

## SECTION 12: INFORMATION SPECIFIC TO THE EMPLOYMENT OF LAY EMPLOYEES

As defined by CPD SO 570

This section provides information on:

- **Employed Lay Employees (as opposed to voluntary Lay Employees)**
- **Relevant Standing Orders in The Constitutional Practice & Discipline of the Methodist Church (CPD)**
- **Terms and Conditions specific to Lay Employees (as provided by Conference)**
- **Further information available on Lay Employment**

### Introduction

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Lay Employees are appointed mainly under The Constitutional Practice and Discipline of the Methodist Church (CPD) Standing Order 570. This Standing Order sets out the provisions agreed by Conference which apply to the appointment of Lay Employees.

A 'Lay Employee' is someone who is appointed to undertake pastoral or evangelistic work, or administrative work relating to furthering and co-ordinating the mission of the Church.

**Note:** A job description to this effect will allow a person specification which requires evidence of Christian belief (see Section 2, Equal Opportunities and Discrimination).

This section provides information relating to the employment arrangements for Lay Employees.

### Accommodation

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- **Lay Employees moving to take up a post**

It is recommended that Lay Employees should receive accommodation or an accommodation allowance. An accommodation allowance should cover the full cost of the rent of any appropriate accommodation. In both cases the running costs for the properties, as for presbyters and deacons, should be met by the employing body.

**Employers should be aware that the provision of accommodation is likely to be a taxable benefit. Further advice must be obtained from your local tax office.**

The provision of accommodation by the employer should not be a mandatory requirement (check)

- **Lay Employees living in their own home**

Lay Employees should receive an accommodation allowance for use of their home as an office. This should be full or partial depending on the circumstances.

- **Part-time Lay Employees**

A part-time Lay Employee should receive a pro-rata accommodation allowance relating to that which would be paid to a full time Lay Employee in that local situation. The Lay Employee's personal circumstances should not be taken into account.

## **Circuit Review of Staffing**

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The need for a new Lay Employee post should arise from a formal review of the total staffing needs of a circuit, including ordained and lay, paid and voluntary, full and part time, as set out in SO 570(1)(d).

When a circuit undertakes a review of mission needs and policy and this includes its staffing needs, consideration should be given to the circumstances of any employee whose employment could be affected by the review. A contract should not be renewed until the outcome of the review is known. The employee should be consulted about prospective changes. The employee must be advised of any recommendations which affect his or her post directly before they are brought to the circuit meeting for approval.

## **Use of Fixed Term Contracts**

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The Fixed Term (Prevention of Less Favourable Treatment Regulations) provide that terms and conditions of fixed term employees must be no less favourable than those which apply to an employee doing equivalent work on an open-ended contract.

Where an existing fixed term contract is due to come to an end the circuit review should take place at least three months before the employment is due to end. The review should consider whether the contract should be renewed or a permanent contract offered. Advice should be sought before any fixed term contract is terminated.

If a fixed term employee has been continually employed for four years or more, or one or more successive fixed term contracts, the contract will be regarded as a contract of indefinite duration upon renewal of the contract, unless the original justification for the fixed term continues to apply. Service from 10 July 2002 counts towards the four years.

Advice should be sought before any fixed term contract is terminated.

***The employer must give the correct notice period as per the Terms and Conditions of employment.***

If the reason for the termination of the fixed term contract is redundancy, the Lay Employee will be entitled to receive a redundancy payment providing they have a minimum of two years service. (See Section 13 for further information.)

## **Terms and Conditions of Employment for Lay Employees**

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- **Annual Leave**

Twenty-five days annual leave per year should be given in addition to public holidays, pro rata for part-time staff.

- **Disclosure**

Lay Employees who will be working with children, young people and other vulnerable people in the course of their work are required to obtain enhanced Disclosures. Lay Employees in administrative posts who may be working when children and young people are on church premises are required to obtain standard Disclosures (Further advice is available from the Churches' Agency for Safeguarding at [www.churchsafe.org.uk](http://www.churchsafe.org.uk)).

- **Expenses**

All agreed expenses necessarily incurred during the course of the Lay Employee's duties should be reimbursed. Agreed travel costs should be refunded at the Inland Revenue approved mileage allowance rate as printed in the Minutes of Conference and Directory.

- **Hours of Work**

The normal full time hours of work are forty per week. Any part-time arrangements should be pro rata on forty hours. This may include weekend and evening work.

- **Pensions**

Information on pension options for Lay Employees is provided in Section 8.

- **Preparation and Study; Training; Study Leave**

The following provisions should be made in the Written Statement of Terms and Conditions (pro rata hours and provisions should be made for part-time arrangements):

Six hours within a forty hour working week for study and preparation;

Not less than seventy-five hours a year for training, with the employer making appropriate financial provision;

One week's study leave for each year of service, pro rata; one week may be taken during each year of service or, by mutual agreement, accumulated and taken in a longer block. The study leave programme should be approved by the employer and should be taken within the contract period.

- **Probationary Period**

The employment should be conditional upon satisfactory completion of a three month probationary period. This may be extended if there are concerns about the suitability of the appointment. Concerns should always be discussed with the Lay Employee and clear targets set.

- **Recognition**

The appointment of a Lay Employee should bring with it the recognition as a member of the circuit staff team. A Circuit Commissioning Service should be arranged at the start of the appointment.

- **Salary**

As of 01 September, 2008, the minimum recommended salary of a Lay Employee is the Living Wage. [See [Appendix 10.1](#) for full details].

Further information is available from Development and Personnel at Methodist Church House.

(Unless a national or local salary scale is being used, the Living Wage as recommended by the Church Action on Poverty should form the minimum basic wage – check that any local rate used is not less than the Living Wage)

- **Sickness**

A Lay Employee who is absent from work by reason of ill health will be entitled to receive up to twenty days occupational sick pay, less any statutory sick pay entitlement, in that period. The period should be considered in terms of a rolling year. Extensions of sick pay are made at the employer's discretion. See Section 9 for examples of how to calculate qualification for sick pay.