given the pastoral stress that clergy have been under as a result of the disclosures about abuse in the church, the scrutiny of the Royal Commission and diminished general oversight and support as leaders have exercised ministry in other areas.

The Bishop Administrator has raised this with the clergy at the Diocesan Leaders Conference, the Diocesan Council and the Synod.

The Diocesan Council have expressed the strong desire to act to ensure clergy wellness. In August, the Diocesan Council debated this matter extensively and moved in the direction of the ministry week being set at 5 days. A Bill was passed but not assented to as the Bill was incomplete.

Part 11 of the Ordinance makes provision for the payment of a stipend and establishes the pro-rata basis. Section 144 provides that "an officeholder engaged in part-time ministry shall receive stipend, allowances and other entitlements on a pro-rata basis based on the number of days of ministry per week compared with the normal maximum number of days of ministry which for the purpose of this Ordinance is deemed to be six days."

Part 14 of the Ordinance makes provision for time off from ministry. It includes section 169 which prescribes "An officeholder including the Bishop of the Diocese is entitled to an uninterrupted rest period of not less than 24 hours in any period of seven days, but the statement of particulars of office may specify that any rest period may not be taken on or include a Sunday, Ash Wednesday, Good Friday or Christmas Day."

It also makes provision in section 170 for an officeholder to have one Monthly Leave day per month. This leave can be accrued up to a maximum of 3 days in any calendar year.

This Bill changes the relationship between a member of the clergy, the people they serve and the Diocese in the following way -

1. Clergy should expect to be available for and undertake ministerial duties five days each week and normally for 40 hours per week.
2. From time to time the demands of their vocation may require clergy to undertake additional ministry for example when pastoral emergencies or other urgent circumstance arise.

3. The rest days taken by a member of the clergy should not include a Sunday, Ash Wednesday, Good Friday or Christmas Day without the approval of the Bishop.
4. Public holidays are additional rest days.

The Ordinance

1. This Ordinance may be cited as the CLERICAL MINISTRY ORDINANCE AMENDMENT ORDINANCE (ENSURING CLERGY WELLNESS) 2017.
2. The Clerical Ministry Ordinance 2009 is amended as follows –
 - a. In Clause 144 the words “deemed to be six days” are repealed and replaced with the words “deemed to be five days”
 - b. The insertion of a new clause 144A to read “For the purpose of determining his or her ministerial load an officeholder undertaking ministry on a full-time basis may anticipate being available for ministerial duties for 40 hours per week provided however that from time to time the demands of the vocation may require additional hours for limited periods when pastoral emergencies or another urgent circumstance arises.”
 - c. Clause 169 is repealed and a new clause is inserted in its place to read, “An officeholder including the Bishop of the Diocese is entitled to two uninterrupted rest periods of 24 hours in any period of seven days, but the statement of particulars of office may specify that any rest period may not be taken on or include a Sunday, Ash Wednesday, Good Friday or Christmas Day unless approval has been given by the Bishop”.
 - d. The insertion of a new clause 170A to read “An officeholder shall be entitled to an additional rest period on the day of each public holiday in the State of New South Wales on which there is not a requirement to undertake ministerial duties related to his or her office.”
 - e. The insertion of a new clause 170B to read “An officeholder shall be entitled to an additional rest period within seven days of each public holiday in the State of New South Wales on which there is a requirement to undertake ministerial duties related to his or her office.”

I HEREBY CERTIFY the Ordinance as printed is in accordance with the Ordinance as reported.

PASSED BY DIOCESAN COUNCIL on the 26th day of **October 2017**.



Archdeacon Sonia Roulston
Acting Secretary, Diocesan Council

THE ASSENT of Peter Derrick James Stuart, Administrator (Sede Vacante) was given to the above Ordinance on the 26th day of **October 2017** in the Ninth year of our Consecration.



PRESIDENT

11/11/11