



# Anglican Church of Australia

## Anglican Long Service Leave Fund

### Buyback Policy

The General Synod of the Anglican Church of Australia established the Long Service Leave Canon to assist Dioceses and Participating Organisations in managing the leave entitlements of Anglican Clergy (participants).

Dioceses and Participating Organisations are responsible for providing the participants' leave entitlements and leave applications to The Anglican Long Service Leave Fund (the Fund) via the Long Service Leave Portal (the Portal). Sometimes, due to an oversight or other reason, a participant's service is excluded from the Fund or missed by their organisation. To address unfair omissions, a "buyback" of service was introduced.

This document provides guidance on how the Fund receives and manages Buyback requests from Dioceses and Participating Organisations.

### Eligibility for Buyback

1. For an individual to be eligible to request a Buyback, the individual must:

- a. Be a current **Participant** of the Long Service Leave Fund, as per the Long Service Leave Portal;
- b. Have either:
  - i. held a licensed pastoral ministry role or
  - ii. be able to provide documentation from a Bishop confirming that they were authorised to undertake pastoral ministryfor the entire duration of the buyback period;
- c. Be able to provide their organisation with documentary evidence that they meet the requirements of condition b;
- d. Be an active participant of the Fund (e.g. currently have an organisation making quarterly contributions on their behalf)
- e. Have been engaged in the buyback period in stipendiary ministry either:
  - i. full-time and/or
  - ii. part-time after 1 January 2015
- f. Submit their application via their Participating Organisation and not directly to the Fund
- g. Not have been granted another buyback from this Participating Organisation.
- h. A Buyback application not conforming to the above will only be considered if exceptional circumstances exist to support an application. In such circumstances, acceptance of such applications in full or in part will be solely at the Board's discretion.

2. The **Organisation** requesting the buyback on behalf of the Participant must be an authorised

Participating Organisation of The Fund.

*The Canon defines a Participating Organisation as an organisation:*

- a. which was a participating organisation for the purposes of the Initial Canon or the Former Canon; and*
  - b. admitted under Part V of this Schedule to be a participating organisation.*
  - c. which engages one or more members of the clergy and agrees to the terms and conditions of participation in the scheme of this Schedule, upon application to and approval by the Board, becomes a participating organisation.*
3. When making an application for the Board to consider a “buyback” the Organisation requesting the buyback must:
- a provide the reason why the clergy, lay minister, chaplain, lay chaplain, theological lecturer or lay theological lecturer’s service was not previously included in the Fund
  - b. state the role the person carried out during the requested “buyback” period and
  - c. confirm if the person has either taken Long Service Leave or received a Long Service Leave payment in the past.

### **Buyback Approvals**

4. A request for a “buyback” is not to exceed a 10-year period.
5. Buyback requests for 0 to 5 years of eligible past service may be handled by the General Synod Office (GSO) staff and do not need Board approval, subject to them satisfying the conditions of this policy.
6. Buybacks in excess of 5 years of eligible past service must be provided to the Board for consideration.
7. Only one buyback will be allowed for each participant per Diocese/Participating Organisation, except for exceptional circumstances as approved by the Board.
8. All Buyback requests are subject to the Board's discretion.

### **Buyback Calculations**

9. The cost to purchase a buyback is determined by the use of the Buyback Calculator. The Buyback Calculator is generated by the Fund’s Actuary each January.
  - a. For buybacks up to 5 years of service, the buyback contribution is calculated as the value of the missed contributions, discounted for accumulated investment earnings.
  - b. For buybacks of 10 years’ service, the buyback contribution is the value of the long service leave benefit (including Sabbatical allowance) if taken on the day that the buyback is processed.
  - c. For buybacks from 5 to 10 years of service, the buyback contribution is prorated between a) and b), based on the period of service being bought back.
  - d. For buybacks for a participant who has previously been granted a buyback from the same participating organisation, the buyback contribution will consider the cumulative impact of all previous buybacks.
10. The buyback calculator includes discounted values and a buyback quote expiry date. It is agreed that the buyback quote will **expire 90 days** from the date it is provided to the Participating

Organisation, with the understanding that the Fund reserves the right to adjust or withdraw this quote should circumstances dictate.

11. Once the Buyback calculator generates a quote, it is provided to the Diocese or Participating Organisation for approval by the Parish or Participating Organisation responsible for the participant's long service leave contributions. If accepted, GSO staff will invoice the buyback in the Portal.

## **Complaints**

12. If a participant has a concern or wishes to make a complaint about a Buyback, they must direct their complaint to their Diocese or Participating Organisation.
13. If a Participating Organisation has a concern or wishes to make a complaint about a Buyback, they should first consider liaising with the Long Service Leave Administrator. The Long Service Leave Administrator can be contacted at 02 8267 2710 or [longserviceleave@anglican.org.au](mailto:longserviceleave@anglican.org.au)