



THE CHURCH
OF ENGLAND

DIOCESE OF SALISBURY

INFORMATION FOR PARISHES IN A VACANCY

This booklet contains information and guidance for parochial church councils, churchwardens and treasurers during a period of vacancy in a benefice or parish.

For more information please contact the Pastoral Department on 01722 438650

This document is available as a free download on our diocesan website:

www.salisbury.anglican.org

The Parochial Church Council (PCC)

The legal Chair of the Parochial Church Council (PCC) is the Incumbent, however, during a vacancy the chair is taken by the Vice-Chair. (The Church Representation Rules say that a lay member of the PCC shall be elected as a Vice-Chair whether or not there is a vacancy.) If the Vice-Chair is not one of the wardens then his/her responsibilities relate solely to chairing the meetings of the PCC. PCC meetings and the annual parish meeting may be convened and chaired by the Vice Chairman of the PCC, who may be a lay person.

Church Services

In a vacancy the customary order of Sunday services should be maintained as far as possible. Non-Eucharistic services may be led by a Reader (LLM) but it may not be possible to maintain a full diary of services so you should expect that there may have to be some adjustments to the pattern. Any changes may only be carried out with full agreement of the PCC and after discussion with the Rural Dean who must give his/her approval. Only clergy and lay ministers who are licensed (LLMs & LWLs) or have permission to officiate (PtO) in our diocese may lead services. In the event that none of these is available, a Churchwarden may conduct the first part of Morning and Evening Prayer, but he/she may not preach.

It is essential to maintain safe practices at all times and the PCC and churchwardens must read and adhere to the **Protocol for Safeguarding in a Vacancy (see page 6).**

It is advisable to set up a system to manage weddings, funerals and baptisms, to ensure adequate preparation is given, and to designate one member or the parish secretary to deal with all enquiries. Weddings involve legal constraints so it is advisable to contact the Rural Dean for any advice, including advising where one of the couple is divorced.

THE VACANCY PROCESS EXPLAINED

The diocese follows legislation dictated by The Patronage (Benefices) Measure 1986, which lays out the guidelines to the process which involves a number of different people, time deadlines and forms. When a benefice is vacant, or about to become vacant, the Diocesan Bishop serves a formal notice to the Designated Officer ('**Form 30**' or 'Notice of Impending Vacancy'). In this diocese the Designated Officer is the Diocesan Registrar. The Diocesan Registry will send a notice, referred to as a **Form 31**, to the secretary of the PCC(s) and to the registered patron(s). The patron may choose to be part of the appointment process, or may nominate an individual to act on his/her/their behalf, in which case

the patron sends details of their name and address back to the designated officer with copies to the Archdeacon's office. This must be done within two months of receiving the form.

At the same time the PCC Secretary(s) will each receive a **Form 34** from the Designated Officer and are required to respond to the Registry with the names of the parish representatives, as chosen by the PCC. The legislation lays down the number required from multi-parish benefices and **this will be clearly marked on the form**. The Parish will be asked to send a copy of the Form 34 to the Area office as well.

The "Section 11" Meeting

The PCC must meet within four weeks of the Form 31 being sent to the PCC Secretary by the Diocesan Registry. This meeting is referred to as a 'Section 11' meeting because it is described in Section 11 of the Patronage (Benefices) Measure 1986. The outgoing incumbent and spouse/partner and the Patron or the patron's representative should not attend this meeting. The Archdeacon, through the area offices, will lead the process from this point onwards and it is important that parishes maintain close contact with both the area office and the Archdeacon as a matter of good practice.

The section 11 meeting has to:

- Appoint two lay members of the PCC to act as the parish's representatives in connection with the selection of the new incumbent. They need not be the churchwardens and must **not** be clergy, deacons or licensed lay workers or the spouse of the outgoing vicar.
- **The PCC Secretary must then complete and return Form 34 to the Registry and send a copy to the Area office.**
- Prepare a statement describing the conditions, needs and traditions of the parish.
- Decide where and how to advertise the vacancy which will be displayed on the diocesan website and in the Church Times. The Diocesan office will pay for the cost of the advertisement, and for travel and accommodation expenses for all the candidates. The advertisement will be written in the light of the parish statement in consultation with the patron and Area Bishop.
- Decide whether to request a joint meeting, known as a **Section 12** meeting, with the patron and the Bishop to exchange views about the PCC's statement and the Bishop's written statement (or an oral statement that he gives). The meeting must be held within six weeks of the request (and in the case of the Bishop and Patron the request must be made within ten days of receiving the parish's statement). The Archdeacon and Deanery Lay Chair are also invited to this meeting.
- The PCC must decide whether or not to pass a resolution under Section 3(10 or 3(2) of the Priest (Ordination of Women) Measure 1994. These resolutions concern (i) whether the PCC would not accept a woman as a minister who presides or celebrates at Holy Communion within the parish (Resolution A) and (ii) whether the PCC would not accept a woman as Incumbent of the benefice (Resolution B). The wording of the resolutions is supplied by the Diocesan Registrar.

There is a lot to do, especially in preparing and agreeing a Parish Profile and Statement of Need. The PCC may well wish to embark on this process before the Form 31 is issued and to liaise with the Archdeacon about timings. The Archdeacon will be able to give advice on these matters.

The Archdeacon will set dates for shortlisting and interview well in advance of advertising the post. Interviews usually take place over two days. The first day is an opportunity for candidates to visit the benefice and the second day is the formal interview with a panel consisting of the elected parish representatives, patrons, the Rural Dean, Archdeacon and Area Bishop. Before an appointment is made the Area Bishop sends the candidate an offer letter and, where appropriate, the Archdeacon sends a house information letter. A date is then agreed for the licensing service. The parish organises the licensing service in consultation with the Bishop and Archdeacon, and sends out the invitations.

If no candidate is chosen, a meeting is held with the parish representatives, interested patrons, local clergy and the Archdeacon to determine the next steps. New dates are set for the recruitment process and the vacancy is re-advertised. If no appointment is made within 12 months from the time the Form 30 is issued, the right of patronage will lapse to the Diocesan Bishop who may, with the agreement of the PCC, select a candidate for presentation to the benefice.

Frequently Asked Questions

We have known for months that our Vicar is retiring, why doesn't the diocese arrange to appoint a new Vicar immediately?

The appointment of a priest is not the same as a secular recruitment process. The period immediately after an incumbent has resigned or retired leaves the benefice in vacancy (also known as an interregnum); it is a time for reflection and enables parishioners to evaluate the situation in the parish[es], clarify their aspirations for the future, and to consider what qualities and attributes they would expect of a new priest. It would be inappropriate for this to be done whilst the retiring incumbent was still in post, and whilst parishioners were saying "farewell" to him/ her. The vacancy period gives time for the parish to prepare for change; each priest will have their own particular style of ministry which may differ considerably from his/ her predecessor. On a more mundane level the vacancy period provides a convenient opportunity to carry out significant works to the parsonage house [e.g. refitting the kitchen] without causing disruption to the occupants.

What can we do to prepare for the appointment process?

Parishes that have a Mission Action Plan or who have done a parish audit will be best placed to draw up a parish profile and job description. The Area Office will be happy to offer help and offer advice. Please contact either the Sherborne Office on 01202 659427, or the Ramsbury Office on 01722 438662 to obtain further help.

Who will organize the appointment of a new priest and is there a lot of paperwork?

The Archdeacon and Rural Dean will lead the appointment process, together with the Patrons. If you have any questions, please call your Area Office. Legal documentation will be sent by the Diocesan Registrar to the PCC Secretary, so if the parish has recently elected a new PCC Secretary please check that the diocesan office has been advised of the change. **It is important that the paperwork is dealt with promptly** and accurately. If you have any queries, please contact your Rural Dean or the Diocesan Registry Clerk on 01722 432390.

We have had a letter from the Mission and Pastoral Committee recommending that presentation to the benefice should be suspended. Why is this happening, and what does it mean?

Suspension of presentation is the temporary removal of a patron's rights to present an incumbent for appointment to the freehold of a benefice. Once a benefice is suspended, the priest will be known as a Priest in Charge, although his/her role in the parish will be similar to that of a Rector. A benefice will always be consulted if it is proposed to suspend presentation, and the pastoral secretary will explain why this option is being considered. The Diocesan Mission and Pastoral Committee (DMPC) may recommend suspension of presentation as a step towards pastoral re-organisation. Such proposals will have been discussed at deanery level with referenced to the Deanery Strategic Plan. Sometimes presentation to a small benefice will be suspended so that a half-time post of parish priest can be combined with a sector ministry responsibility. The DMPC may also recommend suspension of presentation for legal reasons, for example where it has been agreed that the parsonage house is to be relocated. Diocesan good practice ensures that the appointment process for a Priest in Charge will be broadly the same as that for an Incumbent, and the patrons and representatives of the PCC will be invited to take part in the selection process. A Priest in Charge may be named as first incumbent as part of the Scheme for pastoral re-organisation. If you want further information about the process or what it means, please contact the Pastoral Secretary on 01722 438650.

Who will arrange services?

Churchwardens are responsible for arranging the services during a vacancy, in consultation with the Rural Dean. Protocol dictates that a retired priest does not take services in his/ her former benefice within two years of leaving. A list of retired clergy will have been sent to churchwardens and parish officers before the benefice became vacant. A further copy can be sent on request. Please contact the Diocesan Office on 01722 438650 or email pastoral@salisbury.anglican.org if you would like some help. Parishes should note that before arranging for a priest from outside the diocese to take a service the churchwardens must seek advice from the Rural Dean or Bishop.

Can we change the pattern of services?

If necessary, subject to the agreement of the PCC and in consultation with your Rural Dean.

We have a curate and other priests, some of whom are retired, living in the parish – can they help during the vacancy? The assistance of locally resident priests who possess a license from the Bishop and who meet current safeguarding criteria will be invaluable, but it is important for the parish not to expect too much from them. Retired clergy assisting with services in their own benefice do not usually ask for any remuneration but it is to be expected that the parish help with any travel costs. The Area Offices or Archdeacon may offer further advice on this matter.

What Service Fees and Expenses can be paid, and who pays them? During the vacancy fees for routine Sunday services and regular midweek services can be paid to retired Clergy who hold the Bishop's Permission to Officiate, unless the Rural Dean directs otherwise. Clergy who hold a post elsewhere in the diocese and Licensed Lay Ministers cannot claim a fee but are entitled to claim travelling expenses. Reimbursement should be paid by the parish from their own funds at the time of the service. Service fees may subsequently be reclaimed from the Diocesan Board of Finance and will be paid from the date upon which the benefice becomes vacant. (If there is any doubt parishes should contact the Pastoral Department or the Area office to check.) Fees cannot be claimed for communion of the sick, baptisms, funerals, burials, memorial services or other special services. A Decision tree, to guide you through the fee process, and the Diocesan Policy for Fees can be found on the diocesan website on the churchwardens' pages. There is also a special parish return form for parochial fees entitled "PC Parochial Fees Form (Vacancy) January 2019" on the churchwardens' pages on the website. Guidance will also be sent to the churchwardens, PCC, benefice secretaries and treasurers before the benefice goes into vacancy. If parishes need help or advice please contact the Pastoral department on 01722 438650 or visit the diocesan website.

What about Parochial Fees for such things as funerals or weddings? All retired clergy taking a funeral or wedding should receive the full DBF Fee. Please see the diocesan website <https://www.salisbury.anglican.org/resources-library/parishes/finance/2019-casual-duty-decision-tree-benefice-in-vacancy-dec-2018>.

Who will give permission for Churchyard Memorials? Application should be made to the Rural Dean. Information can be found below and on the diocesan website.

The PCC wish to make an application for a Faculty During a vacancy the churchwardens may make the application to the DAC with the support of a licensed member of the clergy, usually the Rural Dean. Major re-ordering should first be discussed with the Rural Dean and Archdeacon. Contact details can be found below and on the diocesan website.

Who chairs the PCC and our APCM if we have no incumbent/vicar? PCC meetings and the APCM may be convened and chaired by the Vice Chairman of the PCC, who may be a lay person. Sometimes the Rural Dean or the Archdeacon may wish to attend these meetings and may be available to chair the APCM if appropriate.

What happens about ex-officio posts held by the incumbent/vicar, such as School Governor or Trustee, during a vacancy? These posts, e.g. School Governor or trustee of a local charity, will also be vacant. In the case of Incumbent and Churchwardens' Trusts the churchwardens will be responsible for administering the trusts. Major policy decisions should be deferred until an incumbent is in post and able to participate in the decision-making processes.

Who are the Sequestrators and what do they do? The Sequestrators of the benefice during a vacancy are the Churchwardens, the Rural Dean and the Diocesan Secretary. They are responsible for administering the income of the benefice, i.e. service fees, etc, during the vacancy.

What should we ask the Vicar about before he/ she goes? It is important that you ask the outgoing incumbent/Vicar about the location of official papers and parish records such as plans of the churchyard. Make sure you know where keys are kept and have telephone numbers for domestic and church suppliers etc. Ask for a copy of the Vicar's diary of forthcoming events, e.g. weddings booked for next year, and the relevant contact details.

What happens about safeguarding children and vulnerable adults in our church during the vacancy? The diocese has a protocol for safeguarding during a vacancy and information can be downloaded from the diocesan website. The Diocesan Safeguarding Adviser, Heather Bland, should be contacted if there are any particular concerns. Heather's contact details are: Diocesan

Offices on 01722 411922. Email at heather.bland@salisbury.anglican.org or in an emergency on her mobile 07500 664800. **It is expected that all members of the church should be aware of the protocol, and that Churchwardens, or a designated person, should take the lead during a vacancy.**

Who will look after the Rectory/Vicarage during the vacancy? The diocese is grateful for the help of local people in taking care of the parsonage house whilst it is empty and preparing it for new occupants. There are many small practical ways in which you can help – for example by ensuring that any "official" mail delivered to the vicarage/rectory is passed to the appropriate person for attention, or by regularly checking that the building is secure and the grass is cut. Please contact the Property Department for more advice.

The parish photocopier and other office equipment are in the Vicarage. What happens in the vacancy? Normally it will be possible for access to such equipment to continue subject to the Archdeaconry Property Committee's agreement. The Property Secretary should be consulted at the earliest opportunity, particularly if it is known that there will be works to the house during the vacancy. Tel: 01722 411933. In such cases the parish will be responsible for insurance and utility charges.

Protocol for Managing Safeguarding in a vacancy

When it is known that a member of clergy is considering leaving, is due to retire or has another post, the following process will be initiated:

- The Suffragan Bishop's Secretary will copy the Diocesan Safeguarding Adviser into the Notification of Departure.
- The Diocesan Safeguarding Adviser will check the list of known offenders/ issues of concern - if any issues are present these will be discussed with the Vicar prior to his/ her departure and an early discussion with a Churchwarden and Rural Dean initiated.
- The Churchwardens should agree who will take the lead on Safeguarding issues during the vacancy and inform the Diocesan Safeguarding Adviser.
- If any Safeguarding concerns arise during the vacancy, the Churchwarden should contact the Diocesan Safeguarding Adviser immediately and agree a process for managing the situation.

If an offender/person causing concern attends the church:

- The Diocesan Safeguarding Adviser will speak to the incumbent about handover processes and agree who will monitor during the vacancy.
- The Diocesan Safeguarding Adviser will ensure: the person monitoring has a copy of the Contract/ knows the concerns; the offender knows who will be responsible and that the nominated person has the Diocesan Safeguarding Advisers details.
- The Diocesan Safeguarding Adviser will keep in contact with the nominated person during the vacancy.
- When a new incumbent is appointed the Diocesan Safeguarding Adviser will discuss the situation with him/ her and arrange for a revised agreement to be signed with the offender.

Where an offender wishes to join a church during a vacancy:

- The Diocesan Safeguarding Adviser will discuss with the Churchwardens who will take the lead on the situation or nominate a person to do this.
- The usual contractual processes will take place and the contract will be signed by a Churchwarden/ nominated person.
- The Diocesan Safeguarding Adviser will inform the new incumbent when he/ she is in post and a meeting will be arranged with the offender/ incumbent and a new contract signed.

Where a new case comes to light during a vacancy:

- The Diocesan Safeguarding Adviser will contact the Churchwardens/ Rural Dean/ Assistant Clergy to discuss the situation and process for handling the case.
- The Suffragan Bishop/ Archdeacon will be informed immediately and practical and pastoral support discussed and agreed.
- The Diocesan Safeguarding Adviser and the parish will agree who will lead on the situation.

- Should a disclosure be made in the parish, the Churchwarden/ PSR will inform the Diocesan Safeguarding Adviser and agree how the situation will be managed.

Blemished Disclosure

- The Diocesan Safeguarding Adviser will agree with the Churchwardens/ Rural Dean/ Assistant Clergy who will lead on cases of blemished disclosures.
- The Diocesan Safeguarding Adviser will inform the new incumbent of any concerns/ issues.

If any concerns or issues arise, the Diocesan Safeguarding Adviser, Mrs Heather Bland, will be available to discuss these at any time. Contact her via heather.bland@salisbury.anglican.org or call 01722 411922 or mobile 07500 664800.

LICENSED LAY MINISTERS (LLMs) AND PRIESTS WITH PERMISSION TO OFFICIATE (PTOs) DURING A VACANCY

The Role of Licensed Lay Ministers (known as LLMs or formerly as Readers)

LLMs are lay people, called by God to a voluntary preaching, teaching, liturgical and pastoral ministry alongside their ordinary occupation or employment. They come from all walks of life and have undergone careful selection and a rigorous programme of theological study and formation before being admitted and licensed.

- A LLM is authorised by Canon to conduct and preach at Matins, Evensong and family or other non-statutory services. He or she may also preach at Holy Communion, read the Gospel, lead the intercessions and Ministry of the Word, administer the paten and chalice and distribute the sacrament to sick or housebound people not present at a celebration.
- A LLM may publish the Banns of Marriage and sign the entry in the Banns book, but may not sign the Banns Certificate or officiate at a Marriage. He or she may officiate at a Service of Prayer and Dedication after Civil Marriage with suitable preparation and the approval of the Warden of Lay Ministers or Rural Dean.
- A LLM may conduct a funeral service provided those responsible are agreeable to this. A LLM is not authorised to baptise except in emergency situations.
- A LLM may be asked to prepare people for baptism, confirmation and marriage, to visit and pray with the sick, or to undertake other pastoral and educational work as part of the ministry team of the benefice.

During a vacancy

Many LLMs are willing to undertake additional responsibilities during a vacancy, but not all are able to commit more time. LLMs give their ministry freely and receive no fees for their services. However, a LLM should be reimbursed at the diocesan rate for travel expenses. (In the LLM's own benefice reimbursement of expenses incurred in ministry and in-service training should be agreed annually).

STATUTORY FEES - BISHOP'S GUIDELINES

The Table of Fees prepared by the Archbishops' Council states the portion of the fee attributable to the PCC and the portion attributable to the DBF. The guidelines cover occasional offices, marriages, blessings, funerals and casual duty fees. Your parish will be sent a copy by the Accounts Department at Church House at the beginning of each year (updated annually) or a copy can be found on the diocesan website: <https://www.salisbury.anglican.org/parishes/finance/parochial-fees>

CASUAL DUTY FEES IN A VACANT BENEFICE

The Diocese is responsible for the payment of some service fees during a vacancy, and guidelines will be sent from Church House to Churchwardens, Treasurers and PCC secretaries before the benefice becomes vacant. The date from which claims can be made is the date on which the benefice becomes vacant and parishes should be aware that the priest may actually depart on an earlier date if he/he is owed holiday or time off in lieu.

The casual duty fee for a service taken on a Sunday is £40.00 and for a weekday service is £30.00, subject to a maximum payment for two services per Sunday or four per week for the benefice as a whole. Where one service immediately follows another only one fee is payable. The PCC is responsible for all travel fees and other expenses. If multi-parish benefices, or those with a number of churches, choose to submit claims on an individual parish basis, they should be aware that these claims will be combined when they arrive at Church House and some claims may not meet the criteria

if there are more than two services per Sunday or four per week across the whole benefice. No fee is payable to stipended clergy, clergy licensed to a benefice, or Licensed Lay Ministers, however, in all these cases the parish must offer to reimburse their travel expenses in full.

These guidelines may not cover every individual situation and your Archdeacon or the Pastoral Department at Church House should be consulted where there are exceptions. The Diocesan Policy approved by Bishops' Council is available on the Diocesan Website, along with copies of all the appropriate forms. There is also a useful decision tree which may help:

<https://www.salisbury.anglican.org/resources-library/parishes/finance/2019-parochial-fees-decision-tree-dec-2018>

Empty Parsonage Houses - Options for their use

It is the policy of the Diocesan Board of Finance to let vacant clergy housing of all types in suitable circumstances, in order to generate income for the Diocesan Stipends Fund. However, it is usually not possible to let a benefice parsonage house during a conventional vacancy between clergy appointments. Whilst recognising that there may be a very genuine need, there are legal and technical reasons why this is not a straightforward option.

Please contact the property department on 01722 411933 for more information.

Works to Parsonage Houses in a Vacancy

The hand-over of the house from one household to the next is a two-stage process outlined below. The objective is to give both the Diocesan Property Department and the parish[es] time to carry out the agreed works before the house is again occupied.

Guidance on housing and property is provided by: The Property Secretary, Church House, Crane Street, Salisbury, Wilts SP1 2QB.

Tel: Salisbury 01722 411933 Fax: 01722 329833 Email: property.dept@salisbury.anglican.org
Website: <http://www.salisbury.anglican.org/parishes/diocesan-property/clergy-housing>

Chancellor's Regulations for the Erection of Graves and Memorial Stones in Churchyards

In a vacancy an application should be made to the Rural Dean. The current regulations for memorials in churchyards can be obtained from the Diocesan website and the Registry will be able to give further advice on 01722 432390. When approval has been given, the fee payable to the Incumbent should be paid to the Board of Finance and shown as a credit against service fees on the appropriate claim form.

The form for an **APPLICATION TO INCUMBENT FOR PERMISSION TO INTRODUCE A MEMORIAL INTO A CHURCHYARD** may be found on our diocesan website. Please follow the link: <https://www.salisbury.anglican.org/whos-who/contacts/registry/churchyards-headstones-and-burials>

The form can be downloaded and printed from the Resources box on the left-hand side of the page. **In any case of difficulty or where a query arises please contact the Diocesan Registry below:**

THE DIOCESAN REGISTRY

Registrar – Sue de Candole Deputy Registrar – Patricia Russell
Batt Broadbent, Minster Chambers, 42/ 44 Castle Street, Salisbury, SP1 3TX
E mail: registry@salisbury.anglican.org Tel: 01722 432390

THE DIOCESAN ADVISORY COMMITTEE FOR THE CARE OF CHURCHES

For information and advice please see the Diocesan website:

<http://www.salisbury.anglican.org/parishes/church-buildings/>

Or contact the DAC Secretary, Mrs S Cannings, Secretary to the Diocesan Advisory Committee for the Care of Churches, Church House, Salisbury, SP1 2QB.

Tel: 01722 438654

E mail: dac@salisbury.anglican.org

This booklet contains summary guidance only.

For more information, please do not hesitate to get in touch with the Pastoral Department at Church House, who will be happy to offer you further help. Tel: 01722 438650