

Review of Employment Status of the Clergy (GS1488)

The driving force for this review comes from a Government initiative. It is possible that after the initial fanfare the initiative will sink without trace. However, this is unlikely and there are a number of issues bubbling away in the Church that will become focussed in this review:

- The lack of employment rights for clergy currently on licence (eg. Priest-in-Charge or Curate). Such clergy have no real protection against the arbitrary use of the Bishop's power to renew or not renew a licence.
- The fact that legally a church has no say in the appointment or removal of clergy under licence.
- The lack of accountability of clergy with Freehold.
- The lack of flexibility in the deployment of clergy.
- The disparity in terms of rights and responsibilities between clergy with freehold and those without.
- The churches whose assets were stripped in recent decades but which would otherwise have had the means to continue paid ministry.
- The abuse of legislation in such a way as to erode the rights of parishes and patrons in appointments.
- Lack of equality of opportunity in opportunities for 'promotion'.

Necessarily at short notice the Archbishops' Council set up a review group and a response was made to the government. The implications and impact of legislation that may follow are potentially enormous. It could alter dramatically the future shape of the Church of England. The Synod is being given an opportunity to comment on that response and therefore offer some direction to the Group in the work it is being asked to undertake. Therefore, although there is no substantial motion before the Synod (at present), the matters raised in debate and subsequent submissions are of great importance. Since there are no specific proposals to engage with, there follow a few observations in order to stimulate your grey matter.

What is the nature of the Church? This will manifest itself in questions about contracts and in particular who should be the 'employer'. The fundamental nature of the Church of England is not as an Episcopal church but as a church of the people. Lay patronage and the final authority of the crown in parliament have served to curtail unhealthy clericalism.

Is Freehold acceptable today? If not, how is the freedom of clergy over against congregations or Bishops to be preserved so that truth is not compromised. If it is retained how are clergy to be held more accountable.

Should 'he who pays the piper call the tune'? Congregationalism is a bogeyword today but increasingly the laity are demanding more of a role in appointments.

Is ordained ministry distinctive? Is it in any way different from other work to which Christians believe themselves called? Synod has already discussed issues to do with stipend versus pay. Many clergy already have contracts but generally not parochial clergy. What expectations will be laid on clergy in a contract? Could contracts help ease clergy stress by clarifying what is expected of them, or will it promote a more 'work-to-rule' culture.

How do we break out of the spiral of decline created by pastoral re-organization? If freehold is seen as a barrier to re-organization will its abolition hasten collapse by mismanagement? Where local churches have the resources (people and money) they should be enabled to become effective employers and mission stations.

A further related issue is the European Employment Directives. The governments proposed response raises serious issues. Whilst churches can insist on particular beliefs or lifestyle in appointing someone there is no such safeguard when it comes to dismissal. If a minister becomes a JW should it be possible to remove them from office?

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A clergyman with a contract of employment.