



PERMISSION TO OFFICIATE - PTO

POLICY

All clergy who wish to exercise public ministry other than in senior appointments must be granted either permission to officiate or a licence by the Diocesan Bishop.

Those wishing to hold permission to officiate (PTO) must apply to The Bishops Office. Such permission is normally for five years and will only be granted once diocesan safeguarding training has been attended and other conditions have been met. Those with PTO are free to minister in any parish in the diocese at the invitation of the Incumbent or Priest in Charge, subject to any restrictions in their PTO. Clergy who reside outside the diocese and who have PTO from their Bishop may minister within the diocese without additional PTO on a one-off basis, providing they have the consent of the Bishop of Derby. In all cases, the Bishop will consult the Archdeacon, Area Dean and relevant Incumbent.

For clergy who retire at 70, or take early retirement it is anticipated that PTO will not be granted within the first six months after the retirement date.

Once clergy with PTO reach the age of 80, they can apply for renewal on a twelve-month basis. When PTO is due for renewal, a form is issued from the Bishop's Office and must be countersigned by the relevant Incumbent/Priest-in-Charge (Area Dean if in interregnum) and returned to the Bishop. Please note that the PTO will expire unless a formal letter of extension is obtained following an application to renew.

From the age of 80, the Bishop will be particularly concerned to ensure that PTO extends only to clergy whom the Bishop feels are still capable of exercising ministry effectively.

PROCEDURE

- 1) Clergy with permission to officiate are often, but not always, retired stipendiary clergy. Some may have retired from self-supporting ministry or from other walks of life. Others may not be retired at all. For example, it may be appropriate to grant PTO to someone in good standing who has left parochial ministry in order to take employment outside the church, but who wishes to continue to offer help with occasional offices, or to a person who requires a period of staged return to stipendiary ministry following past difficulties.

- 2) A cleric may hold permission to officiate in more than one diocese but will need to follow each diocesan procedure.
- 3) Permission to officiate is not granted as of right, however senior or experienced the cleric may be.
- 4) Permission to officiate in a diocese may be restricted. Any restrictions will be included in the Bishop's letter giving permission to officiate. For example, an incumbent will not be granted PTO in their former parish or benefice.
- 5) Permission to officiate enables a cleric to officiate with the permission of the minister having the cure of souls in any place (or the Area Dean and Churchwardens in a vacancy) in the diocese in which the permission has been granted. PTO would be required for any of the following.
 - a) casual duties and occasional offices; helping out during a vacancy;
 - b) covering a period of authorised absence (such as sabbatical, maternity leave or sick leave);
 - c) spiritual direction, mentoring or work consultation (e.g. a retired cleric with experience of church schools can be of considerable help to an incumbent coming new to this specialised area);
 - d) conducting retreats or quiet days;
 - e) acting as an outside consultant/teacher/facilitator for parishes (e.g. for PCC away days, stewardship campaigns, Lent groups and house groups);
 - f) participating in missions, staffing CMD and ordination courses, assisting with ministerial review;
 - g) representing the diocese or the Church of England on various bodies or visits (e.g. an overseas diocese linked with the diocese, a charity, or a secular organisation), and drafting papers.
- 6) Legally, permission to officiate is held at the Bishop's discretion and may be withdrawn at any time. It may be granted on condition that required training (for example, a refresher course in safeguarding) is completed.
- 7) The Clergy Discipline Measure applies to all clergy; however, their ministry is authorised, and continues to apply when they are no longer active in their ministry.
- 8) Before permission to officiate is granted, the following steps are recommended as good practice:
 - i) Where a cleric is retiring from ministry, it is desirable that he or she has an exit interview with a member of the Bishop's staff or the Archdeacon.

- ii) The Area Dean and the Incumbent or Priest in Charge of the parish where the cleric is based must meet the cleric to welcome him or her to the deanery and to discuss how the cleric may be able to contribute to its ministry. If the cleric is interested in a diocesan ministry beyond the deanery in which they live, the relevant Archdeacon(s) should be informed and their consent obtained. If the cleric is willing to travel to parishes in neighbouring deaneries, and/or is willing to minister on a regular basis in another deanery, the relevant Area Dean should see the cleric and confirm their approval. A cleric must not minister in retirement in the parish where he or she has been the Incumbent or Priest in Charge.
- iii) The Area Dean or the Incumbent/Priest in Charge should speak to at least two people who know the cleric and their past ministry, to get independent references. If stipend and/or housing is provided for a cleric covering for a period of authorised absence, however, the cleric would need to have a licence for a fixed term appointment under reg 29(1) (a) of the Ecclesiastical Offices (Terms of Service) Regulations 2009 and be issued with a statement of particulars.
- iv) If someone is moving into the Diocese from another Diocese a Clergy Current Status Letter (CCSL) and Episcopal reference will be obtained by the Bishop's Office before permission to officiate is granted.
- v) The personal file should move to the new diocese at the point of the cleric being granted a licence or permission to officiate in that diocese. If the cleric holds a licence or PTO concurrently in more than one diocese, the file should be held in the diocese where the greater part of his or her ministry is exercised.
- vi) Whether the move is from another Diocese, or a change of role in the Diocese of Derby, the appropriate person in the diocese should ask the cleric to complete a Confidential Declaration and then should in all cases conduct the appropriate criminal records check with the Disclosure and Barring Service (DBS) with reference to working with children and/or vulnerable adults. If remaining within the diocese, then no new DBS certificate will be required until the next renewal if it was issued within two years of the cleric's retirement date. If an application is being made by a member of the clergy from outside the diocese an appropriate DBS record check must be undertaken before PTO is granted.
- vii) Where a charge for a DBS check is required, the Diocesan Board of Finance will meet the relevant costs.

- 9) If a cleric's ministry is centred on one benefice, and he or she is regarded as an integral part of the ministry team, a licence as an SSM may be the best way forward of authorising their ministry. Where someone with a PTO offers to help out regularly in a particular parish but not to the extent that would justify their being given a licence, it may be helpful for the incumbent and the priest to clarify (perhaps in an exchange of letters) expectations as to the extent and nature of that assistance. If it is felt that something more formal than that is required, this suggests that a licence (with a role description) would be more appropriate. Fees relating to SSM's and PTO's are different and clarity regarding the policy for claiming fees should be checked on an annual basis with the Incumbent or the Diocesan Board of Finance. In Appendix 1 you will see the differences between holding a licence and having PTO.
- 10) Clergy with permission to officiate, even if their duties are light and irregular, should have a regular discussion, say every two or three years up to the age of 80 with the incumbent about their ministry and the arrangements for it. After the age of 80 PTO should be reviewed each year with an annual renewal application made to the Bishop for his permission to continue to minister with a PTO licence. Sometimes, it might be appropriate to find a mutually agreed way to vary or reduce their workload or to discuss a transition to full retirement, for example if the cleric is in poor health. It may also be appropriate to explore whether they have any particular training needs.
- 11) When there is a change of incumbent or priest in charge in a parish, the new member of clergy should have a conversation with those who hold PTO, and this should be undertaken with sensitivity. Often the cleric with PTO will have worked hard in the parish during the vacancy, and the new incumbent/priest in charge and Area Dean should acknowledge this. However, it is important to remember that those with permission to officiate may only do so at the invitation of the Incumbent or Priest in Charge.
- 12) When PTO has been granted by the Bishop, the holder should be sworn in by the Bishop or Archdeacon. It is not expected that this will be undertaken on an individual basis, but in groups every 3 to 6 months. If a PTO holder has not been sworn in within six months, the PTO will be deemed to have lapsed, and a new application for PTO will be required.
- 13) Clergy with permission to officiate will not have a statement of particulars or a licence. The Archbishops' Council Guidance on parochial fees, reissued in February 2014, strongly recommends that bishops should issue clergy with permission to officiate with an information sheet along with their permission to officiate. The guidance suggests that it could cover:
 - a) The House of Bishops' guidance on Personal Files relating to Clergy (April 2013) paras 74 and 76;

- b) The relevant section of Protecting All God's Children which sets out the House of Bishops' policy in this area;
- c) Whether payment for pastoral services may be claimed;
- d) The processes for claiming such remuneration and the importance of HMRC declaration;
- e) The requirement to liaise with the incumbent or priest in charge of the benefice in question when exercising a ministry;
- f) Access to CMD relevant to the ministry being exercised;
- g) Arrangements for review/renewal of PTO, relationships with Area Dean and other matters as a diocese may think useful.

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The main differences between clergy on licences and clergy with permission to officiate are outlined below:

	Licence	PTO
Rights and responsibilities	Rights and responsibilities are conferred by the Ecclesiastical Offices (Terms of Service) Measure and Regulations, unless the cleric carries out his or her duties entirely under a contract of employment, in which case the Regulations do not apply.	No rights and responsibilities under the Terms of Service legislation.
Ministerial Development Review (MDR)	The bishop is required to have in place a scheme that arranges for the bishop (or someone nominated by him) to carry out ministerial review at least once every two years on all licensed ministers (unless their ministry is carried out entirely under a contract of employment).	There is no legal requirement for MDR, although this does not prevent the cleric participating in MDR if this is required by the bishop.
Continuing Ministerial Development (CMD)	There is a legal requirement to participate in arrangements approved by the diocesan bishop.	There is no specific legal requirement, but failure to participate in CMD on matters such as safeguarding when required by the bishop can be a disciplinary offence and could lead to the bishop withdrawing permission to officiate.
Documentation	Licence Statement of Particulars.	<ul style="list-style-type: none"> • A letter from the bishop giving permission to officiate

		<ul style="list-style-type: none"> • An information sheet stating • Whether payment may be claimed for pastoral services; • The processes for claiming such remuneration and the importance of HMRC declaration; • the requirement to liaise with the incumbent or priest-in-charge of the benefice in question where occasional; offices are concerned • Arrangements for review/renewal of PTO, relationships with area dean; • and other matters as the diocese may think useful.
Specified time off/hours of work	As set out in the statement of particulars, which may refer to the role description	Not Specified
Role description	Not legally required but good practice	If a role description is required, it may be more appropriate for a licence to be issued.
Entitlement to Housing	Yes – unless stated otherwise in the Statement of Particulars	No entitlement to housing. If housing is provided, permission to officiate is not sufficient, and a licence should be issued.
Does the Clergy Discipline Measure apply	Yes	Yes
Membership of PCC and Deanery Synod	Membership of PCC and deanery synod is ex officio.	Clergy with PTO may be co-opted onto the PCC or

		<p>deanery synod. In the absence of an incumbent or during a vacancy, the bishop may authorise a cleric with PTO to act as chair of the PCC, if the PCC (and incumbent if there is one) applies to the bishop. Clergy with PTO have the statutory right to elect one of their number (for every ten or less in a deanery) onto the House of Clergy of the deanery synod. Where a cleric with PTO has been elected to the deanery synod, it is appropriate for them to be co-opted onto the PCC.</p>
Sickness reporting	<p>Licensed clergy (whether stipendiary or SSM) are legally required to supply the bishop's designated officer with a medical certificate for sickness absence of more than 7 days and to use all endeavours to make arrangements for the duties of the office to be performed by another person.</p>	<p>There is no legal requirement to report sickness, although clergy with PTO should keep their incumbent and/or area dean informed.</p>
Circumstances in which the licence or permission to officiate may come to an end	<ul style="list-style-type: none"> • Resignation with three months' notice • Retirement • Pastoral reorganisation which results in loss of office 	<p>On the decision of the bishop. There is no legal requirement to provide notice to terminate a PTO and no appeal process</p>

	<ul style="list-style-type: none"> • Following capability or disciplinary proceedings • On reaching 70 • When the licence comes to an end and is not renewed. Where the licence is for a fixed or limited term, this must be stated in the SOP. (Clergy over 70 may only be licensed for a fixed or limited term, which may be extended or renewed.) <p>Providing they started in post before the age of 70.</p>	
Capability procedure	In cases where the cleric is not performing to an acceptable standard, it is possible to invoke the formal capability procedure, which may lead to removal from office if the cleric fails to improve	Not applicable; PTO would simply be revoked.