

Haemorrhaging Leaders — The unacceptable loss

When trained people, many of whom are Christian Ministers, have to leave their places of work, often churches, but in all cases they are places that the worker felt some sort of call to, this should be of huge concern to us all.

People in whom the various organisations or leadership groups have invested a very considerable amount of resource are being lost to the causes they were in. It is a serious loss to a cause which on most grounds we would think should be an expanding one. Hence the demand for leaders should be ever rising.

So why is there such an attitude towards those they have trained and invested so much in, that their leaving goes so easily without much effort to retrieve them for the cause.

I think there are several keys we need to grasp and consider.

1. Some faith bodies are facing such financial difficulties that there does not appear to be the funds to pay their leaders, so restructuring, the word used for retrenchment and reduction, means real people, often with families, are being removed for a cost saving. However the irony is that often the very organisations where this is being done also have groups that are significantly expanding. So why do this?
difficulties will begin to emerge. As the mechanisms to solve these problems are frequently insufficient it is usually only a matter of time before either heart is lost on all sides or things come to a relational head and there is breakdown. In practically all cases we come to deal with, it is irretrievable simply because it is at too late a stage that things are brought to our attention, although the reality is that it is often hard to know how to deal with such issues earlier without marking your card.
2. Often we note a mismatch between what the leader believes they should be about, and what the actual group they are supposed to lead now say they want. In any normal employment situation this should be covered by a contract setting out in detail expectations and duties. However since faith leaders are by and large office holders, their leaders do not have documents, known as contracts to the secular employee, to encourage them to play by the laws of fairness and justice in these situations. Leaders therefore enter service, with a series of expectations and understandings that were not clearly detailed before commencement. Hence our members regularly talk of the honeymoon period before the reality sets in where their leadership will either be successful or the
3. Continual in-service training is becoming the latest activity most religious bodies are trying to set in place for their lead workers. However, training without cultural change driven through the organisation is often cosmetic, and nothing short of a revolution is needed. Training should be tailored to the very situation its outcomes will impact upon so that it is effective.
4. There is unquestionably a crisis in the main organisational leadership. Far too many organisations have poor, and poorly trained, leaders in situ. Often 'leaders,' instead of creating followers or nurturing more leaders, have taken the easier option of giving orders with the expectation

of unquestioned obedience. Sadly such an organisation does not reflect its founder. Proper leadership training of the highest order is not desirable, it is essential. Excellence in leadership is what is required and currently, that does not feature clearly enough.

As a Branch we are addressing these key areas:

- We offer thorough life long training to our members, and encourage them to pursue this in any way they can.
- We are encouraging faith bodies to recommend their members join the union so they will have help in times of need from a body that is independent to the organisation itself, so has no bias.
- We are also endeavouring to meet with the top leadership of the faith organisations to encourage best practice and discuss issues we come across so they can be constructively dealt with.

These actions are slow to get results but they are part of our ongoing efforts to secure ever better conditions for our members.

*Gerry Barlow –
Faith Workers Branch Chair*



www.amicustheunion.org

Amicus

amicus
the union

FAITHWORKERS NEWSLETTER

WINTER 2006

Employment Rights Granted

The Amicus Faith Workers Branch 12-year campaign to enable all Ministers of Religion to access the tribunal systems to bring independent restitution to cases has been won. On 27 October this year the Employment Appeals Tribunal deemed that Reverend Sylvester Stewart did have legal relations with the New Testament Church of God, thus forming a contract of employment. This is the right that enables employees to seek resolve to their disputes through the tribunal courts.

Although the New Testament Church of God has said that it intends to appeal the decision, our legal advice is that the decision of the EAT will be hard to overturn. If this is the case, then Revd. Stewart will be the first church minister to have the right to take a claim for unfair dismissal.

Last year we followed the case of the Church of Scotland minister, Revd. Helen Percy, as she won her case in the Court of Appeal which enabled her to take a claim of Sex Discrimination to the Employment Tribunal. This case gave us a chink of light as we saw the limited right for a discrimination claim accessing the courts, and in particular the judgement which questioned the employment status of office holders. Although the case was settled out of court last month, it gave a good springboard on which to argue for Revd. Stewart's employment rights.

We also know that many of our members have also paid a price in the earlier stages of this campaign to not only illustrate the ludicrous differential in rights between employees and chaplains and their counterpart ministers, but also challenged the political and church

systems into changing their approach to treating Ministers of Religion with greater dignity, none less than Revd. Ray Owen who has fought this campaign on behalf of himself and others so courageously.

In our early discussions with the church authorities since this ruling, we know that many have come to accept the inevitable change, and will be addressing their own systems in the light of this judgement, whilst others are sticking their head in the sand, hoping that no wronged minister will come knocking at their door.

Employment rights is not about taking future cases to the employment tribunal system for our members, but ensuring that all Faith Bodies have fair and just systems in place to for handling issues of grievance and discipline. Whilst we have only been able to use carrots to encourage those in authority to take a more progressive look at their own human resource management, we now have the stick which should help the others to catch up.

Amicus National Officer, Rachael Maskell commented "The courts have

recognised Amicus' position that the time has come for Ministers of Religion to be treated with the same human and employment rights as all other workers, so no longer can they be removed from office for no justifiable reason, and have no where to go to appeal against such an injustice."

Each year Amicus represents over 100 Ministers across all denominations and faiths, only to be frustrated by the inability to secure independent restitution.

Chair of Amicus Faith Workers Branch Gerry Barlow says, "The announcement by the EAT today means that a new level of fairness has been given to all Ministers as we have been calling for many years. As a result of this we will use our expertise to help all churches and other faith bodies to develop their policies and promote reconciliation between the parties."

"From today, I would say to any Minister of Religion from any denomination or faith that now is the time to join Amicus Faith Workers, as a professional trade union that can ensure that your interests are now looked after in this new arena of employment rights."

Faith Workers Helpline: 0845 108 2575 Email: faithworkers@amicustheunion.org

Not a member? Join Amicus online – www.amicustheunion.org
or call the recruitment hotline free 0800 587 1222

It won't happen to me - or might it?

Planning ahead is relatively simple, provided you know all the facts. The trouble is that we don't, and sometimes the reality changes – and that's just what is happening to pensions. As was reported in the last newsletter pension schemes are in trouble. We now have the Second Report of the Task Group considering the Church (of England) Pension Scheme complete with suggestions as to what the best way forward is.

Amicus has set out the options and commented on these. Only one of the three possibilities considered by the Task Group has been worked out, and it is not good news. It breaks the link with stipends, limits increases to a maximum of 2.5% per year and requires 40 years service for a full pension.

There need to be changes in the Scheme but the question is whether what is being proposed are the right changes and fair to all concerned. It affects all members of the Church Pension Scheme whether retired or still working so now is the time to read and lobby members of Synod. The full Report and support documents can be accessed at <http://www.cofe.anglican.org/info/pensions>

Amicus comments on the Task Group Second Report

Bodies responsible for funding pensions are being asked to respond to the report by 10 November 2006. Dioceses are doing this via the Bishop's Council. A slip was enclosed with clergy stipend payments for July asking that comments be sent to Diocesan Secretaries or e-mailed to the Pensions Task Group at: pension-taskgroup@c-of-e.org.uk.

There are three options outlined in the report:

Option A

- seeks to retain defined benefits
- will require contribution rates in excess of the current 33.8%
- requires acceptance by clergy of modification to present benefits
- requires the help of the Church Commissioners and consequent reductions in the availability of money for redistribution to poorer dioceses

Option B

- a defined contributions scheme
- gives predictability and sustainability to pensions
- does not increase overall church spending on pensions
- requires radical change to clergy remuneration arrangements
- does not require the help and co-operation of the Church Commissioners

Option C

- would guarantee the long-term security of the defined benefits scheme by going back to the Church Commissioners as the body totally responsible for clergy pensions

Option A seems to be the short term favourite option of the Task Group. In this option the Task Group excludes from its consideration removal of the lump-sum payment on retirement, and the abolition or reduction of differentials in pension arrangements.

In money terms the latter would not amount to much, it could however have a symbolic significance since there seem to be few gospel arguments for paying a higher pension to an archdeacon or his/her spouse than to a priest and his/her spouse.

Option A proposes linking pension increases with limited price inflation (RPI subject to a maximum of 5% with the option to reduce to 2.5% in respect of benefits from future service). **To cut the link with national minimum average stipend.** This would apply to all present and future clergy pensions. The task group at Annex C gives a table illustrating the effect of this in the past 8 years; in the last 3 years the increase in pension has only slightly outstripped RPI because stipend increases have been restricted by the economies being made in the dioceses to pay the pension contribution increases.

In suggesting this the Church is going in the opposite direction from the government in moving to a link with RPI (which in reality means a decreasing standard of living) as the government plans to restore the state pension link with wages for the annual uprating at the end of this decade. It also fails to identify which RPI will be used. The clergy RPI on retirement is very different from that of people who are not in tied housing. Major housing expenditure is being undertaken on retirement by clergy and this needs to be taken into account.

The 2.5% cap on annual increments seems low. The present government has a target of 2.5% inflation year on year, and inflation currently is above that figure. The probability is that in some years clergy pensions will be capped so there will be a decrease in value even against RPI.

Length of service to qualify for a full pension is to increase from 37 years to 40 years. We already have a situation in which many clergy do not qualify for a full pension because of later ordination so this will inevitably mean fewer clergy will receive the full pension. Some could decide to work on until the age of 70 to enhance their pension but the number of ill-health retirements has been increasing in recent years and this would seem to indicate that 21st century parish life has stresses and strains which people being ordained in the 1960's and 70's did not contemplate at that time.

Some clergy also feel that those who do continue to work beyond the state retirement age should be able to enhance their pensions if this means working beyond 40 years in the same way as postponing receipt of the state pension can enhance that pension when it is finally commenced.

The comments above relate largely to Option A, which is the option that could be implemented most swiftly by the Church, probably in 2007. If it is rejected by the wider church then preparatory work on the other two options will necessitate a later implementation date and opportunity for comment at the appropriate time.

Option B most resembles the private sector pension schemes now being established following the cessation of final salary schemes. Unlike the present scheme and Option A which are defined benefit schemes, it is a defined contribution scheme. The employers costs are capped, the benefits depend on investment returns over the contribution period and annuity rates at retirement.

It would provide a lower level of security to the fund member, risk transfers from the employer to the beneficiary. Clergy view this option with trepidation, to remove a guaranteed benefit cannot but lower clergy morale.

A decision to support Option B would require:

- a) a contribution by the clergy from stipend which in turn will need to be increased to enable clergy contributions – this would also incur higher NI and tax payments, and also change the nature of the stipend.
- b) A re-examination of the current remuneration package offered to clergy by the Church including housing arrangements.

Option C seeks to maintain a defined benefit by bringing into play the strength of the Church Commissioners' asset base as the pension fund' permanent guarantor. The pension fund would have first call on the commissioners' resources. It would thus give maximum long term security of funding of the clergy pension fund, **more secure than A or B.**

Contributions towards pensions made by the dioceses would transfer from the 1998 Pensions Fund to the Commissioners, as would the remainder of the 1998 Fund. Volatility in contribution rates experienced in recent years would be replaced by the correction of surpluses and deficits in the fund over a much longer period. At this stage it is not known whether the whole of the Commissioners funds would have to come under the oversight of the Pensions Regulator.

Adoption of Option C, it is said, would raise questions about the ability of the Commissioners to fulfil their other duties, such as resourcing poorer dioceses, given first call for the pension fund. Parliamentary consent would also be required making it a longer term option than A.

It should be noted that para. 140 of the report abandons any pretence to implement stipend aspiration 3 of "Generosity and Sacrifice" a stipend of £20,000pa at 2001 prices) on the grounds of affordability. The same para. Also says" The Church will need to return to its longer term approach to stipend policy once the decisions needed now in relation to pensions have been taken.

Finally it is a pity that so little of the report is devoted to the issue of retirement housing which is of great concern to many clergy approaching retirement when the maximum borrowing limit is £125,000 in England and Wales. The suggestion is made that there are buy-to-let mortgage products available from lenders on preferential terms for clergy. Some younger clergy have retained property they acquired in earlier careers but come under considerable pressure from clergy charities to sell these before they can be helped by the charity.

We want to know what Amicus members of the Church of England think about the task group's work so we would be grateful if you could fill in the following questionnaire. Amicus will analyse the responses to this survey and present them to the Church of England.



There are three options outlined in the report:

- Option A - do you support this option? **YES / NO** (please circle)
 Option B - do you support this option? **YES / NO**
 Option C - do you support this option ? **YES / NO**

Please set out briefly below any other comments you may have.

If you support option A

- a) Do you support removing the link between national average minimum stipend and increases in pension? **YES / NO**
 b) If you agree with a) above do you support increases tied to limited price inflation of 5%? **YES / NO**
 c) If you agree with a) above do you support increases tied to limited price inflation of 2.5%? **YES / NO**
 d) Do you agree with the proposal to increase years of service for a full pension from 37 to 40? **YES / NO**

Further questions

Do you agree with the current differential pension levels between ordinary stipendiary clergy and church dignitaries? **YES / NO**

Do you feel there is any other information that the Pensions Board should be giving to the members of the scheme at this time? Please set out below.

Other Faith Groups

Do you have a pension scheme? **YES / NO** Insert faith group: _____

If you have are you aware of any proposed changes? **YES / NO**

When completed please send to The Revd. Malcolm Liles, Parish Office,
 Church Walk , Crawley, West Sussex RH10 1HH (rectorcrawley@btinternet.com)

Also, please feed in your views on the Task Group Report so that adequate representations can be made both on a diocesan and national basis in the required timescale. For the link to the Amicus website <http://www.amicustheunion.org/Default.aspx?page=4734>

**Amicus Faithworkers Annual Conference
 5th – 7th February 2007 Quorn, Leicestershire**

Following the successful conferences of the last few years. We are pleased to announce the latest in the series. The working party have been listening to the members and have put together a challenging and stimulating programme over two-and-a-half days in the glorious Leicestershire countryside next February.

There will be opportunity to hear top-class speakers, receive the training that many of you have requested, and plenty of time to meet each other informally and swap notes.

So, if you've always wanted to put faces to names and improve your skills, this is the one for you. All LARs, and those interested in the role, should attend.

Times	5th FEBRUARY 2007	6th FEBRUARY 2007	7th FEBRUARY 2007
9.00 – 10.30		LAR Training 3 <i>Healing and Reconciliation</i> Healing the experience of employment disputes and letting go	LAR Training 5 <i>Organising</i> Special Events & Stunts? An active session !!
Coffee Break			
11.00 – 11.30		LAR Training 4 <i>Building on experiences</i> Using what we've gained from the experiences we have had, to be a better LAR	LAR Training 6 <i>Recruitment</i> Getting better at this
11.30 – 12.30	<i>Introduction to Conference</i> What is needed to be a good LAR? Delegates' expectations?		<i>Final Session</i> Review delegates' expectations and actions for the future
Lunch			
13.30 – 15.30	LAR Training 1 <i>Developing LAR skills</i> Managing cases and LAR modus operandi	<i>Current Issues</i> Pensions and Employment Rights	
Tea Break			
16-00 – 18-00	LAR Training 2 <i>Case Studies</i> Role plays and debrief	<i>Question Time</i> Guest speaker	
Evening Meal			
19-30 – 20.15	<i>Quiz</i>	<i>Branch Meeting</i> Review previous year and look to the future	
BAR			

Please complete your details to attend the conference by **1 December 2006** and send them to Maureen German, Amicus, 35 King Street, London. WC2E 8JG or e-mail them to **Maureen.German@amicustheunion.org**

Name: _____ Postal Address: _____

E-mail: _____

Phone Number(s): _____

If you reserve a place at the conference, you must inform the union at the earliest date if you have to cancel, as last year many people just didn't turn up, which is a cost to the union.

Supporting Colleagues

While the Faith Workers Branch is for those who work for religious organisations Amicus also represents people employed by secular organisations. like the College of Health Care Chaplains. The decision by the Worcestershire Acute Hospitals NHS Trust to drastically reduce the level of funded chaplaincy services has led to protests by them and by others. The Faith Workers Branch supports the CHCC in their protests and the call for this decision to be reversed.

Another group of Amicus members in dispute with their employer are in the Ecclesiastical Insurance Group. Their protest is about the disparity between the annual rise they are being offered and the increases awarded to senior management. If there is a need for saving on salary costs then this should happen across the board. The Branch supports the EIG employees in their call for fairness in awarding increases in pay.

Ministerial Development Reviews

Amicus responded to the consultation on the implementation of the McClean Report recommendations for the future ministry of the Church of England. While we welcome them in part there are real concerns about their practicality and to what extent it will be possible to have an equitable Ministerial Review system that is consistent across the country. The proposals whilst welcomed, will be demanding on time to execute them. Amicus has clearly stated that MDRs must be carried out by someone, not only trained to do them, but with the authority to agree the recommendations, i.e. training, or else the process will be little more than a talking shop.

There are important differences between reviews in other contexts and what can be done reasonably in regard to clergy. One major difference is that the potential reviewer may well not have experience of the context in which the cleric is working and so use inappropriate criteria in making a judgment on training needs and performance targets.

See Amicus' full response on the website

<http://www.amicustheunion.org/pdf/Ministerial%20Development%20Review%20Consultation.pdf>

What matters to you?

This is your Branch Newsletter, intended to bring you news and information that is relevant to you. It does so most efficiently if those editing it know what matters to you in your situation. Faith workers covers a wide range of contexts and faith communities and, as a branch, we want to help each other. Encourage more people to join (thus strengthening our voice for faith bodies that practice what they preach) and let's use this Newsletter as a real means of communication alongside our page on the Web. Please let us know what you would like to see in your newsletter

Terms and Conditions - the small print

Within the world of work there are groups of people who relate to each other. As groups they can be described as management, staff, customers, etc. All are concerned with a particular business and all need to be satisfied if the business is to do well. Faith communities are similar in that they too have different groups with their own concerns but all are important to what might be termed the health and vitality of the community. Where they differ from secular businesses is that we tend to shy away from using terms like "contract" and the boundaries between the groups are permeable rather than clear.

For generations this lack of clarity could be tolerated as we relied on mutual good-will to avoid real problems. The problem with that approach is that it may be acceptable when things are running smoothly, but not when the going gets rough. In his front-page article Gerry Barlow points to one example of what can happen – remove a major item of expense called the minister. This "cures" the problem by piling it onto one person, who is then cut loose. Needless to say that is not an approach that should commend itself to any group claiming to care for others. That is why Amicus is committed to the development of fair and equitable human relations procedures that recognize the legitimate concerns of all groups involved in faith communities.

That does take effort in pursuing constructive dialogue with top leadership so the right procedures are in place before problems arise. Our approach is to recognise that we are all stakeholders (to use the jargon term) and seek improvements that will minimize problems if and when the procedures need to be invoked. Unless this is done in advance then the situation will deteriorate in the glare of publicity and everybody loses.

Our ability to do that, and to represent the interests of our members when they face difficulties, is enhanced by expanding our membership. This gives us a broader base of experience to draw on. It also means those who do need help and guidance when they face local difficulties (and that number is likely to increase because of changing circumstances) have a "track record" with Amicus that enhances the Local Area Representative's ability to secure a favourable outcome. The dangers are real and all faithworkers, your colleagues, need to be aware of this.

Roger Stokes, Church in Wales

Recently Amicus was asked to comment on the Church in Wales Draft Terms of Service for Clergy. A first glance showed this to be a promising document which addresses many of our concerns. Closer study, however, revealed some problems with the drafting as well as issues of principle which cause concern. These are being fed into the consultation process as an example of the way we seek to serve our members, and address their concerns, by getting the systems right in the first place. At the time of writing this process is still ongoing with consultations within Amicus involving a number of people.

Roger Stokes, The New Union

It barely seems any time since we were last discussing the inception of a new union, however Amicus now fully formed and delivering on behalf of its members in every sphere, is looking to its future. For much the same reason as MSF, AEEU, GPMU and Unifi amalgamated, Amicus and the Transport and General Workers (TGWU) are in advanced discussions as to their future. Across many sectors there is duplication between the two unions, and therefore a common base for two unions has to mean that there is greater unity in taking on those that have power and influence over our members. This is also true for our members working for faith bodies. The TGWU has membership in the Quaker denomination, and I dare say a few scattered across the churches where we have a dominance like the Methodists. They also have strong membership in non profit organisations which were generated from the faith community like the English Churches Housing Association and an array of charities which have become unionised over time.

A merger for members in this Branch would certainly build strength in our campaigning for employment rights for all, and would lead to new opportunities for us to deliver an exciting campaigning agenda for the next season. The new union will have a strong structure based on both sectors and regions, ensuring that industrial interests of the members are put at the top of the agenda.

In the coming months, there will be much communicated about the formation of the new union, and I would encourage all members to engage with this important debate. It is expected that there will be a ballot of members early in 2007 with the formation of the new union on May Day 2007.

Rachael Maskell – National Officer