

Clergy Sick Leave Policy

Diocese of Chichester

Policy Approver(s)	Bishop's Council
Policy Owner	Clergy HR Officer
Approved date	25 July 2024
Next review date	1 September 2027
Scope	<p>This policy applies to all current and new office holders of the Diocese of Chichester, including all persons beneficed, licensed or otherwise authorised by the Bishop for ministry in the Diocese of Chichester. This includes all clergy holding office under Common Tenure, Qualified Common Tenure and Freehold and applies equally to a Cathedral Clergy, Rural Deans, Archdeacons and Bishops.</p> <p>This Policy does not apply to employees of parishes, but we encourage each parish to develop their own sickness policy as part of their employee handbook.</p> <p>The Diocese of Chichester reserves the right to amend this policy at its discretion at any time.</p>

1. RESPONSIBILITIES

1.1 If an office holder is unwell and unable to perform their duties, they must notify the Archdeacon in the first instance and report their absence to the Clergy HR Officer at clergyHR@chichester.anglican.org (see 4.1) on the first day of absence. They should also inform the Church Wardens and Rural Dean as they have responsibility for covering the relevant duties.

2. CONFIDENTIALITY

2.1 It is implicit in the management of any sickness absence situation that office holders are assured of strict confidentiality and that any information is shared on a 'need to know' basis and where possible after consultation with the individual involved.

3. EQUALITY ACT

3.1 The Equality Act 2010 makes it unlawful to discriminate against someone who has "a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities". Treatment will not be discriminatory where it can be shown that the treatment is a proportionate means of achieving a legitimate aim.

3.2 Advice must be sought via the Clergy HR Officer in all cases of disability related absence, as the diocese is obliged to make reasonable adjustments to the workplace if this could enable them to fulfil their job responsibilities and to reduce sickness absence.

4. REPORTING AND RECORDING SICKNESS ABSENCE

4.1 If an office holder is off sick for anytime between 1-7 days, they can self-certify and do not need to provide further evidence. The office holder must email the Clergy HR Officer, at ClergyHR@Chichester.Anglican.Org with a brief explanation about the sickness, the date the sickness began and once known, the date it ended or the date of the return to work. This information will be recorded by the Diocese for monitoring purposes and sent to the relevant Archdeacon for their information.

4.2 If the period of sickness extends for more than 7 days, then a medical certificate or 'fit note' must be obtained from an eligible healthcare professional and submitted to the Clergy HR Officer (ClergyHR@Chichester.Anglican.Org) for onward submission to the Church of England Clergy Pay Team, and the relevant Archdeacon. After 7 days, Clergy are entitled to receive, in full, any stipend which is payable in respect of their office if they are entitled to receive statutory sickness payments (SSP) under part XI of the Social Security and Contributions and Benefits Act 1992(a). The payment of the full stipend includes the SSP entitlement.

4.3 Statutory Sick Pay (i.e. at the full stipend rate) is payable for 28 weeks in respect of any one period of incapacity for work. One period of incapacity can be linked to another if they are separated by no more than 56 days. The linked periods constitute a single period for the purpose of calculating the maximum entitlement.

4.4 When an office holder is deemed unfit for work by their doctor or other eligible healthcare professional, they should have no engagement with work or any work-related activities in order to aid the best chance of recovery. Failure to do so may have implications for insurance at work and compromise statutory sick pay entitlement.

5. KEEPING IN TOUCH WITH STAFF WHO ARE ABSENT FOR MORE THAN A FORTNIGHT

5.1 Once the Archdeacon has been notified, they will contact the office holder to determine the nature of the illness, offer further support required and visit, as necessary.

5.2 For any period of extended sickness, the Archdeacon will keep in touch with the office holder to assess progress and to determine if an occupational health referral should be made; and/or whether a wellbeing meeting with the Head of Wellbeing for Clergy & their Families (WCF) and/or HR consultant, would be beneficial. An occupational health referral will be automatic at 13 weeks of sick leave absence.

6. REFERRAL TO OCCUPATIONAL HEALTH

6.1 Medical referrals are initiated by the archdeacon/bishop. Regulation 28 of the Ecclesiastical Offices (Terms of Service) Regulations 2009 provides that the bishop may, if he has reasonable grounds for concern about the physical or mental health of an office holder, direct that the office holder shall undergo a medical examination. Where the office holder refuses to comply with such a direction or fails to disclose or authorise the disclosure of any relevant medical records, the bishop is permitted under the regulations to draw such inferences as appear appropriate having regard to all the circumstances. Further info: <https://www.churchofengland.org/sites/default/files/2017-10/occupational-health-guidance-jan2014-for-website.pdf>

6.2 Any of the following could trigger an occupational health referral:

- Major surgery that has a short-term impact on sight, balance, or physical ability
- an ongoing medical condition (unless the condition is stable or improving)
- continuous sickness of one month or longer
- persistent or repeated short term sickness absence
- where there is a need for advice on reasonable adjustments relating to disability
- concerns by the bishop about someone's health/mental health/ability to cope.

6.3 Recommendations from the OH Assessment will be reviewed by the Archdeacon and Clergy HR officer with support from the WCF and/or HR Consultant to determine next steps or any reasonable adjustments for example:

- Varied working hours. This adjustment might assist an employee with an illness or disability who might otherwise find it difficult to travel in rush hours, or an employee with a thyroid problem or ME who suffers from extreme tiredness and experiences difficulty with getting up in the morning.
- Purchasing equipment or software that can assist an employee to carry out their duties more easily.
- A referral to Access to Work

7. LONG-TERM SICKNESS ABSENCE

7.1 If the sickness absence continues beyond the date when entitlement to SSP ceases (i.e. beyond 28 week), the payment of stipend will be at the discretion of the bishop. This could include:

- a) To continue payment of full stipend (reviewed every month).
- b) To reduce the stipend by up to 50%
- c) To reduce the stipend by the amount of [Employment Support Allowance](#) (ESA) received and any other allowances.

Diocesan practice will be to reduce stipend by the amount of ESA benefit received in order to maintain the equivalent of a full stipend.

7.2 Once the absence approaches 28 weeks, the Clergy Payroll Team will write to the office holder to explain that the entitlement to SSP at the full stipend rate will expire and inform of the need for the office holder to apply to receive Employment and Support Allowance (ESA). The claim must be made to the Department of Work and Pensions (DWP) after completion of a Work Capability Assessment which includes a Work-Focused Health-Related Assessment. A claim can be started by contacting the Jobcentre Plus on 0800 055 66 88. It is the responsibility of the office holder to claim ESA and to notify the Diocese of the amount received.

7.3 After any period of extended sickness and once an office holder has been deemed fit for work by their healthcare professional, they should notify their Archdeacon and the Clergy HR Officer the date on which they plan to return to work. The Archdeacon will discuss with the office holder any issues or support required around resuming their duties.

8. ILL-HEALTH RETIREMENT

8.1 If after an extended period of sickness an office holder is being advised by their doctor, or as an outcome of an occupational health referral, to consider ill-health retirement, advice and support regarding the process will be available from the Archdeacon in the first instance. *For further information on ill-health retirement please visit:*
<https://www.churchofengland.org/sites/default/files/2023-02/clergy-ill-health-guide-january-2023.pdf>.

9. PARISH FEES DURING SICKNESS

9.1 A parish can seek financial support from the diocese for additional costs incurred in providing the normal pattern of services after a minister has been absent for 4 weeks. If you have any queries regarding this policy, please address them to Accounts@Chichester.Anglican.Org or view the policy here:
https://cofechichester.contentfiles.net/media/documents/document/2024/01/Chichester_Diocesan_Policy_on_Payment_of_Fees_for_Vacancies_and_Sickness.pdf

10. PHASED RETURN TO WORK

10.1 A phased return may be recommended by the office holder's doctor or agreed in collaboration with the Archdeacon and HR consultants in order to support and help recovery and assist a return to full duties.

10.2 A phased return may involve the office holder coming back part-time for an initial period during which they become accustomed to the working environment at a slower pace. They could then begin to increase their working hours gradually back up to their usual rate. For example, following 3 months sickness absence the phased return would follow this pattern:

Clergy A	Phased Return	Stipend Arrangements
	Three months (13 weeks) sickness absence	Utilising three months of their stipend entitlement
	Returns to work 2 days a week for two weeks	Utilising 4 days a week of their stipend entitlement for the two-week period.
	Returns to work 3 days a week for two weeks	Utilising 3 days a week of their stipend entitlement for the two-week period.
	Returns to work 4 days a week for two weeks	Utilising 2 day a week of their stipend entitlement for the two-week period.
	Returns to work 5 days a week for two weeks	Utilising 1 day a week of their stipend entitlement for the two-week period.

10.3 At the end of this period of sickness absence and phased return, Clergy A will have utilised 16 weeks and 2 days of their six-month entitlement. Upon their return to work, they will still be entitled to a further 9 weeks 4 days of full stipend during periods of sickness absence.

11. SICKNESS ABSENCE AND ANNUAL LEAVE

11.1 Leave not taken in one year may not be carried over to the next.

11.2 In the case of sickness that has prevented the taking of annual leave, clergy who have been unable to take up to twenty days of leave in the calendar year are permitted to carry these over to the following year. If twenty or more days of leave were taken in a year, but clergy were unable to take the remaining annual leave entitlement due to sickness absence, then a request to carry over leave to the following year should be made to the bishop who will consult with the relevant archdeacon and suffragan bishop before making a decision.

11.3 Any holiday that is carried over due to sickness must be taken within 18 months of the end of the holiday year in which it accrued otherwise it will be lost.