

# THE CHURCH OF SCOTLAND INTERNATIONAL PRESBYTERY

## GUIDANCE FOR MINISTERS TAKING UP OR DEMITTING A CHARGE

### **PREAMBLE**

The division of financial responsibility between the Ministries Council, the International Presbytery and the Kirk Session is defined in The International Presbytery Act 2016. The Act provides that the Presbytery shall, except as otherwise provided for in this Act or in any other legislation of the Church, have the same powers and duties as Presbyteries in Scotland. In recognition of the variety of local circumstances which arise, it provides for special arrangements to apply with regard to charges in the Presbytery.

To the extent possible, congregations are encouraged to meet all costs of ministry including recruitment, training, cost of fares and removal expenses. Where congregations are unable to meet these costs help may be obtained from ministry support funds made available to the Presbytery through the Salvesen Trust (World Mission Council). It is expected that, as an absolute minimum, all local costs associated with the provision of accommodation and the expenses detailed in section 2.3.13 will be covered by the congregations.

For the sake of simplification, the Kirk Session is mentioned in the text below as the paying agent, but in practice it is understood that part of the costs may in fact be borne by the Presbytery's budget for ministry support, subject to consultation between the congregation and Presbytery.

Unless otherwise stated, the arrangements on which a minister appointed to a charge in the Presbytery shall hold that office shall be in accordance with the practice and procedure of the Church of Scotland for parish ministers in Scotland.

### **SECTION I - APPOINTMENT TO OFFICE**

Vacancy procedures are outlined in General Assembly Act VIII 2007. The appointment is made subject to satisfactory medical examination and Safeguarding procedures. Appointees may be required to undertake training in the form of study visits to other congregations in the Presbytery before taking up their appointment. Working knowledge of the language of the country is important and appointees may be required to have language tuition either before taking up their post or while in post.

## **SECTION 2 – MAINTENANCE ARRANGEMENTS**

### **2.1 GENERAL**

**2.1.1 ACCOMMODATION:** *N.B. This paragraph should be read in conjunction with the International Presbytery's Supplement to Manse Conditions and Guidelines.*

Ministers shall have the right to be provided with a manse (i.e. free occupation of furnished accommodation) and have a corresponding duty to live in it, discharge the duties of their office from it, and vacate it on demission from the charge or retirement. No departure from this condition shall be permitted without the prior approval of Presbytery to whom a full explanation for the need for variance shall be provided by the Kirk Session. In the event of an unresolved issue of accommodation, the Manse Adjudication Committee of the Ministries Council will be called upon to determine the place of residence.

A Manse Condition Schedule and a comprehensive inventory of the furnishings, fittings and utensils in the Manse shall be kept up-to-date and a copy provided to the Minister when the position is offered to him/her.

The following terms and conditions will apply to the occupancy of the property:-

- a) The Minister will not be entitled to make any alterations to the Manse, either internally or externally,

without the sanction of the Kirk Session.

- b) The Kirk Session shall be responsible for any local property based taxes.
- c) The Kirk Session shall be responsible for the maintenance and repair of the property and any persons authorised by it shall be entitled, on reasonable notice being given, to inspect externally and internally and to carry out such works as may be deemed necessary.
- d) The Kirk Session shall be responsible for telephone and internet provision as outlined in Regs I, 2015. For the avoidance of doubt, the Minister shall be liable for the cost of all personal telephone calls while holding office.
- e) The property shall be occupied by the Minister and members of his/her immediate family only, lodgers, paying guests and the like being not permitted.
- f) The Minister shall ensure that any garden ground is kept tidy and free from weeds with any grass cut regularly unless alternative arrangements have been agreed in advance by the Kirk Session.
- g) Where a Minister wishes to supplement the furnishings of the Manse with his / her own items this shall be entirely his / her responsibility and will not provide grounds for claims to exceed the allowances set. If a Minister wishes to replace existing items in the Manse with his / her own property, Kirk Session approval is necessary in advance.

### **2.1.2 PROFESSIONAL DEVELOPMENT**

Ministers within the International Presbytery shall be entitled to participate in the Ministerial Development Review (MDR) process being introduced by the Ministries Council and in the accompanying programme of Continuing Ministerial Development (CMD).

### **2.1.3 SAFEGUARDING TRAINING**

Ministers are required to undergo Church of Scotland training in Safeguarding and to ensure that procedures equivalent to those followed in Scotland are implemented in accordance with Presbytery guidelines as best they can be given local / national regulations. Except in the case of Methodist ministers appointed to Malta, who must demonstrate they have completed the equivalent Methodist training and hold appropriate documentation from the Safeguarding Office of the Methodist Church of Great Britain.

### **2.1.4 TIME OFF (Holiday)**

Regs I, 2015, Section 2 (2-4) gives details of the expenses to be covered by the Kirk Session in relation to Ministers taking time off. This amounts to pulpit supply on 7 Sundays annually and provision for pastoral cover on 6 weeks connected to 6 of those Sundays. In addition, pulpit supply is to be covered when a Minister is attending Presbytery meetings (two Sundays per year) and when a Minister is a commissioner at the General Assembly.

## **2.2 DEMISSION OF CHARGE**

### **2.2.1 DEMISSION**

In the event of the Minister seeking to demit office for any reason (including on the grounds of age) he/she shall be required to give three months prior written notice of demission to the Kirk Session and the Presbytery. (see further section 2.3.10)

### **2.2.2 RETIREMENT**

Retirement shall be in accordance with Church of Scotland regulations. Ministers are encouraged to retire at the UK state pension age (currently 65, rising to 67 over the next few years), but are entitled to continue in office up to the age of 75.

### **2.2.3 FINANCE**

The general financial conditions relating to demission are outlined at 2.3.10 below.

## **2.3 FINANCE**

### **2.3.1 STIPEND**

Stipend arrangements shall be in accordance with the National Stipend Scale applying to Ministers within the UK, published annually in the report of the Ministries Council to the General Assembly. This will be adjusted to take account of local cost of living, social insurance and taxation, using the International Presbytery's Supplementary Stipend Review process (see *separate document*).

### **2.3.2 DISTANCE ALLOWANCE**

A set amount will be paid to all Ministers annually, whether full or part time. This will be reviewed at least once every three years by Presbytery in consultation with the Ministries Council. This is currently set at 7% of maximum stipend.

### **2.3.3 INSTALLATION GRANT**

On moving to a new appointment Ministers will receive a grant of one month's basic stipend (net of tax and social insurance) to cover the additional costs entailed in setting up home in a new environment.

### **2.3.4 VEHICLE LOANS**

In some cases the Kirk Session either provides a car or makes other arrangements with the Minister regarding transport. Where this is not the case, the Ministries Council may provide a loan of up to £5,000 (or equivalent in local currency) towards the purchase of a vehicle. Application should be made in the first instance to the Finance Manager of the Ministries Council.

### **2.3.5 TAXATION**

As tax laws vary from country to country a Minister is entitled to claim from the congregation the cost of one consultation with a local tax advisor. The consultation should be undertaken at the earliest opportunity to ensure best advice for tax reporting purposes.

### **2.3.6 NATIONAL INSURANCE**

Depending on the country in which the Minister holds office, Ministers may have the option to remain under the UK scheme. In EEA countries this is generally for a period of up to five years. Alternatively, Ministers may decide, or be obliged by local law to join the local social security scheme.

In general terms, the Kirk Session will be responsible for the "employer" national insurance contribution whether the Minister is paying into the UK scheme or the local scheme. The Minister will be responsible for the "employee" contribution.

Ministers who are no longer covered by the UK scheme can opt to make voluntary payments to the UK scheme if they so wish.

### **2.3.7 TRAVEL**

The Minister, together with accompanying spouse and children, is entitled to: [i] air travel from Scotland or other agreed location to the charge; [ii] return fares every two years thereafter; and [iii] air travel from the charge to Scotland or other agreed location on demission of office. For this and for other authorised travel (for children for example), it is expected that any available reduced fares should be used. Local transport to/from an airport may also be claimed.

When a Minister takes up or demits office, the following conditions may apply:

- if travel to (or from) the charge by car with family and luggage is chosen, an allowance for travel will be agreed in advance based on air travel and a mileage allowance.
- if travel is by air and the free baggage allowance is exceeded, the cost of the excess may be claimed up to a maximum of 30 kilos per person travelling
- in addition, removal expenses to cover transport of unaccompanied personal effects may be claimed up to a maximum of 25 cubic metres. No claims for storage costs of furniture and effects can be paid.

### **2.3.8 EDUCATION OF CHILDREN**

Children accompanying their parents are normally expected to attend local state schools unless there is an agreement to fund an alternative arrangement. The Minister shall be entitled to receive reimbursement for the cost of additional expenses for materials, etc., normally provided free of charge in Scotland. The cost of items such as school excursions is not refundable. Claims for education-related expenses can be made only for primary and secondary school education; nursery and tertiary education being specifically excluded. Where children are studying, up to and including tertiary first degree level, in a country outside their parents' country of residence, one return fare from the place of study to the manse will be paid per year. Medical insurance for the duration of the visit will be paid for where necessary.

### **2.3.9 FURLOUGH HOUSING**

The World Mission Council has a limited number of properties for the use of field staff returning to Scotland. When such properties are not in use by World Mission field staff, it may be possible for ministers, spouses and children from charges in the International Presbytery to rent these on a short-term basis at concessionary rates. Arrangements for such rental may be made in the first instance by contacting the Ministries Council at least six months in advance of the proposed trip (or of demission of the charge). No guarantee of provision of accommodation can be made.

### **2.3.10 DEMISSION / TERMINATION OF APPOINTMENT**

Travel and removal expenses may be claimed in line with 2.3.7 above. The distance allowance (see 2.3.2) is intended to cover the cost of resettlement, amongst other things, and therefore no additional resettlement grants are paid. Ministers returning on demitting office (including retirement) are not entitled to any stipend payments beyond the date of demission. Ministers whose tenure has been terminated are entitled to claim up to six months minimum stipend in accordance with the terms of Act VIII 2007, Schedule 5, Section 4. Returning ministers can apply for furlough housing as above (see 2.3.9).

### **2.3.11 PENSION**

Pension arrangements vary according to local circumstances and regulations. In some countries it is *not* possible to join or to remain a member of the Church of Scotland Pension Plan. It is imperative that the Minister contacts the Ministries Council in advance of taking up office in order to clarify arrangements specific to the country in which the Minister will be serving.

### **2.3.12 HOUSING AND LOAN FUND**

The Church of Scotland Housing and Loan Fund for Retired Ministers and Widows and Widowers of Ministers can help retired ministers with housing to rent or with a housing loan. For terms and conditions, and for confidential interviews please apply to the Secretary of the Fund.

### **2.3.13 EXPENSES**

Ministers shall be entitled to reimbursement of expenses wholly and legitimately incurred in the course of carrying out their office. Regulations I, 2015 lays out the expenses for which a minister is entitled to be reimbursed. The Kirk Session is responsible for reimbursing these expenses. In addition to the items listed in Regs I, 2015, the following may be included for Ministers serving within the International Presbytery:

1. Work permit for the Minister and visas required for the Minister, spouse and children.
2. Payment of Manse utilities (e.g. electricity, gas, heating, water, etc.).
3. Insurance of the manse and provided contents. For the avoidance of doubt, the Minister shall be responsible for the insurance of personal effects kept at the manse.
4. Hospitality and representation allowance. Actual expenses incurred in providing hospitality or representing the Church at local events may be reimbursed against receipts (or realistic estimated cost based on numbers of guests), subject to a maximum of 7.5% of stipend. The actual level should be agreed on appointment between the Minister and the Kirk Session, in consultation with the Presbytery.
5. The cost of language training for the minister and spouse, up to a limit agreed in advance with the Kirk Session.

Any variation to these Regulations necessitated by local circumstances should be agreed *in advance* by the Presbytery in consultation with the Ministries Council.

## **2.4 HEALTH**

### **2.4.1 HEALTH INSURANCE AND ILLNESS**

Before taking up a charge, the Minister, spouse and accompanying children will be required to have medical, dental and optical examinations and to undertake any treatment found to be necessary. Such treatment for the prospective Minister and family is at their own expense.

Health care for the Minister, spouse and accompanying children (up to the age of 18 or end of secondary schooling), will be paid for through provision of suitable health insurance cover by the Kirk Session, to be augmented where necessary by payments from the Kirk Session. The standard of care will be generally equivalent to National Health Service coverage.

It is the responsibility of the Minister to familiarise him/herself with the conditions of the insurance policy and to ensure that the conditions of the policy are complied with in relation to him/herself, spouse and children. This responsibility includes, for example, requirements that the insurance company is informed of any illness or accident as soon as possible; that all documentation required is collected and submitted in good time; and that permission is sought before treatment is commenced in situations where this is stipulated.

Any treatment outwith the scope of the policy, which could result in a claim to the Kirk Session being made by the Minister should be notified immediately to the Session Clerk. Where at all possible notification must be given before treatment starts (e.g. in the case of orthodontics). Failure to follow these instructions may result in claims not being met. In some cases repatriation for treatment in the UK may be advisable. Further guidelines may be issued from time to time.

### **2.4.2 NOTIFYING ILLNESS OF MINISTER**

The Minister is required to notify the Presbytery Clerk immediately in the case of serious illness or accident and after 7 days of illness in other cases. Medical certificates should be provided for any illness the duration of which exceeds 7 days.

### **2.4.3 LONG TERM ILLNESS**

In the case of long term illness the provisions of the General Assembly Act XV 2002 (Long Term Illness of Ministers in Charge) shall apply.

### **2.4.4 MANSE COUNSELLING SERVICE**

This is provided through the Ministries Council. There is a 24 hour a day telephone counselling service available free to every member of the manse household, as well as a directory giving details of face to face counselling services in Scotland.

### **2.4.5 ALCOHOL AND DRUG ABUSE**

The appropriate guidelines issued by the Ministries Council will be followed.

### **2.4.6 CHANGE IN MARITAL STATUS**

Any change in marital status should be communicated to the Kirk Session and the Presbytery Clerk.

### **2.4.7 BIRTH OR LEGAL ADOPTION**

These should be notified immediately to the Kirk Session and the Presbytery Clerk so that health insurance and other benefits can be provided. See below for maternity leave for ministers. It is normally expected that any birth should take place in the country of service except where a question of nationality might arise.

### **2.4.8 MATERNITY AND PATERNITY LEAVE PROVISION**

The General Assembly Regulations VIII 2003, (Maternity, Paternity and Adoption Leave and Pay for Ministers), as amended from time to time shall apply insofar as local conditions and legislation may allow.

### **2.4.9 DEATH**

Ministers and their spouses are strongly recommended to make a will, including instructions regarding the disposal of his/her body and those of his/her spouse and children in the event of death overseas. If desired a copy may be deposited with the Presbytery Clerk. Whilst overseas, in the event of the death of a minister, his/her spouse or child, the Presbytery will meet the cost of reasonable funeral expenses in the country of service. If the family concerned wish the deceased's body to be brought back to the United Kingdom, the Presbytery meets the cost, but then does not in this event pay the funeral expenses.

## **SECTION 3 GUIDANCE**

### **3.1 POLITICAL AFFAIRS**

Ministers, who are not citizens of the country in which they are working, are advised not to take public part in politics because of the potentially serious consequences for the Church and its work and for their colleagues. Ministers serving in European Union countries should note that, by agreement among the member states of the European Union, of which the United Kingdom is one, citizens of any member state may exercise many of their rights in any other member state.

### **3.2 DUTIES OF OFFICE**

Except where otherwise stated a Minister in a Charge is expected to carry out the duties of his/her office having regard to Guidelines on a Balance of Ministerial Duties and on Professional Conduct as drawn up by the Ministries Council, based on the 1990 Assembly Council "The Basic Tasks of the Ordained Minister". These have been adapted to take account of the different nature of ministry outside Scotland.

### **3.3 GUIDELINES ON A BALANCE OF MINISTERIAL DUTIES** (as adapted)

1. A minister is ordained to the Ministry of Word and Sacrament.
2. The minister is responsible for the conduct of public worship and the sacraments.
3. The minister is inducted to a specific pastoral charge as pastor to the congregation and the wider local community. The care of the sick, the bereaved and others in a wide range of pastoral need is a prime task of Christian ministry to be undertaken both personally and with others.
4. The minister is responsible for the conduct of both marriages and funerals within the charge and on request from the wider community, and for the pastoral counselling related to this work.
5. The minister is responsible for the supervision of youth work and of educational work for both young and old, including the instruction of new communicants.
6. A minister is expected to take part in wider outreach by identifying and working on local mission opportunities, and working with local partner and other churches.
7. A minister is required in the course of his/her work to undertake administrative functions in relation to congregations and their courts, the Presbytery, the General Assembly and its Committees.
8. A minister is the moderator of the Kirk Session. In most congregations, he/she may also act as chairperson of the financial court of the congregation. In either capacity a minister is required to uphold the decisions of superior courts as they pertain to the inferior court.
9. A minister will have duties to undertake at the specific request of Presbytery, the General Assembly or its Committees in addition to the duties of congregation and local community.

Conclusion To achieve a competent ministry and to pursue excellency in ministry a Minister therefore needs to exercise sound stewardship of time and ability, to have good interpersonal skills, to co-operate with colleagues in the discharge of his/her duties both in the everyday tasks of ministry and to secure adequate cover for leisure and holidays, to have a sound devotional life and to set aside time for both study and training and for adequate leisure and recreation.

### **3.4 GUIDELINES ON PROFESSIONAL CONDUCT**

Standards for Professional Conduct of Ministers within the Presbytery are laid out in the Code of Professional Conduct approved by the General Assembly in 2008. This can be accessed on the Ministries section of the Church of Scotland website. In addition, the Regulations on Remuneration and Reimbursement (Regs I, 2015) cover matters of probity in financial matters relating to payment and the claiming of legitimate expenses incurred in the course of ministry.

### **3.5 PULPIT SUPPLY**

Because of the scattered nature of the International Presbytery it is the responsibility of ministers and congregations to arrange pulpit supply themselves, making use of locally available resources.

In addition to the pulpit supply fee, which shall be based on the current Church of Scotland figure (published annually in the Report of the Ministries Council to the General Assembly), adjusted where necessary for local conditions, travel and accommodation costs can be claimed in line with Church of Scotland regulations.

The cost of pulpit supply for any absence on Presbytery business, over and above attendance at the biannual Presbytery meetings, shall be met by the Presbytery.

### **AMENDMENTS**

The International Presbytery, in consultation with the Ministries Council, has the right to alter the contents of this document as deemed necessary and appropriate from time to time, but undertakes to inform all ministers about such amendments at least one month before any change takes effect.

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