



The United Reformed Church

86 Tavistock Place, London WC1H 9RT, United Kingdom
General Secretary: The Revd John Proctor

To: Members of Mission Council,
staff in attendance and observers

February 2016

Dear Colleagues,

Mission Council
Wednesday to Friday 9 – 11 March 2016
The Hayes Conference Centre, Swanwick, Derbyshire

I look forward warmly to seeing you at Mission Council, and write now to mention several practical matters as we prepare for the meeting.

1. There will be an introduction session at 12 noon on the first day for new Mission Council members, to outline processes and procedures, introduce the Assembly officers, and explain some items of business. Old timers who would like to attend are welcome too. A full version of our rules for procedure is in the 'Standing Orders' (which are also used at General Assembly), and these can be found on the URC website at: <http://bit.ly/1Xd7UCp>

2. In recent Mission Council meetings we have taken certain business *En Bloc*. Feedback has been very positive. The fact that an item is listed as *En Bloc* does not mean it is less important than timetabled items. Rather, the *En Bloc* list contains those items where the Moderators think that decisions might be reached responsibly without further discussion. You will see that the agenda includes a slot when these items will be voted on.

I suggest you read the *En Bloc* papers first. This will give you time to contact the author of a paper if you have questions. Authors' names and email addresses are noted on the cover sheets. If you think any of these papers need discussion at Mission Council, particularly if you disagree with a proposed course of action, you may ask that a piece of business be removed from *En Bloc*. A sign-up sheet will be available at the meeting, where you can list the paper you wish withdrawn. If an item gets three signatures by close of business on the first day, it will be withdrawn from *En Bloc* and added to our agenda, with time allotted for discussion.

I need to remind you too that we really rely on every Mission Council member to read all the papers and take note of information which should be relayed back to their synods. In using the *En Bloc* method of decision-making there is no wish to bury information or to avoid discussions which Mission Council ought to have. We must all ensure the appropriate flow of information from Mission Council to the synods.

3. You should already have a number of papers from the first mailing: a cover letter, an expenses form, directions to The Hayes, a list of members, and (for new members) 'What we are about in Mission Council.' If you are missing any of these, please contact Krystyna Pullen, 020 7916 8646, krystyna.pullen@urc.org.uk

4. Observers and URC staff who are not members of Mission Council should not participate in decision-making. Staff members are welcome to speak but, like observers, they should not use orange and blue cards.

5. I remind you that we are not expected to post on social media sites during business sessions. This restriction is only in place when Council is in session; those attending are free to join in online debates during breaks and after the close of business. As ever, everything written and shared on these sites is the responsibility of the author and subject to the same defamation laws as any other written communication.

6. All bedrooms are en-suite. To comply with the venue's health and safety regulations, please do not bring food from outside into the Centre, nor take food from the dining room to your room.
7. Below are the papers enclosed in this mailing listed according to the ways we mean to address them:

Category A: En Bloc

A1	Assembly Arrangements
C1 and C2	<i>Reform</i> : subscriptions and finances
D1	Westminster College
G1	Finance: unaudited out-turn from 2015
I1	JPIT and the Church of Scotland
I2	World Council of Churches
J1 and J2	Nominations
M2	Standing orders and rules of procedure
M4	Census
M6	URC-Methodist Reciprocal Arrangement
O1	Human Resources Advisory Group
P1	Appeals in the URC
P2	Report of the Law and Polity Advisory Group (with annexes P2a and P2b)
T1	Ministerial Incapacity and Discipline

Category B: Majority Voting

M5	Resolution 19 of the 2014 General Assembly
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Category C: Consensus decision making

M1	Missional Discipleship
R1	Safeguarding Past Case Review

For information or advice rather than immediate decision

F1	Authorised elders
I3	Greenbelt
M3	The future of General Assembly

8. A small number of papers, which have to be prepared late, will be made available to you at Swanwick.


C2	<i>Reform</i> : supplementing C1 with the most up-to-date subscription figures
J2	Nominations: a supplement to J1, with further nominations
and possibly	
L1	Update on refurbishment plans for Church House

9. Please note that Paper M4 includes some material that we are not expected to make publicly known until the very end of February.

As always, please come to share, listen, reflect and discern together, and to support each other in fellowship outside the formal timetable. Let us treat one another with grace as together we seek the guidance of God.

With best wishes,

Yours sincerely,



The Revd John Proctor
General Secretary

Mission Council

The Hayes

9 to 11 March 2016





www.urc.org.uk

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on behalf of Mission Council.

Groups – March 2016

The first named person in each Group is asked to act as group Leader and the second named person in each group as Reporter

<p>A</p>	<p>ANDY BRAUNSTON <i>Leader</i> HELEN MEE <i>Reporter</i> Gwen Collins David Grosch-Miller Barbara Jones Tim Meadows Lis Mullen Bill Potter Paul Robinson Steve Summers Soo Webster</p>	<p>B</p>	<p>DAVID THOMPSON <i>Leader</i> FRANK LIDDELL <i>Reporter</i> Craig Bowman John Ellis Joan Grindrod-Helmn Helen Lidgett Rosie Martin Margaret Marshall Andrew Middleton David Pickering Mark Robinson</p>
<p>C</p>	<p>DICK GRAY GRAHAM HOSLETT Francis Brienen Angela Gemmer-Snell Michael Jagessar Peter Knowles Morag McLintock Peter Meek Grace Pengelly Chris Reed Edward Sanniez Nigel Uden</p>	<p>D</p>	<p>KEVIN WATSON GETHIN RHYS Ruth Dixon Steve Faber Wilma Frew Andrew Grimwade Carla Grosch-Miller Michael Hopkins Carol Rogers David Tatem Elizabeth Welch</p>
<p>E</p>	<p>SIMON WALKLING JENNY MILLS Geoffrey Felton Rita Griffiths Dan Morrell Philip Nevard Kim Plumpton Vic Russell Fiona Thomas Michael Walsh Alan Yates</p>	<p>F</p>	<p>JACKY EMBREY GEORGE FARIS Susan Brown Michael Harvey Kier Hounsome Trevor Jamison Tracey Lewis Sarah Moore Andrew Prasad John Proctor Irene Wren</p>
<p>G</p>	<p>RUTH WHITEHEAD NICOLA FURLEY-SMITH Jane Baird James Breslin Adrian Bulley Joan Colwell Mike Gould John Humphreys Sandy Nunn Jenny Poulter Roger Walton</p>	<p>H</p>	<p>CLARE DOWNING BOB JONES Mel Campbell Richard Church Elizabeth Clark Derrick Dzandu-Hedidor David Greatorex Gwen Jennings Andrew Mills Lawrence Moore Myra Rose Paul Whittle</p>

Mission Council Agenda

9-11 March 2016

08/02/2016

Wednesday 9 March		
12:00 – 12:45	Introduction session for new MC members (Derwent Room, Alan Booth Centre)	
12:00 – 12:45	Registration in the Main House reception area	
1:00	Lunch	
Session One in Butterley Hall		
2:00 – 3:30	Opening Worship with Communion	
3:30	Tea Break Room keys available	
Session Two		
4:15 – 6:15	Introductions and administration Minutes from November 2015 Matters arising Call for nominations for two vacancies on Mission Council Advisory Group Missional Discipleship: Paper M1 URC involvement in Greenbelt: Paper I3 Thinking about Migration (Michael Jagessar; no paper circulated in advance)	M1 I3
6:45 – 8:00	Dinner	
Session Three		
8:00 – 9:15	The future of General Assembly: Paper M3 (working in groups) Closing Devotions	M3
Thursday 10 March		
8:30	Breakfast	
Session Four		
9:15 – 10:45	Devotions Authorised Elders: Paper F1	F1
10:45	Coffee	

Session Five 11:15	Safeguarding Past Case Review: R1 Update on development plans for Church House: the URC Trust (no advance paper available)	R1
1:00 – 2:00	Lunch	
Session Six 2:00 – 4:00	Free time or remaindered business	
Session Seven 4:30 – 6:30	Resolution 19 from the 2014 Assembly: Paper M5 Items removed from En Bloc En Bloc Business Remaindered Business	M5 En Bloc
6:45 – 8:00	Dinner	
Session Eight 8:00 – 9:00	Question Time with the Assembly Moderators: John Ellis and David Grosch-Miller Closing Devotions	
Friday 11 March		
8:30	Breakfast	
Session Nine 9:30 – 11:00	Opening Prayer Elections for vacant places on MCAG Remaindered business Report on group work re future of General Assembly	
11:00 – 11:30	Coffee	
Session Ten 11:30 – 12:45	Farewells and thanks Closing worship	
1:00	Lunch and departures	
1:45 – 3:00 (max)	Meeting of committee conveners (Derwent Room, Alan Booth Centre)	

Paper A1

Assembly arrangements committee
Update report

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper A1

Assembly arrangements committee

Update report

Basic Information

Contact name and email address	The Revd James Breslin breslin@newcastleurc.freeseve.co.uk
Action required	Decision
Draft resolution(s)	In receiving the report of the committee, Mission Council accepts the plans it has made for the 2016 General Assembly

Summary of Content

Subject and aim(s)	Proposals about the running of Assembly in 2016 and the location and date of Assembly in 2018
Main points	See report
Previous relevant documents	Report and minutes from Mission Council, November 2015
Consultation has taken place with...	The synods

Summary of Impact

Financial	See paras 1 and 2 below re costs for Southport in 2016. In regard to para 3, meeting at Nottingham in 2018 should be less costly, overall, than Southport
External (e.g. ecumenical)	None at the moment.

Report of the Assembly arrangements committee

1. Following the debate on meals at the last Mission Council, enquiries as to the possibility of an evening meal being made available in the Conference Centre in Southport were made. It is possible to provide a basic hot meal in the centre, this to be eaten at tables in the main hall. The cost of providing an evening meal on every evening Assembly meets would be £10,500. This cannot be fully met from within the Assembly budget. The committee has heard the wish of Mission Council to make some provision and will be able to provide an evening meal on the Saturday of the Assembly. However, members of the Assembly will be responsible for their own evening meals on the Friday and Sunday.
2. Following the request to synods that they accept responsibility for the travel and additional accommodation costs of their members, a large majority of the synods have responded and most of these responses have been positive.
3. The committee has made a provisional booking for the Assembly to meet in the Albert Hall, Nottingham, from 6 to 9 July 2018 and will move accordingly in Assembly.

A1

United Reformed Church • Mission Council, March 2016

Paper C1

Communications and editorial committee
Update on *Reform* subscriptions
and marketing

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper C1

Communications and editorial committee

Update on *Reform* subscriptions and marketing

Basic Information

Contact name and email address	Peter Knowles peter.knowles@bbc.co.uk
Action required	For information
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	Interim report on progress made in the three-year campaign to increase sales of <i>Reform</i> and improve its finances.
Main points	Marketing work undertaken and planned by the communications department; sales figures
Previous relevant documents	Paper C3 at the November 2014 Mission Council
Consultation has taken place with...	The communications and editorial committee and the finance department

Summary of Impact

Financial	The denomination's investment in <i>Reform</i> , of up to £90,000 a year, as agreed by Mission Council in November 2014, continues until November 2017; it is already in the budget
External (e.g. ecumenical)	None.

Update on *Reform* subscriptions and marketing

1. Introduction

- 1.1 Mission Council discussed *Reform* in November 2014. Noting the communications and editorial committee's focus on increasing subscriptions and developing *Reform*'s role in the Church, Mission Council agreed 'to support *Reform* by continuing with the current annual subsidy – not to exceed £90,000 in any one budget year – for the next three budget years'. It asked the communications and editorial committee 'to present up-to-date subscription numbers to Mission Council in March 2016'.
- 1.2 This paper is an interim report on the work being carried out to meet those objectives. Paper C2, containing up-to-date sales figures for *Reform*, will be tabled at Mission Council, because sales figures provided during *Reform*'s December/January renewal season are unreliable.

2. Marketing *Reform*

When the communications and editorial committee reported to Mission Council in November 2014, the marketing of *Reform* had recently become a much larger part of the work of the communications department than it had been before. It has continued to be a high priority, drawing on the resources of the whole department, and with regular marketing meetings in which the Revd Lucy Berry acted as our marketing consultant. Since November 2014 the following new initiatives have been undertaken to promote *Reform*:

2.1 Reviving the distributor system

- 2.1.1 In 2008, *Reform* moved from a system where local church distributors were the main way of circulating the magazine, to a system which encouraged individual subscriptions (though 347 distributors remain, as of January 2016). Many churches have told us, however, that fewer members are buying the magazine there now than when there was a distributor promoting it; and so the department is focussing its efforts on reviving and actively promoting the distributor system.
- 2.1.2 A new distributor pack, including a handbook, promotional materials and special offers, was created in 2015, and sent to existing distributors in January 2016, to encourage them in their work and assist them in promoting *Reform* to new subscribers. (Copies of the pack will be available from the media desk at Mission Council, for any members of Mission Council who are interested in this initiative and might like to take the pack back to their home church or other churches.)
- 1.3 Churches without *Reform* distributors were contacted in February 2016, encouraged to set up new distribution groups and offered help in doing so.

2.2 Restricting the number of free copies

During discussion at Mission Council 2014, concern was expressed about the number of free copies of *Reform* that were in circulation, reducing people's incentive to pay for a subscription. Since then, the number of free subscriptions has been

reduced from 1,271 to 433. (Before 2014, there had been more than 3,000 free copies in circulation.) The remaining 433 free subscriptions go largely to synod training officers.

2.3 Digital edition

- 2.3.1 The digital edition of *Reform*, which can be read on tablets, smartphones and computers, was launched in April 2015. The communications department has actively promoted it through the URC website, social media channels, *News Update (NU)* and the *Reform* website. Promotional leaflets were distributed at Mission Council, General Assembly, the Churches Together in England Forum event and the URC publications office.
- 2.3.2 Special offers have been introduced for students, RE teachers and readers of *NU*. The offers have been promoted through United Reformed Youth, the Student Christian Movement, the National Association of Teachers of Religious Education and *NU*. In 2015, 22 of these special offers were taken up, increasing subscriptions to digital *Reform* by 16%.
- 2.3.3 Annual subscriptions cost £18 for digital only and £31 for print plus digital, compared to £25 for a print-only subscription. Digital is also available on a three-month subscription for £6. The digital edition contains bonus media including video and image galleries, and gives subscribers access to back issues dating back to February 2014. (For current subscription figures, see paper C2, to be tabled at Mission Council.)
- 2.3.4 Free access to digital *Reform* will be available during Mission Council to all delegates.

2.4 Small group study materials

To make *Reform* more useful as a church resource, the team now publishes small group discussion questions online, to accompany each of the regular Bible studies in the magazine. These have been promoted in *Reform*, in *NU*, on social media and through the guide for distributors handbook. Although the *Reform* website is not able to measure exactly how many times these discussion questions have been downloaded, the download page was visited 1,121 times in the second half of 2015.

2.5 Advertising

In order to promote *Reform* to new readers within a tight marketing budget, free advertisements were arranged, as favours from friends or as contra deals (i.e. a free advertisement in our publication in exchange for a free advertisement in theirs). In *GEAR* carried advertising inserts for *Reform* in February 2015, accompanied by an article by the editor of *Reform*. The current issue of *Movement*, the magazine of the Student Christian Movement, has a prominent full page advertisement for *Reform*. The Free To Believe website also carries an advertisement for *Reform*.

2.6 Mail shot

In January 2015, letters were sent to 300 former *Reform* subscribers whose subscriptions lapsed between 2008 and 2012, encouraging them to take a new look at the magazine and resubscribe. Eleven responded directly and resubscribed.

2.7 Visiting churches

The editor of *Reform*, Stephen Tomkins, has been visiting local churches and synods to help build relationships, either by preaching and leading services or by speaking about *Reform* and its vision to resource churches for mission. He visited five churches and one synod event in 2015, and so far has six church visits and one synod event booked for 2016. These visits have raised awareness of *Reform* and the

contribution it can make to church life, and will be of use in building up the distributor network.

3. Subscriptions management

- 3.1 *Reform* moved to a new subscriptions management company in April 2015. This decision was made for two reasons: the previous company had been providing unsatisfactory service to subscribers, and they had given notice of a sharp rise in their rates. After a detailed analysis of the options, *Reform* moved its account to Esco, having concluded that they would provide exceptionally high quality service to subscribers, at competitive rates, and would offer invaluable help in marketing *Reform*. This hope has been amply justified in the past year's experience.
- 3.2 Moving a magazine subscriptions account is an expensive business. Consequently, as the table below shows, *Reform*'s total subscriptions management costs for 2015, including the costs of moving the account, were £18,834, exceeding the budget of £10,000.
- 3.3 The table also shows that from 2016 *Reform*'s subscriptions management costs are projected to show a marked decrease. (The projection is based on 2015 costs). These costs are still projected to be £2,000 over budget however, so savings need to be made in other areas of *Reform*'s budget to compensate. One opportunity for savings is that Esco's services for *Reform* cover work that used to be done by *Reform*'s distribution company, costing more than £1,000, so we hope to see an equivalent reduction in distribution costs.

Annual subscription management costs (2015-2016):

	Previous company	Esco
2015	£14,200 (projected)	£18,834 (actual)
2016	£14,200 (projected)	£12,000 (projected)

4. Editorial board

- 4.1 *Reform*'s editorial board stopped meeting in 2010, but was revived in 2015 and now meets twice a year with the staff of *Reform* and the Head of Communications. It has five other members, representing a wide range of skills, experience and theological perspectives from across the denomination. Its role is to give feedback on the content of the magazine, including what is proving beneficial to churches, and to suggest new content.
- 4.2 One result of the board's feedback has been to make editorial staff more aware of the need for *Reform* to be of more practical use in local churches. This has led to articles such as 'How to be a dementia-friendly church' and 'A site for sore eyes' (offering tips for church websites). Practical features planned for 2016 include how to set up a foodbank and how to be autism-friendly.
- 4.3 A second result has been an awareness of the need for some more easy-going content. This led to the '20 questions' feature which was launched in February 2016.

5. Sales of *Reform*

- 5.1 The number of subscribers to *Reform* averaged 3,973 throughout 2015, compared to 4,091 throughout 2014, a decrease of 118. We are disappointed not yet to be able to announce growth.
- 5.2 However, these figures represent a distinct change in a history of long, steep decline in the sales of *Reform*. Between 2008 and 2013, the number of subscribers fell from 8,112 to 4,585, a decrease of 705 a year. Between 2013 and 2014, it fell by 494. The considerably smaller decrease in 2014 suggests that we may be seeing the long decline in sales of *Reform* bottoming out, and we hope to see that turn into growth. The committee believes that this halt in the decline of sales is a result of both the improvement in the quality of the magazine and the intensive marketing work done by the communications department, so as this work continues throughout 2016 we hope to see an increase in subscribers.
- 5.3 Up-to-date sales figures for *Reform* will be included in paper C2, to be tabled at Mission Council.

Paper D1

Governors of Westminster College, Cambridge

Appointment of Tutor in
Old Testament Language,
Literature and Theology

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper D1

Governors of Westminster College, Cambridge

Appointment of Tutor in Old Testament Language, Literature and Theology

Basic Information

Contact name and email address	The Revd Neil Thorogood nrt26@cam.ac.uk
Action required	To note the appointment of a new tutor at Westminster College
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	Informing Mission Council that due process has been completed
Main points	A successful process of advertising, shortlisting and interview has resulted in an appointment to the post that will become vacant upon the retirement in summer, 2016, of the Revd Dr Janet Tollington
Previous relevant documents	Governance of Westminster College, General Assembly Record, 1996, Appendix 1, College Appointments Committee, 2.2.4.2, page 14.
Consultation has taken place with...	All relevant parties: Education and Learning Committee; URC Human Resources; Cambridge Theological Federation; University of Cambridge Divinity Faculty; Westminster staff and students

Summary of Impact

Financial	Salary as agreed for a lay post-holder
External (e.g. ecumenical)	This post will operate, as for the current post-holder, in the fully ecumenical setting of teaching and learning within the Cambridge Theological Federation and more widely.

Appointment process

1. After more than 20 years in post as Tutor in Old Testament at Westminster College, the Revd Dr Janet Tollington is due to retire in the summer of 2016. Whilst we will do much to mark that moment the governors moved to fill the vacancy as soon as possible, eager to avoid a gap in provision of core biblical teaching at Westminster. An appointment committee, chaired by the Revd Nigel Uden, convenor of Westminster's Board of Governors, was established. This included representatives of the college teaching staff (the Principal), a representative of Westminster's students, a representative of the biblical teachers of the Cambridge Theological Federation, a representative of the Divinity Faculty of the University of Cambridge, the Deputy General Secretary (Administration and Resources) and the Secretary for Education and Learning.
2. The post was advertised widely during October 2015, and a total of 29 applications were received. Long-listing and short-listing created invitations to three candidates to attend Westminster in early December. All three candidates had opportunities to see round the college, meet key administrative staff, talk informally with students and have a meal with other members of the college teaching staff. Each candidate presented teaching material to the entire appointment committee and a number of students, and participated in two interviews with two sets of four members of the appointments committee. The entire committee then met to discuss the outcome.
3. A unanimous decision was taken to appoint Dr Alison Gray, currently on the teaching staff of Westcott House, one of the Anglican training institutions within the Cambridge Theological Federation. Dr Gray brings a background in the United Reformed Church, a very strong academic portfolio, rich experience of ministerial formation and tutorial work, and a passion for sharing the Old Testament with diverse groups beyond the academy. Westminster is delighted that Dr Gray has accepted this appointment.

Paper F1

Faith and order committee
Authorised elders

United Church 2016
Church 2016
Reformed Church 2016
Church 2016

Paper F1



Faith and order committee

Authorised elders

Basic Information

Contact name and email address	The Revd Elizabeth Welch minister@theroundchapel.org.uk
Action required	Information and advice The committee expects to take this paper to General Assembly in 2016, and is keen to learn whether the concerns noted at Mission Council last autumn have now been helpfully addressed
Draft resolution(s)	<p><i>There are no resolutions for Mission Council. The resolutions that follow have been drafted with Assembly in mind.</i></p> <ol style="list-style-type: none"> 1. that the existing guidance on Presidency at the Sacraments (<i>The Manual</i>, Section F) be amended to read: <p>The pattern of presidency at the sacraments should be as follows –</p> <ol style="list-style-type: none"> a) a Minister of Word and Sacraments (including a retired minister who has expressed willingness to do so) should normally preside; b) when such a minister does not preside, the synod should make provision for presidency by another person, in accordance with the provisions of §25 of the <i>Basis of Union</i>: elders of the local congregation and accredited lay preachers regularly conducting worship in the congregation should be considered first; c) authorisation for such presidency by the synod, normally of members from within the congregation concerned, should be for an initial period of three to five years (according to synod judgement), including a probationary year on first appointment, with the possibility of renewal. Before renewal there should be consultation by the synod with the congregation, and a review of its needs. 2. that synods are recommended to provide regular support and guidance for each church without an authorised elder within its membership; and also for authorised elders, for example by holding an annual meeting where experiences can be shared. 3. that the ministries committee be invited to develop a specific code of conduct for authorised elders and lay preachers; and that those concerned agree to be bound by it before embarking on their ministry. 4. that a list of those authorised elders and lay preachers whose service has proved unsatisfactory be maintained by

	<p>the General Secretariat, to avoid the possibility of any individual exercising this ministry unhelpfully in one place and then moving elsewhere to try again.</p> <p>5. that the education and learning committee be invited to prepare an Assembly syllabus for the preparation of authorised elders and lay preachers, drawing on existing synod resources.</p> <p>6. that further attention be given by the ministries and education and learning committees to the possibility of expanding the concept of non-stipendiary ministry to include once more the original pattern of team non-stipendiary ministry.</p>
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Summary of Content

Subject and aim(s)	To respond to resolution 13 of Assembly 2014 asking for work to be done on the possibility of authorising 'celebrant elders' to preside at the sacraments.
Main points	<ol style="list-style-type: none"> 1. Revision of the Guidance on Presidency (<i>The Manual</i>, Section F) 2. Extension of the normal period of authorisation 3. Synods to organise regular support and guidance for each church without an authorised elder, and to hold regular meetings for all authorised elders 4. Ministries committee to prepare a code of conduct for authorised elders, which they would sign before embarking on their ministry 5. General Secretariat to maintain a list of authorised elders whose service has proved unsatisfactory 6. Education and learning committee to be invited to prepare an Assembly syllabus for the preparation of authorised elders, drawing on synod resources 7. Ministries and education and learning committees to be invited to give further attention to the possibility of restoring the original pattern of team non-stipendiary ministry
Previous relevant documents	General Assembly 2012, Resolution 35, <i>The Record</i> p41 General Assembly 2014, Resolution 13, <i>The Record</i> p6
Consultation has taken place with...	Synod moderators September 2015 Secretaries for Ministries and Education and Learning Ministries committee group on non-stipendiary ministry

Summary of Impact

Financial	No significant financial implication
External (e.g. ecumenical)	No change in position regarding sister churches.

Authorised elders

1.1 The General Assembly of 2014 asked the faith and order committee to set up a task group to explore the possibility of authorising ‘celebrant elders’ to preside at the sacraments, because Ministers of Word and Sacraments are increasingly expected to serve several congregations. The report of this group has been adopted by the committee for presentation to Assembly 2016.

1.2 The Committee recommends that the term ‘celebrant elders’ should not be used, since earlier attempts to create categories within the eldership have been perceived as divisive. Further we believe that theologically the congregation celebrates the sacraments: those presiding lead the biblical words of institution, the thanksgiving and related prayers, and perform the sacramental actions of baptising in water, breaking the bread and pouring the wine. Since there already exists a procedure for authorising elders and lay preachers to preside, its proposals now simply refer to ‘authorised elders’ – a term already familiar in several of our synods. The principal recommendations (embodied in Resolutions 1-5) are:

- to revise the current guidance on Presidency at the Sacraments (*The Manual*, Section F) by extending the term of service;
- to recommend that synods provide regular support and guidance for congregations without authorised elders and offer opportunities for those who are authorised to meet together regularly;
- to ask the ministries committee to develop a specific code of conduct for authorised elders and lay preachers which they would be required to sign before beginning their ministry;
- to maintain a list of any such elders and lay preachers whose term has been discontinued because their service had been unsatisfactory;
- and to invite the education and learning committee to develop an Assembly syllabus for the preparation of authorised elders and lay preachers, drawing on existing synod resources.

The committee has also accepted the task group’s recommendation that the ministries and education and learning committees should re-examine the approved patterns of non-stipendiary ministry so as to restore the original understanding of what would now be called ‘team non-stipendiary ministry’. This would ease some of the potential ecumenical difficulties surrounding an increase in the number of authorised elders and lay preachers (Resolution 6).

1.3 The committee believes that these proposals will meet the needs of our congregations; that they will strengthen the role of elders in the church; that they can be readily implemented and overseen by synods; and that they are realistic. By extending the term of service for which authorised elders and lay preachers are appointed, it hopes that the proposals will increase trust and involve less monitoring by synods.

1.4 In 1972 the United Reformed Church boldly committed itself to ‘take steps to ensure that so far as possible ordained Ministers of Word and Sacraments are readily available to every local church’ (*Basis of Union*, §25: see §2.4 – references to the history and theological justification for these proposals are in the Appendix). But because the two Churches (Presbyterian and Congregational) had different views of the appropriate pattern of presidency at the sacraments, paragraph 25 was a compromise. On the one hand, there was the Presbyterian view, which emphasised that those presiding at the sacraments represented the whole Church, not just a single congregation, and therefore sought to restrict exceptions to presidency by Ministers of Word and Sacraments as far as possible. On the other hand, the Congregational view regarded presidency at the sacraments as a decision for the local church, and was ready to authorise lay preachers, where Ministers of Word and

Sacraments were not available. The compromise was that presidency would normally fall to a minister of Word and Sacraments, but in cases of pastoral necessity deaconesses¹, elders and accredited² lay preachers might be authorised by District Councils to preside, thereby securing recognition by the wider church. Although the provisions of the *Basis of Union* apply to baptism as well as Holy Communion, in practice most of the discussion has taken place about Communion. Also, different views have been taken about what constitutes 'pastoral necessity' in various parts of the country. This was true from the beginning, but with the abolition of District Councils as a regular part of the Church's life, it has been necessary to create a common policy within each synod.

1.5 Those differences of view about sacramental order have been overtaken by a significant change in the pastoral situation facing our congregations. The number of ordained Ministers of Word and Sacraments has declined (notwithstanding the introduction of non-stipendiary ministry from 1979) and this is likely to continue. But the number of congregations has declined more slowly. The Church therefore confronts a new mission situation, if the sacraments are to continue to be readily available to our congregations.

1.6 How can the underlying differences of conviction on this matter that paragraph 25 sought to resolve be handled today? The committee's report to Assembly in 2014 noted that in several synods it had been suggested that there was already an ordained local ministry – the eldership; and it therefore suggested that a solution might be found by developing a new category of elder: 'celebrant elders'. The task group, however, argued:

- a) that ordination does not of itself give authority to preside; what determines the ministry authorised is the office to which a person is ordained (§§2.10-2.11);
- b) if elders, or a specified group of elders, were to be given authority to preside by ordination, this would require amendments to the Basis of Union (§2.13), which would change the nature of the eldership and involve lengthy consultation.

1.7 The committee recognises that urgent action is necessary. It is already four years since the Wessex Synod resolution was proposed in 2012. This is a mission imperative for many local churches, given the increasing number of multi-church pastorates, the clustering of churches with ministry teams including ministers, elders and lay preachers, and the inexorable problems of deploying a declining number of ministers over wider areas.

1.8 The Committee therefore proposes that synods should be encouraged to authorise elders, or lay preachers with a pastoral relationship to the congregation, for periods of between three and five years at a time (according to synod judgement), rather than for particular occasions or for a year at a time. (The current guidance in Section F of *The Manual* limits authorisation to periods of one year.) Such a proposal is supported by a majority of Synod Moderators; and it would satisfy those voices strongly urging a steer from Assembly, so that we should be seen to be acting as one church rather than thirteen synods. It would enable those authorised to feel that the preparation for the task is worth undertaking, as well as giving stability to local congregational situations. Moreover such persons should be used regularly, not just left as names on a list; otherwise the time spent in preparation is

1 The Presbyterian Church of England ordained deaconesses, who might have pastoral charge of a congregation but were not authorised to preside at the sacraments. At the formation of The United Reformed Church there were eight deaconesses, and one about to enter training. It was decided not to continue to recruit to this ministry in future, but to honour the ministry of those already in post. Of the six listed in the 1979 *Year Book*, three were ordained to the ministry in 1979 and two retired. The remaining one retired in 1990. The paragraph in the *Basis of Union* on Deaconesses was removed in 2000.

2 In 1972 the only form of URC accreditation was that through the Assembly lay preachers committee. Since then synods have begun to accredit lay preachers. Apart from lay preachers from other churches, they are the only category covered by paragraph 25 of the *Basis of Union*.

wasted (§2.27). All synods take seriously the responsibility of preparing elders to preside; this diversity of resources is an asset, which enables us to learn from one another's experience. The committee does not propose a maximum or minimum number per church, since it believes the Basis of Union intended the matter to be determined on the basis of need not numbers.

1.9 Various pastoral questions have been raised, although in general the detailed application of Assembly policy will always lie with the synods. Some have wondered about appropriate provision in various Fresh Expressions of church or Local Mission Projects; this must depend on the synod's judgement about the local situation in question. Presumably there will be a local church or a synod-appointed group to guide the development concerned; thus the recommendations would fall to them. Other questions have been raised about communion for the housebound, or for those in care homes and similar situations. There is an obvious difference between conducting a service for one or two church members in a home, and providing a service for all the residents. We commend the practice of the Synod of Scotland in giving special preparation for those presiding at communion with vulnerable adults. Another synod has suggested that a named elder might be given the task of preparing candidates for baptism and conducting the service. The committee regards this as an imaginative use of §25.

1.10 The new atmosphere of suspicion in parliamentary legislation about internal church discipline, exemplified by the Goddard Inquiry, has influenced the drafting of other details: the committee proposes a probationary period of one year for new appointments before commissioning; a code of conduct by which authorised elders and lay preachers would agree to be bound; regular support and guidance from synods for both churches without an authorised elder or lay preacher, and for those authorised to share their experience; and a list of any whose service has proved unsatisfactory, for reference if someone moves from one synod to another (resolutions 1(c), 2, 3, and 4; see also §2.14, 2.23, 2.33, 2.36, 2.37).

1.11 The development of a programme of missional discipleship, with a variety of learning resources, means that the preparation for such a ministry by those not ordained to the ministry of word and sacraments can be seen as part of a total commitment by the United Reformed Church to a new outward-facing approach in their local situation. In addressing the elders at Ephesus (Acts 20:18ff) Paul alludes to Ezekiel 33-34, which enables him to characterise the elders as sentinels and shepherds. An elder looks outward at the wider community, recognising and understanding the pressures, concerns and context amid which the congregation serves. Elders also look inward, with a caring and supportive ministry towards the people who have elected them. Both aspects of the role matter. Elders can only help members in their faith and witness if they understand well the local context within which that faith is set and that witness expressed. A single Assembly list of the elements of a programme of preparation for authorised elders and lay preachers could build on the existing resources of each synod, and ensure that the delivery of such a programme would be adapted to the local situations of those preparing for this ministry. The committee proposes that the education and learning committee be invited to prepare such a syllabus, which could be linked to the work on Missional Discipleship (see Resolution 5).

1.12 The Committee therefore proposes:

1. **that the existing guidance on Presidency at the Sacraments** (*The Manual*, Section F) **be amended to read:**

The pattern of presidency at the sacraments should be as follows –

- a) **a Minister of Word and Sacraments (including a retired minister who has expressed willingness to do so) should normally preside;**
- b) **when such a minister does not preside, the synod should make provision for presidency by another person, in accordance with the provisions of §25 of the *Basis of Union*: elders of the local congregation**

- and accredited lay preachers regularly conducting worship in the congregation should be considered first;
- c) authorisation for such presidency by the synod, normally of members from within the congregation concerned, should be for an initial period of three to five years (according to synod judgement), including a probationary year on first appointment, with the possibility of renewal. Before renewal there should be consultation by the synod with the congregation, and a review of its needs.
2. that synods are recommended to provide regular support and guidance for each church without an authorised elder within its membership; and also for authorised elders, for example by holding an annual meeting where experiences can be shared.
3. that the ministries committee be invited to develop a specific code of conduct for authorised elders and lay preachers; and that those concerned agree to be bound by it before embarking on their ministry.
4. that a list of those authorised elders and lay preachers whose service has proved unsatisfactory be maintained by the General Secretariat, to avoid the possibility of any individual exercising this ministry unhelpfully in one place and then moving elsewhere to try again.
5. that the education and learning committee be invited to prepare an **Assembly syllabus for the preparation of authorised elders and lay preachers, drawing on existing synod resources.**

1.13 Finally the committee reminds Assembly that the original model of non-stipendiary ministry, introduced in 1979, (based on the practice of former Churches of Christ congregations) was rooted in local congregations. The committee proposes that there should be further exploration of the pattern of 'team non-stipendiary ministry', by the ministries committee (which has a working group on non-stipendiary ministry) and the education and learning committee. This would ensure that presidency at the sacraments (both baptism and Holy Communion) is rooted in the local congregations concerned. The committee therefore proposes:

6. **that further attention be given by the ministries and education and learning committees to the possibility of expanding the concept of non-stipendiary ministry to include once more the original pattern of team non-stipendiary ministry.**

1.14 The committee offers some concluding thoughts:

- a) *Teamwork*

Regardless of whether the committee's suggestion for further work on team non-stipendiary ministers is pursued, it believes that there should be a fresh look at the opportunities for teamwork, and the possibility of mixed teams of ministers of word and sacraments, elders and lay preachers; this suggestion, which has been mentioned more than once in previous Reports, should be referred to the ministries and education and learning committees, and to Synod Moderators and pastoral committees, in consultation with the local churches concerned.

b) *Information*

We are concerned at the apparent lack of information about who preaches and leads worship generally in our congregations week-by-week. Obviously local churches know what is happening, and we suggest that synods should gather more information than is routinely available today. Questions concerning presidency need to be set in the wider context of the current patterns of worship, which include, for example, services taken by authorised representatives of partner churches, and joint or united services. If Assembly and synods are to decide on these matters, we believe that they require more information than is currently available.

c) *'Clericalisation?'*

At the General Assembly in 1995, and to a lesser extent in 2005, some members expressed concern that the addition of further responsibilities to even two or three elders might distract them from their Christian witness in the wider world – what other traditions might call 'the clericalisation of the laity'. An elder's office in the United Reformed Church is one of governance and pastoral care; it carries authority and responsibility, dependent on the grace of God. There is no reason why another responsibility for some should impede the task of every Christian 'to give an account of the faith that is in us' in encountering an increasingly secularised world. To accept the popular distinction between clerical and lay is to deny the biblical view that the *laos* is the whole people of God, not only the unordained. It does not accord with the Reformed tradition. Nor is the difference one between 'amateurs' and 'professionals': this seriously undervalues the work of our elders in leading worship and preaching. One member of the task group remarked that it was only when preparing devotions, prayer with members who were sick, or presiding at the Lord's Supper that she was reminded of our concern for witness and service to the community and evangelism at home and abroad. The committee is therefore confident that nothing in these proposals will reduce the missionary potential of our elders.

d) *Differences of opinion*

We are struck by the fact that attempts to resolve some of these issues have divided opinion in the Church for more than 20 years (see §§1.4-1.6 above). The faith and order committee was not unanimous in bringing their recommendation to Assembly in 2014, and Assembly approved the resolution by agreement (rather than consensus). Therefore, although the task group has found unanimity in its thinking, the committee recognises that further decisions on this matter will not be easy, and will require an appropriate combination of prayer and realism, alongside theological discernment. The committee reminds members of Assembly that the United Reformed Church is committed to living with differences of opinion, unless its unity and peace are threatened – which is a matter for the Assembly to judge.

Appendix

History and theological justification The 2014 resolution

2.1 The Wessex resolution to General Assembly 2012 suggesting exploration of ordained local ministry was the latest initiative in a twenty-year long process to address the issues of continuity of ministerial service within local congregations, as multi-church pastorates and clusters have become more common and more use is made of the provision in the Basis of Union to authorise elders or lay preachers to preside at Holy Communion. A version of this was adopted by a majority of the faith and order committee and brought to General Assembly in 2014, which approved it by agreement (for the text see §2.2). A small task group was then set up to address the issues (§2.3, 2.6-2.7). The committee's conclusions are set out in §1.2 above.

2.2 Resolution 13 of 2014: ordained local ministry

1. General Assembly, affirming the existing gift of elders and the diversity of gifts within each elders meeting as part of the United Reformed Church's distinctive contribution to the Church universal, wishes to reinvigorate the role of elders and welcomes current work to that end.
2. General Assembly directs the faith and order committee to set up a task group incorporating expertise from other committees of the United Reformed Church to explore the possibility of authorising 'celebrant elders' to preside at the sacraments.

To that end General Assembly asks for work to be done in the following areas:

- a) the nature of ordination within the United Reformed Church, both of Ministers of Word and Sacrament (*sic*) and of elders;
- b) how within the understandings of the various traditions which make up our Church the sacrament of Holy Communion is linked to ordination;
- c) the suggested future relationships of 'celebrant elders' to local church leaders, lay preachers, Ministers of Word and Sacrament (*sic*), synods and General Assembly;
- d) the nature and financing of the requisite training to support such elders in their calling;
- e) the accountability of such elders and the question of who would be responsible for discerning, authorising and supporting their vocation;
- f) the place of such elders in local ecumenical partnerships.

General Assembly instructs that the progress of such work be reported to General Assembly in 2016.

The Task Group

2.3 The task group consisted of the Revd Professor David Thompson, Eastern Synod (convenor), the Revd Dr Sarah Hall, Wessex Synod, (secretary), Mrs Susan Bush, Northern Synod and Mrs Lesley Richmond, Synod of Scotland.

Background since 1972

2.4 Paragraph 25 states (in part):

The worship of the local church is an expression of the worship of the whole people of God. In order that this may be clearly seen, the United Reformed Church shall (a) take steps to ensure that so far as possible ordained ministers of the Word and Sacraments are readily available to every local church...

It has never proved possible to deliver that commitment in the way that was hoped. Furthermore, had there been any widespread adoption of the former Churches of Christ custom of weekly communion after 1981, its impossibility would have become apparent long since. Even without any change in communion practice, ready availability of Ministers of Word and Sacraments for every local church would have been difficult for the majority of former Congregationalist local churches making up the new Church to achieve. The section provided also for the training and accreditation of lay preachers (an office not otherwise defined in the Basis), and for the recognition of certain members of the United Reformed Church 'normally deaconesses, elders or accredited lay preachers' to preside at the sacraments 'where pastoral necessity so requires'. The paragraph has been the subject of successive interpretations by Assembly. The most recent one in 1998, states that the provisions of the paragraph 'are intended to establish the principle that worship should be led by representative persons recognised by the wider church as well as by the local church'.

Previous reports to Assembly

2.5 Two reports to Assembly in the past 20 years have aroused intense debate. The first was *Patterns of Ministry*, the recommendations of which, despite a two-year period of consultation in synods and District Councils, were mainly rejected by Assembly in 1995. The second, *Equipping the Saints* (2002-4), which was less overtly radical, received more support. Nevertheless, resolution 30 of 2005 on deployment accepted 'that not every congregation has or will have a Minister directly providing their day-to-day leadership'. An amendment that would have weakened the force of that statement was defeated. The Assembly discussions revealed that the differences of conviction underlying §25 in the late 1960s were the fundamental reason why both the *Patterns of Ministry* report of 1993 and the *Equipping the Saints* report of 2004 faced such disagreement in the General Assembly.

Process and conclusions

2.6 The task group has met seven times. A large part of one meeting was given over to discussion with the Revds Fiona Thomas (Secretary for Education and Learning) and Craig Bowman (Secretary for Ministries). In an attempt to set the question of presidency at the sacraments in the broader context of worship in the local church, Synod Moderators were also invited to consult their lay preaching commissioners to secure some sense of who actually preaches and conducts worship in our churches week by week, taking note of those served by Ministers of Word and Sacraments, accredited lay preachers (Assembly or synod), those occupying similar positions in other Churches, and others. Three synods (Wessex, Eastern and East Midlands) submitted detailed reports, and some other Moderators responded personally. After the November 2015 Mission Council Synod Moderators provided further information on the way in which authorisation of elders to preside at the sacraments is handled in their synods. The committee is grateful to all those who have assisted its work.

2.7 The initial conclusion was unsurprising. There is a shortage of ordained leadership not only in the United Reformed Church, but also in many of the traditional Churches. Proposed solutions have varied. The Church of England intends to increase numbers of ordinands by 50% in the next ten years; the Methodists' *Fruitful Field* initiative three years ago places ordinands in Circuits for a year before they spend any time in one of two remaining colleges; the Church of Scotland is merging local parishes, as is the Roman Catholic Church (though not without significant local opposition). In Africa, Asia and Latin America the traditional European size of parish has rarely become the norm; nonetheless some of these areas are those where the Church is growing most rapidly – not because of the number of ministers, but because of active and recognised groups of non-ordained members.

2.8 The original Wessex resolution to General Assembly asked for the exploration of 'some form of locally ordained ministry', which inevitably involves local church leadership in a broader sense than presidency at Communion. With current levels of ministry there need to be those alongside Ministers of Word and Sacraments to whom local congregations can look for leadership in mission and worship. This point was also made in *Equipping the Saints* in 2005. Such people need to be accountable so that if there are problems, for whatever reason, their service may be terminated with the minimum disruption to the peace and unity of the congregation.

The response to the six areas of work (see §2.2)

2.9 *The nature of ordination*

For the equipment of his people for this total ministry the Lord Jesus Christ gives particular gifts for particular ministries and calls *some of his servants* to exercise them in offices duly recognised within his Church... Those who enter on such ministries commit themselves to them for so long as God wills: the United Reformed Church having solemnly acknowledged their vocation and accepted their commitment shall appoint them *to their particular ministry and give them authority* to exercise it within the Church, *setting them apart with prayer that that they shall be given all needful gifts and graces for its fulfillment*, which solemn setting apart shall in the case of ministers and elders be termed ordination (*Basis of Union §20*) [italics added].

Some are called to the ministry of the Word and Sacraments. ... *They are commissioned to conduct public worship, to preach the Word and to administer the Sacraments...* Their service may be stipendiary or non-stipendiary... (*Basis of Union §21*) [italics added].

2.10 The general understanding of 'ordination' in biblical and Christian theology is the setting apart of someone by prayer, fasting and the laying-on of hands. Fasting has been overlooked in our traditions in the last century or more. The key question is, 'What office is a person ordained to?' since that determines the nature and meaning of ordination in a particular case. In other words, the primary significance that any ordination has relates to the definition of the office to which someone is ordained. This view is shared by Catholics and Protestants alike. Thus in the catholic tradition of a threefold ministry a person may be ordained to the office of deacon, priest or bishop: bishops and priests can preside at the Lord's Table; deacons cannot. This difference in function does not make the service for the ordination of a deacon any less of an ordination. There is nothing contradictory, in other words, in ordaining to some offices that carry the privilege of presidency at the sacraments and others that do not.

2.11 The *Basis of Union* also states that: ‘elders share with the minister in the pastoral oversight and leadership of the local churches, taking counsel together in the elders’ meeting for the whole church and having severally groups of members particularly entrusted to their pastoral care’ (§22). Neither the Basis, nor the service in *Worship from the United Reformed Church* (2004), which provides a longer statement of duties, makes any reference to presiding at the sacraments. (The only reference to the possibility of presidency by elders comes later in §25 of the Basis ‘where pastoral necessity so requires’, and requires specific authorisation.) The fact that elders are ordained is therefore irrelevant to the general question of presidency at the sacraments.

2.12 *How communion is linked to ordination*

The United Reformed Church celebrates the gospel sacrament of the Lord’s Supper. When in obedience to the Lord’s command his people show forth his sacrifice on the cross by the bread broken and the wine outpoured for them to eat and drink, he himself, risen and ascended, is present and gives himself to them for their spiritual nourishment and growth in grace. United with him and with the whole Church on earth and in heaven, his people gathered at his table present their sacrifice of thanksgiving and renew the offering of themselves, and rejoice in the promise of his coming in glory (*Basis of Union* §15).

The worship of the local church is an expression of the worship of the whole people of God. In order that this may be clearly seen, the United Reformed Church shall (a) take steps to ensure that *so far as possible* ordained ministers of Word and Sacraments are *readily* available to every local church; (b) provide for the training of suitable men and women, members of the United Reformed Church, to be accredited by synods as lay preachers; (c) make provision through synods, in full consultation with the local churches concerned, for the *recognition of certain members of the United Reformed Church, normally deaconesses, elders or accredited lay preachers, who may be invited by local churches to preside at baptismal and communion services, where pastoral necessity so requires*. ... Apart from ordained ministers of the United Reformed Church and of other churches, only such recognized persons may be invited (*Basis of Union* §25) [italics added].

2.13 These provisions suggest that, if any decision were made to enable elders to preside at Communion *as one of their duties as elders*, an alteration of the Basis of Union would be required. An illustration of the kind of change that we have discussed would be either to specify an additional duty for elders to preside within the local congregation, or to remove the phrase ‘where pastoral necessity so requires’, or both. Such an alteration would be justified on the basis that (as resolution 30b of 2005 concerning deployment in the light of the report *Equipping the Saints* implied) it is no longer in practice the case in the United Reformed Church that ‘ordained Ministers of the Word and Sacraments are readily available to every local church’. However, the inclusion of such a duty might also put off others who would be quite prepared to become elders on the current basis. Thus the amendment might have to be more complicated, e.g. by inserting a phrase after ‘the local churches’ in §22 such as: ‘presiding (if they are willing) at the sacraments when required’. Such a detailed reflection was necessary in order to see whether there was a simple amendment that would achieve this. There is not one.

2.14 The interpretation of the phrase ‘pastoral necessity’ as the current criterion for authorisation of elders to preside at communion exemplifies the tension between different understandings of ‘normal’ practice within our churches. That tension has never been resolved, and experience suggests that ‘pastoral necessity’ sometimes lasts for much longer than was originally envisaged in the 1960s. To recognise this we propose extending the normal period for such authorisations from one year to three to five years, according to the judgement of the synod concerned. (The committee considers it unreasonable to expect someone to spend a year or more preparing for an authorisation that might only last for a year.) We also suggest that such authorisation be given for a probationary year on first appointment, before a service of commissioning takes place. This would make it possible for the candidate to conduct more than one service, and thereby enable both congregations and candidate to decide whether the candidate should continue.

2.15 The committee notes that the demographic profile of our Church has led to an increasing need for provision of Communion for the housebound and those in care homes. We affirm the importance of meeting this need; and we also affirm that in the Reformed tradition such services are understood as distinct services of the local church concerned. This is why it is customary for the person’s elder, and possibly another member, to be present with the minister at such a service. It is not part of the Reformed theology of communion for bread and wine already set apart at an earlier church service to be used for this purpose.

2.16 Lay preachers also may be authorised in case of pastoral necessity to preside at Communion (see *Basis of Union* §25), but they are listed after elders in the *Basis* and the 1995 guidance, because elders have a more obvious pastoral relationship with their church. The Moderators tell us that the majority of those currently authorised to preside are elders, and in some synods overwhelmingly so. Since lay preachers are often also elders, they have frequently taken this role, and perform other functions of local church leadership.³ The Committee urges lay preachers not to cite their lay preaching commitments as a reason for not agreeing to nomination as elders. While the proportion of congregations to ministers has increased considerably since the inauguration of the URC, the proportion of congregations to lay preachers has stayed remarkably constant, suggesting that the supply is being replenished. On the other hand we have no evidence to suggest that lay preachers are taking a higher proportion of services.

2.17 The Synod Moderators in responding to a request from the committee about the present position indicated that the current practice was to invite nominations from church meetings annually of elders or lay preachers for nomination (four synods limited the number to two or three per church), which were submitted to the pastoral committee for approval, and recorded in committee and/or synod minutes. In all twelve synods responding, a majority (sometimes overwhelming) were elders; any local preachers tended to be either church members or those who preached in the local area. All new nominees underwent a synod training course before presiding. Although at present all synods except one only made authorisations for one year at a time (three still authorised for one occasion at a time), a majority of Moderators would be content with a period of authorisation for three to five years.

2.18 In the *Patterns of Ministry Report*, there is a Statement on Presidency at the Sacraments in §5.1 that was accepted (with one amendment) by Assembly 1995 as an expression of the mind of the church ‘at this present time’ (*Reports to Assembly* 1995, pp

3 Research by the lay preaching committee 20 years ago suggested that one-third of Sunday services were taken by lay preachers. Evidence presented to the task group indicated that 44% of the congregations making a return in Wessex were served by ‘local arrangements’ for their weekly worship. 64% of those authorised to preside at Communion in Eastern Synod were neither Assembly- or synod-accredited lay preachers.

124-25; Resolution 45, *Record* 1995, p 45). An alternative to an amendment of the Basis of Union would be to update that Statement (which was published in Section F of *The Manual*, and is on the URC website). This would have the added advantage of involving Scotland in the decision, since the original statement was agreed before the union of 2000. It would also take account of the disappearance of District Councils in their original form. In order that some speedy action on this report is taken, the committee recommends **that the existing guidance on Presidency at the Sacraments** (*The Manual*, Section F) **be amended to read:**

The pattern of presidency at the sacraments should be as follows:

- a) **a Minister of Word and Sacraments (including a retired minister who has expressed willingness to do so) should normally preside;**
- b) **when such a Minister does not preside, the synod should make provision for presidency by another person, in accordance with the provisions of §25 of the *Basis of Union*: elders of the local congregation and accredited lay preachers regularly conducting worship in the congregation should be considered first;**
- c) **authorisation for such presidency by the synod, normally of members from within the congregation concerned, should be for an initial period of three to five years (according to synod judgement), including a probationary year on first appointment, with the possibility of renewal. Before renewal there should be consultation by the synod with the congregation, and a review of its needs (Resolution 1).**

The committee believes that such a process will remain true to the spirit of the Basis of Union. It will enable us to be ourselves, and it will be sensitive to our ecumenical context.

2.19 *The understanding of the constituent traditions about the relationship of ordination to communion*

The different interpretations of the relationship of ordination to communion among us arise from various strands within the historical antecedents of our Church. The *Form of Presbyterian Church Government* annexed to the *Westminster Confession* (1646/7) is silent about the ordination of any other ministers than ministers of word and sacrament, although it recognises the offices of elder and deacon as ministries in the Church (as well as teachers or doctors, who are ordained to the ministry of word and sacraments like pastors). The *Form of Presbyterian Church Government* also declares all ordinations to be an act of a presbytery, rather than a particular local congregation. The Church of Scotland found it difficult to agree on whether elders should be ordained in the late sixteenth century (see the difference between the First and the Second *Book of Discipline*).

2.20 On the other hand, *The Institution of Churches and the Order Appointed in them by Jesus Christ*, annexed to the *Savoy Declaration* of 1658, accepted the same fourfold ministry but placed the emphasis on the calling of persons to each office – that is ‘that he be chosen thereunto by the common suffrage of the church itself, and solemnly set apart by fasting and prayer, with imposition of hands of the eldership of that church’ (§11). Furthermore ‘those who are so chosen, though not set apart by imposition of hands, are rightly constituted ministers of Jesus Christ’ (§12). The work of preaching the Word was not confined to pastors and teachers, but could be undertaken by others, approved and called by the congregation (§13), i.e. lay preachers; and for good measure, the *Declaration* added that ‘ordination alone without the election or precedent consent of the church’ did not make any person a church-officer (§15). Thus for Congregationalists election by the local congregation was fundamental.

2.21 The Churches of Christ developed a different understanding of church order again, by routinely expecting elders to preside at the Lord's Table. The mandate at the ordination of elders read (in part) as follows:

'You are appointed to minister in sacred things, and to take your place at the Table of your blessed Lord. It will be your privilege and your duty to break the Bread of Life to this congregation, and for the due and adequate discharge of this Office you will answer to the great Head of the Church. It will fall to your lot, with your brother Elders, to rule over the House of God as the steward of God, to maintain the services of the Church, and to celebrate the sacraments with faithfulness, dignity and grace (Report of the Commission on Ordination, adopted by Annual Conference, Year Book 1942, p 148 [italics added]).

This was why they were recognized as auxiliary ministers in 1981.

2.22 Churches of Christ Elders did not operate individually as sole church leaders but as a team supported and resourced by their ministers, especially since single-congregation pastorates were very rare. The development of the auxiliary ministry into today's non-stipendiary ministry, differing from their stipendiary colleagues only in the lack of stipend rather than the nature and length of training, is understandable as a wish to express parity between the two ministries, yet a certain flexibility and accessibility of leadership has been lost to the local church (except perhaps in parts of Scotland) in this development from the original Churches of Christ understanding of eldership.

2.23 *The position of authorised elders within the church*

There are different kinds of 'pastoral necessity', which require different kinds of solution. A fundamental difference between the situation of larger (usually urban) and smaller (usually rural) churches runs through most of our approach to Church life beyond the local congregation. Typically the voices of the smaller churches are rarely heard or listened to. At least three different scenarios currently exist, which require rather different solutions:

- a) emergencies, when the appointed minister either fails to arrive or gives very late notice (i.e. less than 24 hours) of inability to come. Here, unless there is another eligible member of the congregation who can be approached and is willing, the procedure envisaged in the final paragraph of §25 of the *Basis* allows for the congregation assembled for a baptismal or communion service themselves to appoint, 'as a church meeting, a suitable person to preside at the sacrament in a case of emergency'. In practice, this is more likely to apply to a baptismal service, since a communion service could always be postponed to another Sunday.
- b) churches (e.g. in a multi-church pastorate) with no minister regularly assigned or obtainable, where some kind of continuity from week to week or month to month is desirable. This would justify the authorisation of a designated elder or lay preacher along the lines envisaged in §25 of the *Basis*.
- c) churches like those in (b), but where it would be more effective in terms of sharing the burden of preparation to have a team of designated elders or lay preachers authorised.

It should also be remembered that some multi-church pastorates may be quite large in area, or have geographical obstacles to speedy communication, such as mountains or rivers with few bridges.

2.24 Relationships of authorised elders with every council of the church – elderships, church meetings, synods and General Assembly – must be characterised by both support and accountability. The former Churches of Christ model of team leadership can be helpful here, allowing as it does for a differentiation within worship between presiding and preaching, and for a close working relationship between Ministers of Word and Sacrament and authorised elders.

2.25 The committee suggests that, to be true to the Church's understanding of call, the call of authorised elders should be recognised by a service of commissioning after approval of their names by the synod. There is a particular need to support those congregations that have no authorised elder in their membership. It also believes that authorised elders need support and encouragement from a larger group than their own local church. This would be more important if the length of service is extended. For this reason **synods are recommended to provide regular support and guidance for each church without an authorised elder within its membership; and also for authorised elders, for example by holding an annual meeting where experiences can be shared (Resolution 2).**

2.26 Where there are local church leaders in a congregation, the relationship between them and authorised elders should be clarified at the outset, because of any overlaps in function (see the *Guidelines*, approved and amended by Assembly, *Reports to Assembly* 1998, pp 66-67). Both are accountable to the elders' meeting, as well as the synod. Any greater detail should be set out by the synod that appoints them.

2.27 There are apparently some churches which currently propose names on a 'just in case' basis, and some synods approve them. The committee strongly urges on all concerned that this practice is in no-one's best interest; indeed it has been told that some persons already authorised have had so little experience that they would be nervous at being called upon. This is not what ministry is about. If people are nominated and approved, then they should be used – for their own sake as well as that of the churches. The proposed probationary year would obviously require this in order that there should be experience to be tested. There are also various ways in which such people can be involved in sharing the presidency with an ordained minister. From time-to-time at General Assembly others have been involved with the principal presider in saying parts of the Prayer of Thanksgiving; and simply to involve such a person at the front of the church alongside the minister can boost confidence. To preside at the Lord's Table is no light matter: it requires careful personal preparation and prayer; and it is a ministry to and for other Christians. The value of such a ministry in 'an emergency' is directly proportionate to that person's previous preparation and experience.

2.28 *Training for authorised elders*

The word 'training' has been experienced by some potential candidates in the past as a pejorative judgment on their current ability rather than as a supportive resource for improvement. The task group notes that 'formation' is now generally used in relation to education for pastoral ministry, rather than 'training'. Those who have years of experience in conducting worship may not see any need for further training. On the other hand, lay preaching courses are oversubscribed (more so than when they were described as training courses), and the idea of lifelong learning is increasingly accepted within society generally. We need both to motivate those currently serving to see the benefits available, and to persuade others that adopting such a position of leadership would be good for them and their congregation. The committee therefore suggests that the ministries and education and learning committees consider using the words 'further preparation' be used for authorised elders, rather than 'training'.

2.29 The *Basis of Union* (§21 and §25) emphasises that those who preside must also be recognised more widely than by the congregation alone. In every synod preparation is currently a prerequisite for those elders or lay preachers applying for permission to preside at the sacraments, though its content and style varies. The committee suggests that the synod should also be involved from the candidating process onwards, possibly through its Development/Training Officer. If a candidate has unsuccessfully offered for ministry of Word and Sacrament, this information should be available as part of the decision process, though it should not in itself be a reason for rejection.

2.30 Preparation for authorisation to preside needs to be tailored to individual needs and gifts, but also be of a sufficiently high (and common) standard. Currently the Church offers no form of preparation between training for local service (TLS) accreditation and full NSM ministerial education. The concept of 'graduate attributes' used in higher education to produce a well-rounded tertiary education could be considered.⁴ The model of apprenticeship, whether in the last year of initial ministerial education or as an integral part of the whole course, is already recognised in formation for ministry of Word and Sacraments and sometimes in placements before initial ministerial education begins. In TLS local tutor groups and placements (in *Gateways into Worship*) achieved this, although with the ending of TLS something new will be required. A clear understanding of what needs to be achieved to qualify for authorisation will be necessary. There should be a clear sense of the aims and objectives, including the use of appropriate prayers and enabling candidates to feel at ease with the procedures involved.

2.31 Apprenticeship used also to be the training method for lay preachers as the 'student' followed the 'expert' preacher around the churches. Candidates for authorised eldership might similarly be linked to Ministers of Word and Sacrament and learn 'on the job' by sharing in presidency in appropriate ways (see §2.27 above). The members of the task group, who are all well-acquainted with what professional qualifications in themselves tell anyone about adequate preparation, believe that there is scope for greater flexibility in the criteria used for authorisation for presidency at the sacraments, in particular the recognition of the significance of previous experience and the recommendations (as well as the requests) of local congregations. This is why they recommended that the normal period of authorisation for presidency be extended to three to five years, rather than one year at present (see §2.18 above).

2.32 While the practice of presidency at Communion in itself is already covered (see §2.17 above on what currently happens in the synods), preparation for authorised elders might helpfully be offered through an expanded module on the conduct of worship (including baptism) in the new material for missional education. Could there be levels of certification to encourage those who start off in a smaller way, so that, for example, there would be a series of short courses, the completion of each one would be marked with a certificate? (In the secular world such methods are used for one-day first aid or safeguarding courses.) Alternatively, material already used by the Resource Centres for Learning (RCLs) in preparation packages for elders and lay preachers could relatively easily be assembled into a course, preferably developed by all four RCLs in collaboration and then delivered from all four centres. Could the RCLs and the discipleship department work together on this? In our view a system that allows further preparation after a provisional authorisation is preferable to one in which authorisation follows the completion of all course requirements.

4 The concept of 'graduate attributes' as a way of defining the outcomes of higher education has been developed in this country, particularly (but not exclusively) in the Scottish universities, and includes such qualities as enquiry and lifelong learning, personal development, ability in public speaking and communicating ideas, working within a team, critical thinking and research skills, and leadership.

2.33 These two modes of learning, the more academic and the more practical, could helpfully be integrated. Mentoring for a year before final recognition would also be good, as would fixed terms of service with built-in assessment. When the synod adjudges preparation to be complete, the committee suggests a service of commissioning to mark the transition. Congregations should also be prepared for this new situation, both to support authorised elders and also to avoid misunderstandings or unrealistic expectations of them in their new role.

2.34 Since the 2014 General Assembly the discipleship and mission departments have begun work on a new programme of Missional Discipleship for the Church, which was introduced at Mission Council in November 2015. This report was already in draft at that Mission Council, but the point was made that any church-wide programme should include the kind of preparation for authorised elders presiding at the sacraments. In view of the phasing out of TLS a new programme will be necessary anyway. Since there are already resources in the various synods, the committee believes that it is only necessary for the Assembly to authorise a list of the elements in such programmes that are regarded as essential. The committee therefore recommends **that the education and learning committee be invited to prepare an Assembly syllabus for the preparation of authorised elders and lay preachers, drawing on existing synod resources. (Resolution 5).**

2.35 How much would this cost? The task group has not attempted to answer this question, because it does not know in detail about how what is currently offered is accounted for at present. In large part it depends on the number of candidates per year. But much of the initial work in dealing with preparatory material is a one-off exercise, which may be something that is part of the programme of a synod or the RCLs anyway. It is aware that some worry about the implications of any change for ministry and mission payments; but it regards that as a separate question, not directly related to its remit. There is no obvious way of reflecting on it until a decision has been taken on the main principle.

2.36 *The accountability of authorised elders*

Discipline can and should be exercised by the eldership of the church in which this ministry is to be exercised. However, the current promises made by elders on ordination and induction (*Basis*, Schedule B) do not include anything about presidency at the sacraments, because that is not a specified duty for elders. Authorised elders might be considered more likely to need DBS checks, and may be affected by other parliamentary legislation. For these reasons the committee believes that a separate code of conduct for authorised elders is necessary. The URC elders' code of conduct and the disciplinary and incapacity codes for ministers could be resources. The committee recommends **that the ministries committee be invited to develop a specific code of conduct for authorised elders and lay preachers; and that those concerned agree to be bound by it before embarking on their ministry (Resolution 3).** Where, for pastoral reasons, discipline becomes problematic – for example, in the case of conflict between an authorised elder and a local church leader or lay preacher – the synod pastoral committee should be called upon for help. However, the committee advises that the Synod Moderator should not engage directly with any disciplinary process, so as to be available for pastoral support to any parties as necessary.

2.37 There are also potential problems if authorised elders move from one synod to another where they are not known – though in principle they are no different from those faced in relation to those for any elder who moves to a different church and synod. The committee therefore recommends **that a list of those authorised elders and lay preachers whose service has proved unsatisfactory be maintained by the General Secretariat, to avoid the possibility of any individual exercising this ministry unhelpfully in one place and then moving elsewhere to try again (Resolution 4).**

2.38 *The place of authorised elders in local ecumenical partnerships*

The ecumenical implications of these recommendations are significant, both for local ecumenical partnerships (LEPs) and our wider ecumenical relations. The Church of England cannot at present recognise authorised elders for LEPs in which they and we are involved. The Methodist Church does not have an objection in principle to authorising non-presbyters to preside, but its criteria are based on a strict arithmetical calculation of need (see *Constitutional Practice and Discipline of the Methodist Church*, Volume 2, Book VI, section 3) and authorisation is only for three years. The current total is nearly 150 for the UK, including those ministers serving their probationary year before ordination. The Presbyterian Church in Wales, our major ecumenical partner in Wales, permits elders to administer the sacraments in specified situations, but only licenses them (for renewable periods of three years) after three years' training. In Scotland, the only LEPs involving the Scottish Episcopal Church and the Church of Scotland are large churches that do not require authorised elders. There are no problems with Baptist/URC congregations and probably would not be for community churches either. Thus in various ways other traditions, particular the URC's major partners, work with less flexibility over who can preside at the Sacraments. In view of the United Reformed Church's commitment to seek wider unity in the Church, the committee therefore ventures to suggest another possibility of answering the same need: reviving a model of team non-stipendiary ministry, arising from the former Churches of Christ understanding of eldership. This is not a substitute for the earlier recommendations, but one that might be more ecumenically fruitful among our partners, who would probably find the use of non-stipendiary ministers more acceptable than that of authorised elders.

2.39 There would be several other advantages in using once more the pattern of team non-stipendiary ministry that the Church recognised as early as 1979 (see *Reports to Assembly 1979*, pp 46-49, section II of which still reads as freshly today as when it was written):

a) Creativity

Increasingly our pastorates for stipendiary ministers include several congregations; or several pastorates are combined in clusters. This means that those ministers are more stretched so that they have enough to do simply maintaining what exists, rather than stepping back and reflecting on what new initiatives might be taken. Much more of the life of the church is unhelpfully compressed into Sunday mornings than in earlier years, though larger churches offer midweek opportunities. The more activities that are initiated, however, the more a team is required to lead them. Although EM1 now uses a teamwork approach, many ministers are still not experienced at working in teams. Teamwork is harder than doing everything oneself, because it means telling others what one is planning or doing in good time, as well as learning to trust and sharing ministerial control. This may be a sign that busy people are trying to do more than they can manage, at the expense of consultation. Some members of congregations may also be unwilling to let go of reliance on 'their' Minister of Word and Sacraments as the one to solve all problems.

b) Flexibility

Such a pattern of team leadership allows for flexibility, with the gifts of various people being used in leadership as the local situation requires, instead of expecting one person to be good at everything. The responsibilities of team non-stipendiary ministers could (depending upon their gifts) involve some administration, the conduct of worship (including the sacraments), and the time to reflect upon and assist in the leadership of new methods of evangelism, working as a team with the stipendiary ministers for the pastorates. Rather than falling into the trap of 'steady as she goes' and spreading ministry too thinly between different congregations – as may also be the case for those lay preachers, who rarely offer or receive ministry within their own congregations – a local gift-oriented leadership team has the potential for growth.

c) Discipline

A key element of this discussion (particularly in the minds of Synod Moderators) is the question of the discipline under which elders serve. At present, as discussion of safeguarding has demonstrated, elders count as 'volunteers'; and as such there is no obvious disciplinary process for them, unless the Church devises one. A code of conduct was approved by Assembly 2010, but it has received little publicity, and does not deal with the questions of accountability, term of office or circumstances in which a period of office can be terminated early. Non-stipendiary ministers, on the other hand, are subject to the ministerial disciplinary and incapacity process, because of their office.

2.40 This solution would require no amendments to the *Basis of Union* (other than the updating of the guidance on Presidency referred to in Resolution 1(a), which is not an amendment to the *Basis*).

2.41 The United Reformed Church rightly values its eldership. It has been suggested that instead of meeting the need for presidency at the sacraments in our churches by using the ministry of elders, the creation of more ministers might appear to devalue the elders we have. This is illogical; the need for elders' ministry remains. We usually rejoice if an elder feels the call to stipendiary ministry: why should this be different? The task of 'giving an account of the faith that is in us' is one for all Christians – church members and elders – not simply ministers. Where that is done most effectively, churches grow.

2.42 Taking all this into account, the committee recommends **that further attention be given by the ministries and education and learning committees to the possibility of expanding the concept of non-stipendiary ministry to include once more the original pattern of team non-stipendiary ministry (Resolution 6)**. The ministries committee already has a working party on non-stipendiary ministry, and the education and learning committee has spent much time in the last few years in adjusting to new requirements in the common awards for stipendiary ministry candidates.

Paper G1

Finance committee
Draft accounts 2015

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper G1

Finance committee

Draft accounts 2015

Basic Information

Contact name and email address	John Ellis john.ellis@urc.org.uk
Action required	Information
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	To show financial outturn relative to budget in 2015
Main points	<ul style="list-style-type: none"> • Main income lines were all above budget • Expenditure was on budget • An expected small deficit turned into a small surplus
Previous relevant documents	Budget papers G1 for Mission Council in November 2014 and November 2015.
Consultation has taken place with...	

Summary of Impact

Financial	
External (e.g. ecumenical)	

Draft accounts 2015

Coverage

1. In Assembly years, when Mission Council meets in March, it is too soon to provide audited accounts to Mission Council. Instead an unaudited summary of the outturn against budget for the central Church areas of income and expenditure is provided: this is attached for 2015. The relevant budget was approved by Mission Council in November 2014.
2. The full audited accounts will be available for General Assembly.

Income

3. Income from local churches to the Ministry and Mission Fund (M&M) was above budget in 2015 but still represents a fall of 0.8% on the level of giving in 2014.
4. The period for which Mission Council requested synods to supplement the Ministers Pension Fund has now come to an end. Synods actually contributed £86k more than was requested in 2015. This is not only helpful in financial terms but also valuable evidence in persuading external parties who find Church finances puzzling that all parts of the Church are firmly committed to supporting ministers in retirement.
5. With investment income also significantly above budget, total income in 2015 was £313k over budget.

Expenditure

6. Expenditure on stipends was under budget due to a slightly lower average number of ministers in service than expected. With retirement dates now very flexible, this number is even more difficult to predict than in the past. Stipends and related payments nevertheless still represented 75% of total actual expenditure.
7. By contrast, the number of ministerial students was higher than originally anticipated and so the costs of initial training for ministry (EM1) were above budget. General Assembly has made clear that it does not want this budget line capped.
8. Overall expenditure was in line with budget at £20.8m.

Overall Position

9. With income above budget and expenditure in line with budget, an expected small deficit was turned into a surplus of £159k. This is added to the Church's general reserves.

THE UNITED REFORMED CHURCH

Draft Income and Expenditure account to December 2015

Department/ Project	2014		2015		2016
	Actual	Actual	Budget	Variance	Budget
	£	£	£	£	£
Income					
Ministry and Mission contributions	(19,642,770)	(19,483,157)	(19,360,000)	(123,157)	(19,340,000)
Pensions - additional funding	(302,476)	(386,447)	(300,000)	(86,447)	0
Investment and other income					
Dividends	(750,557)	(846,074)	(725,000)	(121,074)	(827,000)
Donations	(6,162)	(785)	(1,000)	216	0
Specific legacies	(1,829)	(459)	0	(459)	0
Grants/Income - Memorial Hall Trust/Fund	(242,983)	(253,977)	(235,000)	(18,977)	(250,000)
Net other interest	(20,886)	(19,121)	(50,000)	30,879	(40,000)
Other income, including property rentals	(6,893)	(14,438)	(20,000)	5,562	(20,000)
	(1,029,310)	(1,134,854)	(1,031,000)	(103,854)	(1,137,000)
Total income	(20,974,555)	(21,004,458)	(20,691,000)	(313,458)	(20,477,000)
Expenditure					
A Discipleship Dept.					
A1 Ministry					
Local and special ministries and CRCWs	14,987,072	14,804,768	15,060,500	(255,732)	14,688,200
Synod Moderators - stipends and expenses	653,125	718,356	651,400	66,956	663,500
Ministries department	266,792	302,189	264,800	37,389	277,800
Pastoral & welfare	3,287	816	2,000	(1,184)	2,000
	15,910,275	15,826,129	15,978,700	(152,571)	15,631,500
A2 Education & Learning					
Initial training for ministry	677,561	720,025	635,000	85,025	641,500
Continuing training for ministry	104,874	108,577	105,000	3,577	107,500
Resource Centres support	443,620	574,953	555,000	19,953	571,000
	1,226,055	1,403,555	1,295,000	108,555	1,320,000
Windermere RCL - net support	146,998	123,192	114,500	8,692	133,900
Training for Learning & Serving - net support	110,811	102,660	102,000	660	92,900
Lay preachers support	7,094	12,077	10,000	2,077	10,000
Education & Learning department	179,277	166,514	176,300	(9,786)	148,300
	1,670,236	1,807,997	1,697,800	110,197	1,705,100
A3 Children's and Youth Work					
Staff costs	192,041	195,702	202,600	(6,898)	206,600
Management, resources and programmes	68,534	63,944	99,890	(35,946)	86,130
	260,575	259,646	302,490	(42,844)	292,730
A4 Safeguarding					
Safeguarding policy and practice	57,542	68,563	47,600	20,963	78,800
B Mission Dept.					
Mission dept staff and core costs	431,735	436,095	432,850	3,245	457,800
Mission programmes and memberships	213,982	245,438	266,550	(21,112)	261,500
	645,717	681,533	699,400	(17,867)	719,300
National Ecumenical Officers	33,460	33,046	35,000	(1,954)	35,000
	679,177	714,579	734,400	(19,821)	754,300
C Administration & Resources Dept.					
Central Secretariat	273,657	323,329	305,300	18,029	309,800
Church House costs	337,232	334,712	340,600	(5,888)	336,000
Human Resources	75,810	66,755	85,400	(18,645)	78,800
IT Services	145,348	156,663	152,600	4,063	165,100
Finance	481,064	555,798	505,500	50,298	523,900
Communications & Editorial	352,649	383,922	366,900	17,022	404,800
	1,665,760	1,821,178	1,756,300	64,878	1,818,400
D Governance					
General Assembly	77,889	130,952	100,000	30,952	100,000
Mission Council	56,341	46,879	44,000	2,879	44,000
Professional fees	84,984	88,015	103,000	(14,985)	103,000
Other	70,720	81,422	65,000	16,422	59,000
	289,934	347,267	312,000	35,267	306,000
Total expenditure	20,533,499	20,845,361	20,829,290	16,071	20,586,830
NET (SURPLUS)/DEFICIT	(441,057)	(159,097)	138,290	(297,387)	109,830

Note: variances are adverse/(favourable)

Paper I1

Mission committee

Church of Scotland membership
of the Joint Public Issues Team

Church 2016
United
Church **Reformed**
Church Church 2016

Paper I1



Mission committee

Church of Scotland membership of the Joint Public Issues Team

Basic Information

Contact name and email address	The Revd Tracey Lewis tracey.a.lewis@btinternet.com
Action required	Decision
Draft resolution(s)	Mission Council accepts the recommendation from the mission committee that the Church of Scotland become full partners in the Joint Public Issues Team alongside the Baptist Union of Great Britain, the Methodist Church, and the United Reformed Church.

Summary of Content

Subject and aim(s)	Church of Scotland membership of the Joint Public Issues Team
Main points	For the past year the Church of Scotland has been a member of the Joint Public Issues Team (JPIT) on a trial basis. An evaluation of the pilot year has taken place and has found that the outcomes have been positive. On the basis of this evaluation the mission committee recommends that the Church of Scotland becomes a full partner of JPIT
Previous relevant documents	Paper I4 Mission committee update (Mission Council – May 2015)
Consultation has taken place with...	JPIT strategy and policy group URC Synod of Scotland

Summary of Impact

Financial	Increase in travelling cost for URC staff when meetings happen in Scotland. These can be met from the current Mission budget
External (e.g. ecumenical)	Closer relationships with the Church of Scotland.

Church of Scotland membership of the Joint Public Issues Team

1. In February 2015 the mission committee agreed in principle that the Church of Scotland join the Joint Public Issues Team (JPIT) on a trial basis for one year, from 1 March 2015. It was further agreed that the one-year pilot would be evaluated towards the end of the year and that a recommendation would be brought relating to the Church of Scotland becoming a permanent member of JPIT.
2. A formal six-month evaluation was conducted and following that it was agreed that the strategy and policy group (SPG), which has representatives from all the denominations, would make a final evaluation, including input from the staff, at the residential in January 2016. The SPG took time to consider all the issues raised in the six-month report and felt that these could be better handled by dividing them into two categories: strategic and operational. The purpose of this was to identify which issues might perhaps be longer-term and would only be resolved by ongoing work which might involve 'external' voices. Whereas operational issues could be addressed within the life of the team or SPG. At the six-month stage it was felt that the success criteria for the initial pilot had been largely met but it was wise to continue with the pilot through the beginning of another work cycle.
3. The SPG believed that an external evaluation process would not produce anything which we had not been able to identify ourselves and so agreed on 8 December 2015 that following the SPG residential on 13-14 January 2016 a final decision would be made on what to recommend to the various oversight bodies about the future of the partnership.
4. The following were identified as the enrichments that had taken place due to the wider partnership:
 - An increased and more diverse expertise in both the team and the SPG which makes JPIT more effective
 - A louder public voice with a wider reach
 - A greater capacity to respond to issues arising in the public square as well as to tackle longer-term projects
 - A better ability to respond to issues in light of the changing political landscape of the United Kingdom: namely, increasing calls for devolved, regional politics and the emergence of a uniquely Scottish voice in Westminster in the form of the Scottish National Party
 - The recognition of a stronger relationship and understanding of the Scottish government at Holyrood as well as a stronger link to one of the main parties in Westminster
 - A deeper pool of creativity from both the staff and volunteers connected to the denominations
 - A greater wisdom drawn from the history and experience of an increased number of participants at the table
 - Links and learning to the Poverty Truth Commission – especially the ongoing efforts to ensure that work done on an issue always involves those who are most affected by it
 - A step on the journey to a true embodiment for those churches who exist in three nations

- The increased partnership ensures the work and focus is less London- and Westminster-centric
 - A broader ecclesiology within the partnership means that some of the more traditional differences are less marked and helps us all to see things from different perspectives
 - A recognition of the importance of Scottish issues as concerns which affect the whole of the Union
 - The work of JPIT has been given more breadth.
5. Many of the areas listed above were identified as being the kinds of positives that were looked for as success criteria in the initial six months of the pilot. They represent the clear belief that we have a greater impact and are more effective by working together in an enlarged partnership than we are working alone or even in one-off campaigns.
6. The analysis of the work to date also enabled the team and the SPG to engage with the challenges for the next stage. Many of those challenges will remain with the staff and the SPG to tackle as they are operational and concern issues such as how and where staff meet, the increased use of video conferencing, liaison between denominational media teams and experts, and the need for a working knowledge of the wider areas of concern for partner denominations. These challenges will be the ongoing daily work of those involved and will dissipate over time and no doubt be replaced by others.
7. The more strategic challenges which will remain the work for the future include:
- JPIT exists primarily to support the congregations and members of the various denominations to be better informed, active and engaged on a wide range of public issues. How each denomination uses those resources and expertise needs to be flexible to ensure the most effective reach within our own constituencies. This may mean that we do not always speak into the public square as all the partners within JPIT at the same time, but it does mean we do those things together which further enrich our communities. This may mean that some reflection is required on the place of the 'brand' of JPIT and how messages are communicated to the wider constituencies.
 - With more partners comes the need for even greater intentionality and prioritisation of the overall workload. This will mean a more active role for the SPG than has sometimes been the case in the past. This will need addressing in a new Service Level Agreement for the partners.
 - With more partners we have a great responsibility and opportunity to look further ahead and identify those issues that may be of greatest significance in the future. This will challenge the need to safeguard space for responsive work as well as being able to devote time and energy to the looking ahead. Further thinking on how the different patterns of denominational oversight affect the setting of priorities may need to happen.
 - For those denominations who are present in Scotland there needs to be further consideration about how the voices and concerns of members there feed into the JPIT agenda in ways that take into account the relative size of the various denominations. This may also lead to considering what a variety of levels of engagement in the work of JPIT might offer for other denominations.

8. The SPG was therefore minded that the criteria for a successful pilot have been met and indeed surpassed. There is no doubt that, in the complex changing political landscape of the United Kingdom, the voice of the churches is heard more effectively when we work and speak together. By drawing on the resources and richness of all four traditions, while consistently championing the inclusion of the most vulnerable in our society, we will seek fully to live out our discipleship in the world around us.
9. The mission committee endorses the findings of the evaluation and recommends that the Church of Scotland becomes a full partner in the Joint Public Issues Team alongside the Baptist Union of Great Britain, the Methodist Church and the United Reformed Church. It also requests the strategy and policy group of JPIT to make the necessary changes to the service level agreement to reflect the Church of Scotland's full and permanent membership.

Paper 12

Mission committee

World Council of Churches
applications

United Church 2016
Church 2016
Reformed Church 2016
Church 2016

Paper I2



Mission committee

World Council of Churches applications

Basic Information

Contact name and email address	The Revd David Tatem david.tatem@urc.org.uk
Action required	Endorsement of a resolution of the mission committee
Draft resolution(s)	Mission Council endorses the support of the mission committee for the applications to join the World Council of Churches from the Church of Central Africa, Presbyterian, Blantyre Synod of Malawi and from Dutch Reformed Church in South Africa, and instructs the mission committee to inform the World Council of Churches accordingly.

Summary of Content

Subject and aim(s)	Concurrence with two applications for membership of the World Council of Churches. To raise awareness within the URC of our international relationships
Main points	Two applications have been made for membership of the World Council of churches. The central committee invites existing members to concur with the decision to admit them
Previous relevant documents	None
Consultation has taken place with...	The mission team and mission committee

Summary of Impact

Financial	None
External (e.g. ecumenical)	Contributes to the work of the World Council of Churches.

World Council of Churches applications

1. Membership of the World Council of Churches (WCC) involves certain responsibilities. One of these is to take note of and agree applications from new churches that apply for membership. This is not an automatic process and careful scrutiny of those applications is carried out by the officers of the Council. The churches join for a trial period between two meetings of the central committee and at the same time details of the applications are passed to the member churches for their support prior to final approval by the central committee. The next meeting of the central committee will be in June at which the Revd Sarah Moore will be present as a member on behalf of the URC.
2. Three applications have been passed to the churches for consideration as part of this process. In some cases the knowledge of and links with an applicant may be almost non-existent to the point that a member church feels that it is not reasonably able to endorse or resist an application and it is happy for other more competent members to offer an opinion. Such is the case for us with one of the current applications: the Council of the Baptist Church in North India about which we do not feel able to comment. There are, however, two churches making application with which we have historical and familial links and it is appropriate that the URC be made aware of their applications and asked to endorse them. They are the Church of Central Africa, Presbyterian, Blantyre Synod of Malawi and the re-admission of the Dutch Reformed Church in South Africa.
3. The mission committee has already discussed, welcomed and agreed support for these two applications and invites the Mission Council as a wider council of the church to take note of and endorse that support in order that it may be a fuller expression of our belonging to one another.
4. The information provided by the WCC is given below:
 - a) **Church of Central Africa Presbyterian, Blantyre Synod in Malawi**, created by Scottish missionaries in 19th Century. It has 1,800,000 members, 800 local congregations, more than 200 clergy. Based mainly in Southern Malawi, this church will be the first from Malawi to be a WCC member church. The leadership of this church consider their application for membership in the WCC as a prophetic one, hoping that the interest of other Malawian churches in the WCC will grow.
 - b) **Dutch Reformed Church in South Africa** (re-admission) founded by Dutch settlers, beginning in the 17th Century. Having presently 1,074,700 members, this church was involved in the policy and system of apartheid and therefore excluded from WCC as well as from the World Alliance of Reformed Churches. In the last decades, after repentance and official rejection of 'all forms of racism' the Dutch Reformed Church was re-admitted in the World Alliance of Reformed Churches and became, for the first time in history, member of the All Africa Conference of Churches. The last step of the reintegration of this church in the global ecumenical family is re-admission in the WCC.

Paper 13

Mission committee
Greenbelt 2016 and 2017

Church 2016
United
Church 2016
Reformed
Church 2016
Church

Paper I3



Mission committee

Greenbelt 2016 and 2017

Basic Information

Contact name and email address	Steve Summers steve.summers@urc.org.uk
Action required	Information is provided to circulate to local churches
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	To inform members about the United Reformed Church's association with Greenbelt and to build support for this involvement
Main points	<ul style="list-style-type: none"> • The United Reformed Church has become an Associate Sponsor of Greenbelt for 2016 and, ideally, for 2017. • The Greenbelt Festival is from 26-29 August 2016 and 25-28 August 2017. • Individuals and local churches are invited to participate with the 'URC at Greenbelt' project.
Previous relevant documents	Mission Council discussions in 2014-15, most recently minute 15/3 from Mission Council May 2015
Consultation has taken place with...	Mission committee, communications department, General Secretariat, Chief Finance Officer

Summary of Impact

Financial	This project is fully-funded by a Legacy Fund grant.
External (e.g. ecumenical)	This involvement will expand our contacts and witness, in the context of a well-known and widely-supported Christian festival.

Greenbelt 2016 and 2017

1. Greenbelt is a collision of the arts, faith and justice. Engaged with culture, inspired by the arts, sustained by faith, Greenbelt aspires to be an open generous community reimagining the Christian narrative for the present moment. This vision is primarily lived out annually, over the August Bank Holiday weekend with a festival and rich programme of music, visual and performing arts, spirituality, comedy, and talks and discussion. The diversity of content not only demonstrates the commitment to the arts, faith and justice, but also to the underlying values of tolerance, dialogue and hope. Greenbelt's history is firmly rooted within a Christian tradition which is world-affirming, and politically and culturally engaged. The festival is family-friendly celebration, inclusive and accepting of all, regardless of ethnicity, gender, sexuality, background or belief. Since 1974, Greenbelt has equipped and re-energised Christians to be imaginative and effective disciples in local communities. The festival is held this year from 26 to 29 August at Boughton House near Kettering, Northamptonshire. Please see: www.greenbelt.org.uk for more information.
2. Greenbelt and the United Reformed Church have signed an agreement, making the denomination an Associate Sponsor of the Greenbelt festival for the first time. The partnership is a natural fit, building on the URC's rich Nonconformist history of exploration of radical Christian faith and working for justice, and the dynamic and creative energy of the Greenbelt festival.
3. Signing the agreement on 13 January 2016, Francis Brienen, The URC's Deputy General Secretary (Mission), said: 'Greenbelt is a joyful celebration and exploration of what the future of the Church might be, and how local churches can live out their mission as counter-cultural communities. We're excited by the creative potential of working together.'
4. Paul Northup, Greenbelt's Creative Director, said: 'I am delighted to begin this new partnership. Greenbelt and the URC share a dynamic faith that is creative, questioning and engages with justice.'
5. The aims of the 'URC at Greenbelt' project include:
 - to generously invest in, join with and contribute to a festival which has an outstanding and unique track-record for encouraging and equipping Christians with their discipleship and ministry for more than four decades. Greenbelt continues to provide a crucible for faith and praxis where people return home enthused and envisioned to develop their local churches, neighbourhoods and communities.
 - to accompany Greenbelt as we collectively explore God's mission for today, envision how we may be and do Church more imaginatively and discover how disciples of Christ might live out their faith more effectively.
 - to encourage, gather together and strengthen the sense of community for the numerous URC members who have been part of the Greenbelt movement for many years and also to provide a recognisable presence for URC members new to Greenbelt.

6. The potential outcomes for the 'URC at Greenbelt' project include:
 - a higher profile for the URC and increased recognition for its creative contribution to Church and society, especially around issues of justice and peace, and particularly to an audience who tend to be seeking a radical edge to their discipleship and ministry.
 - closer and stronger relationships between local churches and Church House by actively involving 'URC Greenbelters' in this project.
 - increased understanding about particular aspects of the URC e.g. CRCW ministry, *Reform*, Commitment for Life, Pilots, CreateTalk, Resource Centres for Learning, TLS, Discipleship, etc.
7. The theme for the 'URC at Greenbelt' project is 'Scrap the Church?', deliberately building upon the Windermere Online festival exploring the future of the church, which is in turn a follow-on from the 'It just Works' gathering. This project intends to connect with the Vision 2020 Community Partnerships initiative to gather stories about churches working in communities and in their neighbourhoods and will link with the evolving Missional Discipleship programme.
8. URC-organised activities at Greenbelt 2016 will include a 'scrap church' art installation that will be intentionally taken apart over the weekend and from its place a new creation will emerge; a 'Flash mob liturgy' with a number of 'eucharistic moments' happening around the village throughout the weekend, depicting different stories from the gospel that have eucharistic overtones; a discussion panel exploring the theme; 'Cake & debate' as part of the youth programme; and the 'URC Lounge' where people can come and relax, meet with others, look at resources, attend workshops and discuss key issues around the theme.
9. Individuals and local churches are encouraged to email the project coordinator: steve.summers@urc.org.uk if they would like to know more about this project, or be part of the planning team, or be part of the URC volunteer team at the festival itself, or simply expect to attend this year's festival. The URC's communications department has created a URC Greenbelt event on their Facebook page where the latest information about the 'URC at Greenbelt' project will be posted.
10. A short presentation about Greenbelt will be given to Mission Council.

Paper J1

Nominations committee
Names for consideration





Paper J1

Nominations committee

Names for various responsibilities

Basic Information

Contact name and email address	Carol Rogers carannrog@aol.com
Action required	Decision
Draft resolution(s)	Mission Council appoints, from the dates indicated, the names listed in paragraphs 1 and 2 below:

Summary of Content

Subject and aim(s)	To appoint members of various committees
Main points	See list below
Previous relevant documents	None
Consultation has taken place with...	Convenor and committee

Summary of Impact

Financial	None
External (e.g. ecumenical)	None.

Names for various responsibilities

1. Mission Council appoints to serve with immediate effect:
 - 1.1 Mr Robert Buss as a member of the Church House management group

2. And from General Assembly 2016:
 - 2.1 The Revd Dr Alan Spence as convenor-elect of the faith and order committee and as convenor from 1 July 2017-2023
 - 2.2 The Revd Sue McCoan as a member of the Assessment Board
 - 2.3 Ms Rosie Martin as a member of the equalities committee
 - 2.4 Mr Gordon Wanless as a member of the finance committee
 - 2.5 Mr Neil Mackenzie as secretary of the law and polity advisory group
 - 2.6 Ms Morag McLintock to extend her service as a member of the law and polity advisory group for a further period of four years
 - 2.7 The Revd Camilla Veitch as a member of the pastoral reference and welfare committee
 - 2.8 Mrs Val Morrison, the Revd David Sebley and Mrs Kate Yates as members of the panel for General Assembly appointments
 - 2.9 The Revd David M Miller, Mrs Diane Moverley and Mrs Janet Virr as members of the disciplinary process commission panel
 - 2.10 The Revd Eric Allen and the Revd Kate Hackett to continue as to serve as representatives of the URC on the Congregational Fund Board, for a further four years.

3. Other names will appear in a supplementary paper, to be tabled at Mission Council.



Paper M1

Mission and Discipleship
Missional Discipleship
– next steps

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper M1

Mission and Discipleship

Missional Discipleship – next steps

Basic Information

Contact name and email address	Francis Brien francis.brienen@urc.org.uk Richard Church richard.church@urc.org.uk
Action required	Decision
Draft resolution(s)	Mission Council (A) endorses the report in Paper M1 of March 2016, (B) requests the General Secretariat and the Missional Discipleship task group to make an application for funding to CWM, and (C) agrees to the establishment of a steering group as proposed in the paper

Summary of Content

Subject and aim(s)	Emerging plans and proposals for making a Missional Discipleship resource available to the Church
Main points	Title and structure of the resource. Timing and potential of the development programme. Plans for a launch in autumn 2017
Previous relevant documents	Report to last Mission Council meeting
Consultation has taken place with...	Task Group, Mission Council, education and learning and mission committees

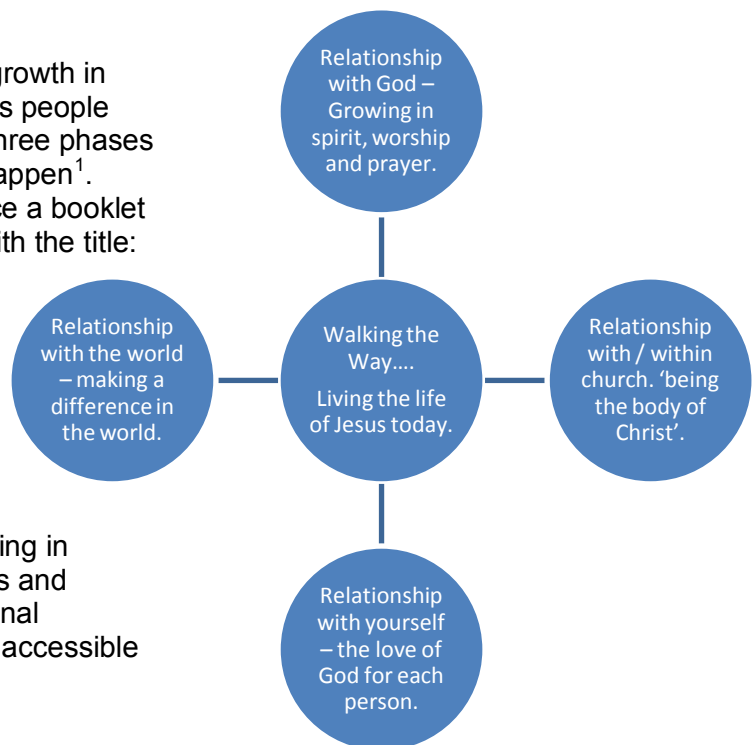
Summary of Impact

Financial	Detailed projections will follow in a future paper. This project has been devised with the intention that it draw on funding from CWM's Mission Support Programme. Plans are now at a stage when we can apply for this money to be made available to us
External (e.g. ecumenical)	The current proposals will strengthen our contact with CWM and with the Methodist Church, and possibly also with other ecumenical partners.

Missional Discipleship – next steps

1. Since the decision of the November meeting of Mission Council to endorse papers M1 and M2 and approve the emphasis on Missional Discipleship, the task group has met from 11 to 12 January and will have met on 11 February 2016. Many conversations have been held: with the Resource Centres for Learning as they contributed their thoughts, with Wayne Hawkins of the Council for World Mission, with Mike Moynagh (Fresh Expressions) acting as an external theological consultant, with Andrew Roberts and Richard Andrew of the Methodist Church concerning *Holy Habits* (a soon to be published resource on discipleship), with Lynne Ling and Mark Howard of Shoreline Consultancy and with Neil Hudson of the London Institute for Contemporary Christianity.
2. At our January meeting we received papers relating to principles of evangelism, culture change, discipleship development in Fresh Expressions, and adult learning. We recognised that our task was to encourage in every local church an understanding of Church as a community of disciples who are looking outwards to the communities within which they serve and witness to the love of God. The second part of our task was to provide an environment in which every local church can find appropriate materials to enable such an emphasis to be resourced.
3. We discussed the resourcing of people as enabling the growth of Christian faith leading to different forms of service and witness. We were helped by the image of a tree in which the trunk represents the broad growth of the whole people of God, the discipleship maturity out of which other ministries grow like branches. Thus we divided into two groups: one to consider how the trunk/the whole people of God might grow, the other to consider how recognised ministries (or branches) might be identified, encouraged and resourced.

4. The group considering how the growth in missional discipleship of all God's people could be encouraged identified three phases or 'rooms', by which this could happen¹. The first step would be to produce a booklet for use by local congregations with the title: *Walking the Way: Living the life of Jesus today*. The booklet would include four invitations to explore the relationship between life and Christian faith/witness. As depicted in the diagram:



The emphasis would be on growing in confidence, having conversations and encouraging faithfulness. Additional resources would be added to an accessible web resource.

1. Mike Moynagh uses the concept of rooms to explain different stages of discipleship growth, with an exploration room, a listening room and an engagement room, thus leading the church from withdrawal to engagement.

5. The next phase or room would involve the use of *Holy Habits*. This is a resource which encourages growth in ten habits of faithfulness which are derived from Acts 2. It offers Biblically based reflection, communal and thought provoking engagement with its themes and is about developing practice ... 'holy habits' ... with the aim of growing in confidence and creating faith and life connections. We can partner with the Methodists in the remaining stages of development and then offer this material to churches for their on-going journey.
6. The third phase or room would be an encouragement to move on or 'dig deeper'. It was recognised that there are lots of discipleship courses and materials available and that within the URC there are different churches with a broad range of theological understandings. At this stage, when churches and individuals have started to develop their discipleship practice and confidence, a range of options would be offered. These could include the successor materials to TLS/TLS Lite, Fruitfulness on the Frontline, Encounter, Dunamis discipleship materials, Living the Questions....and more! This third room would encourage people to ask how we might love and serve Jesus more in this particular context.

The group noted the emphasis on Feasts and Festivals during 2017 and felt that the celebratory nature of that theme might be helpful in introducing and encouraging people to engage with *Walking the Way*, with a view to launching the initial material in September 2017.

7. The *Walking the Way* booklet will need to be prepared with careful attention to development of the next stage. Vision4Life materials, ecumenically produced resources and TLS module and courses will be reviewed as part of carrying forward the most appropriate into this new emphasis. Communications with all existing providers will be key over the next 18 months.
8. The group dedicated to looking at the branches of the tree recognised the different forms through which growth in discipleship expresses itself. Not only in currently recognised forms of service but also emerging forms of service such as pioneers, family, youth or children's workers, evangelists, chaplains, supervision, and teaching/adult education.
9. Whilst recognising the many courses which are available ecumenically, there remains a need to develop our own material for those embarking on service within the Church. This will build on the strengths of TLS and adopt the best of its methodology. The United Reformed Church is indebted to the many people who have given, and continue to give, so freely of their time and abilities over the years to offer TLS as a vehicle for faith formation and lay education.
10. There will be a transitional period of two years from summer 2016 during which people wishing to explore their faith further for purposes including Assembly-Accreditation and Synod recognition will be encouraged to use a strengthened form of TLS Lite. This will be supplemented by the existing TLS one-year courses, and supervised practice under the guidance of relevant Synod personnel such as Training Officers. Work is being started to assess ways in which other courses such as Mission Shaped Ministry can also be used to support those wishing to develop their discipleship.

11. During our residential the task group discerned several threads in our planning. These included:
- to think through the booklet, develop the next stage (with its link to *Holy Habits*) and help in its online development. Foundational to this would be to look again at the evaluation of Vision4Life and reviewing existing resources;
 - to commission work on the successor to TLS in consultation with TLS personnel, Resource Centres for Learning and synods;
 - to look at advocacy focussed on communication/consultation/collaboration with Training and Development Officers, Children and Youth Development Officers, the Mission Enablers network, Assembly committees and Mission Council;
 - to think through how the staffing/financing will take place and seek funding from the Council for World Mission;
 - to identify people resources needed across the broad theological spectrum of the URC.
12. The February 2016 meeting of the group will have focused on some of these tasks as a matter of urgency. It is evident that this is a complex project with a time pressure and there is real concern from some that we do not have the resources to undertake this task well in the time available. Recognising the need for focused attention to the work, the task group wishes to suggest the appointment as soon as possible of a project manager to ensure that there is continuity, clearly defined tasks, and co-ordination of people to undertake the many different roles needed to deliver this fresh emphasis in a timely way.
- To this end, it is proposed to make an application to the Council for World Mission for funding such a post from its Mission Support Programme (Phase 4). We hope that Mission Council may be minded to enable the General Secretariat working with the task group to draw up detailed terms of reference and submit an application to CWM on their behalf.
13. The continuation of the process will also need the appointment of a more permanent steering group to oversee the work and to support the project manager. It is therefore proposed that a steering group is appointed, comprising those members of the current task group who are able to commit themselves to continuing, plus one member from the mission committee and one member from the education and learning committee. The current task group members are Francis Brien and Richard Church (co-conveners), Graham Adams, Peter Ball, Michael Jagessar, Tracey Lewis, Kathryn Price, Fiona Thomas and Philip Wall. The membership of the group, as it then stands, will be reported to Mission Council in October. We propose that their term of service run until Assembly 2018.

M1

United Reformed Church • Mission Council, March 2016

Paper M2

Clerk

Changes to procedure
from the Peel Commission
recommendations

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper M2

Clerk

Changes to procedure from the Peel Commission recommendations

Basic Information

Contact name and email address	The Revd Michael Hopkins clerk@urc.org.uk
Action required	Decision
Draft resolution(s)	<ol style="list-style-type: none"> 1. Acting on behalf of General Assembly, Mission Council resolves to insert a new Standing Order 12, as specified in paper M2 of Mission Council March 2016, Section D, and re-number subsequent Standing Orders, with immediate effect. 2. Acting on behalf of General Assembly, Mission Council resolves to insert the words specified in paper M2 of Mission Council March 2016, section F, into the Rules of Procedure, with immediate effect. 3. Acting on behalf of General Assembly, Mission Council resolves to amend the Rules of Procedure as specified in paper M2 of Mission Council March 2016, Section I, with immediate effect.

Summary of Content

Subject and aim(s)	Changes to procedure as instructed by Mission Council
Main points	Spelling out procedures for closed sessions and for electing a Moderator outwith the normal pattern. Introducing a process for suspending and removing volunteers serving at Assembly level.
Previous relevant documents	Paper P1 of Mission Council, November 2014
Consultation has taken place with...	Law and polity advisory group

Summary of Impact

Financial	None
External (e.g. ecumenical)	The original instructions originated in a need to codify our practice better. This should reduce the risk of reputational damage.

Changes to procedure from the Peel Commission recommendations

A. In November 2014, Mission Council, in responding to paper P1 from the Law and Polity Advisory Group (Minute 14/54), instructed the Clerk to draft:

- a) amendments to the Standing Orders of General Assembly establishing a formal procedure for moving in or out of closed session (para 7);
- b) amendments to the Rules of Procedure establishing panels to consider the suspension and removal of volunteers serving the church at denominational level (on the principles set out in paras 31-33), with special provisions for removal of a Moderator, Moderator-elect, immediate former Moderator, or Clerk of Assembly, or the General Secretary (paras 14, 20) (if necessary with supporting amendments to the Structure of the United Reformed Church);
- c) amendments to the Rules of Procedure allowing for the replacement of a Moderator-elect of Assembly who resigns or is removed from that position when there is insufficient time for the current provisions of Rule 3.14 to be followed (para 22);

and d) a written disciplinary procedure for denominational staff (para 35).

B. Part d) requires professional HR knowledge, and is in the hands of the DGS (Administration and Resources). I understand that such a policy has been in place for some time, and is regularly updated, along with all other HR policies

C. Reference is made to closed sessions in two places in the existing Standing Orders:

Changes of order include:

2.9.2 Closed session – that the matter in hand is sensitive and should be conducted in private. This is voted on immediately without discussion. It can be raised more than once during a discussion. If it is agreed, all those who are not members of the council must leave. Members must treat the subsequent discussion in the strictest confidence and must not divulge its content or process to non-members.

10. Admission of public and press

Members of the public and representatives of the press shall be admitted to the Assembly *unless the Assembly otherwise decides*, and they shall occupy such places as are assigned to them.

D. In order to establish a procedure to formalise closed sessions, I propose to insert a new Standing Order 12, and re-number subsequently:

12. Closed Session

- 12.1 A closed session is one in which the business is highly sensitive. Only members of Assembly, the legal adviser, and any technical or venue staff required to enable Assembly to meet safely may be present. Neither content nor process may be divulged to non-members, save specific information authorised by the Moderator in consultation with the Clerk and the legal adviser. No social media in any form may be used during a closed session, nor to report upon such closed session. Any live streaming must be switched off. Minutes will be taken, but these will be held *in retentis* by the Clerk, and shall not be made available to non-members.
- 12.2 A closed session may be called for at any time in any decision-making mode, and voted upon by the Assembly, requiring a simple majority. This motion takes precedence over every motion before the Assembly. As soon as the member has given reasons for proposing it and it has been seconded, and the proposer of the motion or amendment under consideration has been allowed opportunity to comment on the reasons put forward, the vote upon it shall be taken, unless it appears to the Moderator that an unfair use is being made of this rule. Should the motion be carried the business shall immediately pause while non-members leave the room.
- 12.3 If a matter is known to be highly sensitive in advance, then the Assembly officers, consulting the legal adviser if necessary, may announce in advance that a certain piece of business will be conducted in a closed session giving their reasons.
- 12.4 Where possible a closed session will begin after a break, in which event everyone must leave the hall. Once the hall is empty, only those entitled to be present shall be admitted. Members of Assembly may leave the hall during a closed session, but if they do so they may not be re-admitted.

E. To effect this, this resolution is proposed:

Acting on behalf of General Assembly, Mission Council resolves to insert a new Standing Order 12, as specified in paper M2 of Mission Council March 2016, Section D, and re-number subsequent Standing Orders, with immediate effect.

F. The wording proposed for panels on the suspension and removal of volunteers, is as follows.

New clauses to the Rules of Procedure, to be added to the end of the current section 3:

1. For the avoidance of doubt, the following rules apply only to those who are serving in a voluntary capacity, and only to employees or Ministers of Word and Sacrament or Church Related Community Workers in so far as they undertake any additional voluntary work which is not part of any employment or scoping. For work which is employed or scoped, the relevant disciplinary processes apply in place of these rules.
2. Anyone with a concern about someone serving at denominational level should report that to the Clerk of the Assembly, or to the General Secretary. The officer receiving the concern shall conduct a preliminary enquiry as necessary to establish sufficient facts as to whether or not there is a prima facie case to

answer. S/he shall report all of this to the two former Moderators of General Assembly who are members of General Assembly in that capacity, and the three together shall decide whether or not it is necessary to take the matter further.

3. In the case of those other than current officers of Assembly, or Moderator-elect, or immediate past-Moderator, there shall be a standing panel of three persons, consisting of the two former Moderators of General Assembly who are members of General Assembly in that capacity, and either the Clerk of the Assembly or the General Secretary. The legal adviser may be in attendance at any meetings of the panel. The former Moderator who served most recently shall convene the panel.
4. The panel shall investigate any complaint, and following consideration of evidence, are empowered:
 - (a) to suspend a volunteer where the nature of the concerns raised require this, and
 - (b) to consider whether the individual concerned should be permitted to remain in office in cases where no other disciplinary procedure is appropriate or, where other procedures, if pursued to a conclusion, would leave this question unresolved.
 - (c) to recommend removal to a closed session of Mission Council or General Assembly, whichever meets first.
5. The normal order of proceedings before initiating the standing panel shall be first, any criminal investigation; second, any employee disciplinary proceedings; third, any procedure that could lead to deposition from ordained or commissioned office.
6. The standing panel shall be empowered to accept any resignation offered, which therefore terminates their work.
7. In the case of Assembly officers, Moderators-elect, and immediate past Moderators, there shall be a standing panel of five persons, consisting of the two former Moderators of General Assembly who are members of General Assembly in that capacity, and the convenors of the equalities committee, the faith and order committee, and the ministries committee. Where one individual holds more than one of these offices, or is unable to serve, the panel may co-opt any member(s) of General Assembly to fill the space(s), always providing that there shall be five members. The General Secretary, Clerk, and legal adviser, may be in attendance at any meetings of the panel, unless they are the subject of the process, but shall not be members of the panel. The former Moderator who served most recently shall convene the panel.
8. The panel shall investigate any complaint, and following consideration of evidence, are empowered:
 - (a) to suspend a Moderator-elect or serving Moderator (or an immediate past Moderator in respect only of his/her automatic membership of Assembly and Mission Council) or other officer where the nature of the concerns raised require this, and
 - (b) to consider whether the individual concerned should be permitted to take (or, if already serving, remain in) the Chair of the General Assembly or continue in their office in cases where no other disciplinary procedure is appropriate or, where other procedures, if pursued to a conclusion, would leave this question unresolved.

- (c) to recommend removal to a closed session of Mission Council or General Assembly, whichever meets first.
- 9. The normal order of proceedings before initiating the standing panel shall be: first, any criminal investigation; second, any employee disciplinary proceedings; third, any procedure that could lead to deposition from ordained or commissioned office.
- 10. The standing panel shall be empowered to accept any resignation offered, which therefore terminates their work.

G. To effect this, this resolution is proposed:

Acting on behalf of General Assembly, Mission Council resolves to insert the words specified in paper M2 of Mission Council March 2016, Section F, into the Rules of Procedure, with immediate effect.

H. It is not always possible to follow the procedure described in paragraph 3.14 of the Rules of Procedure on urgent replacement of the Moderator, because there is simply not enough time for that procedure to be followed, and some accepted conventions are not spelled out.

I. It is proposed to change the Rules of Procedure by deleting the words struck through, and inserting the words in italics.

- 3. Moderators
 - 3.1 The Moderators of the General Assembly shall be elected by ballot in accordance with these Rules. Each Moderator shall *normally* serve for two years commencing at the Assembly following the Meeting at which the report of the election is received in accordance with Rule 3.10. The period of office shall be deemed to begin with the induction of each Moderator and shall continue until that Moderator's successor is inducted into office. *A Moderator will continue as immediate past Moderator until their successor ceases to be Moderator and therefore replaces them as immediate past Moderator.*
 - 3.2 The Moderators of the General Assembly shall be two in number, a minister or a Church Related Community Worker and an elder. The elder may be serving or non-serving but in all cases the names of those persons nominated to serve as Moderator must be included on the membership roll of a local church for that person to be eligible for nomination.
 - 3.3 A nomination for election as Moderator of the General Assembly shall be made by a synod, the consent of the nominee not being required. The nomination shall be in writing under the hand of the clerk of the synod and received by the General Secretary not later than the 31 March immediately preceding the annual meeting of the Assembly.
 - 3.4 The General Secretary shall forthwith send to each person nominated a list of the nominations. Any nominee may, within ten days of the receipt of this list, withdraw from nomination by notice in writing to the General Secretary.

- 3.5 If after 31st March or after the period for withdrawal there shall be no nominations, in either or both categories, the General Secretary shall forthwith notify the clerks of the synods and invite them to request nominations from the executive committees or equivalent of their synods. Such nominations, accompanied in each case by a note of the consent of the person nominated and a brief biography, must be in the hands of the General Secretary by 15th May.'
- 3.6 In either category if after the period for withdrawal there is only one nomination, this nomination shall be placed before the Assembly and voted upon by secret ballot.
- 3.7 If the number of those who have been nominated in either category and have not withdrawn is or exceeds two, the election shall be by a secret ballot according to the principle of the single transferable vote. All members of the Assembly shall be entitled to vote. They shall vote by indicating their preference by figures 1, 2, 3 and so forth, but no voting paper shall be invalidated by the absence of alternative choices. If the tellers find that no name has an absolute majority of first choices, the second choices of those who gave as their first choice the name securing the smallest number of such choices shall be added to the first choices for other names. If necessary this process shall continue until one of the names has an absolute majority of votes cast. If the process continues until only two names remain, the person who then has the larger number of votes shall be elected.
- 3.8 Members of the Assembly shall vote by means of a voting paper containing the name, the usual designation and the church of membership, of each of those accepting nomination which shall be sent by the General Secretary by ordinary post to each such member before the commencement of the Ordinary Meeting of the Assembly. Brief indication of the reasons for the nomination, as supplied by the synod, may be circulated with the ballot paper. The General Assembly may in any case authorise further means of informing the members about those accepting nomination.
- 3.9 Normally, the General Assembly shall vote to elect the Moderators of the Assembly by secret ballot as an item of business following prayer ~~on either the second or third day of~~ *during* the meeting of the Assembly. The ballot boxes shall be delivered to the tellers by whom alone they shall be opened. They shall report the result of the ballot to the Assembly at a later session.
- 3.10 As soon as the voting papers have been examined and the result of the poll ascertained, the voting papers shall be closed up under the seal of the tellers or any two of them, and shall be retained by the General Secretary for one month after the election, and shall then be destroyed.
- 3.11 At each Ordinary Meeting the Assembly shall appoint, upon the nomination of the Nominations Committee, three tellers to be responsible for the ballot for that year. The counting of the votes cast shall take place in secret under their supervision and control and they shall:
- 3.11.1 inform the General Secretary of the names of the persons elected and the General Secretary shall thereupon individually inform those nominated whether or not they have been elected.
- 3.11.2 report to the Assembly the names of the persons elected, the number of papers received and the number of papers which were invalid.

- 3.12 If any of the tellers appointed by the Assembly shall become incapable of acting the Moderator shall fill any such vacancy or vacancies and report that action to the Assembly.
- 3.13 Upon receipt of the report of the tellers by the Assembly the persons elected shall thereupon become the duly elected Moderators for the two years commencing at the next Ordinary Meeting of the Assembly.
- 3.14 Where the previous General Assembly at its ordinary meeting has failed to elect, or in the event of either or both of the persons elected to serve as Moderator becoming unable to serve,¹ *more than 120 days before the first day of the meeting of the General Assembly at which they were to have been inducted, then* the General Secretary shall seek nominations from synods in the manner prescribed in clauses 3.3 to 3.5 for persons available to serve as Moderator for the coming Assembly. On receipt of those names, the General Secretary will inform all those whose names appeared on the Roll of the previous Assembly of the nominations and send them a ballot paper. Those ballot papers shall be returned by post within five working days of receipt. Thereafter, the General Secretary shall deliver these ballot papers unopened to the tellers for the election of the Moderator who shall open and count the votes cast and report the result of this election to the General Secretary in the same form as would have been reported to the General Assembly had this election been held during the Assembly.
- 3.15 If a Moderator is unable to take office fewer than 120 days and more than 60 days before the first day of the meeting of the General Assembly at which they were to have been inducted, then the Moderator currently in office shall continue in office until a successor is inducted. The General Secretary shall seek nominations from synods in the manner prescribed in clauses 3.3 to 3.5, and an election shall be held at the General Assembly in the manner prescribed in clauses 3.7 and 3.8, and the Moderator so elected shall be inducted during that meeting of Assembly.
- 3.16 If a Moderator is unable to take office fewer than 60 days before the first day of the meeting of the General Assembly, or resigns from office after induction, or is removed from office after induction, then the General Secretary shall forthwith initiate a postal ballot as described in clause 3.14, and the person so elected shall be inducted at the next meeting of the Mission Council, save that if this clause comes into effect less than nine months before the planned meeting of General Assembly, then the remaining Moderator shall serve alone until the next meeting of General Assembly.
- 3.17 During the temporary absence of a Moderator, the other Moderator may serve alone. In the event of a conflict of interest with the business under discussion, the most recent former Moderator without such conflict of interest, who is present and willing to serve, shall serve. If neither Moderator is present, the most recent former Moderator present and willing to serve shall serve.

1 A Moderator may be unable to serve for any number of reasons, including, but not limited to ill health, bereavement, or family circumstances. Such a situation should not be assumed to be anything disciplinary.

J. To effect this, this resolution is proposed:

Acting on behalf of General Assembly, Mission Council resolves to amend the Rules of Procedure as specified in paper M2 of Mission Council March 2016, Section I, with immediate effect.

M2

United Reformed Church • Mission Council, March 2016

Paper M3

General Secretary
The future of
General Assembly

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper M3

General Secretary

The future of General Assembly

Basic Information

Contact name and email address	The Revd John Proctor john.proctor@urc.org.uk
Action required	Advice. This paper is at an interim stage, and comment and input from Mission Council are now sought, to guide its development
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	The future of General Assembly
Main points	The character of Assembly: it relational and is it relevant? The way we decide: how much does consensus help, and why? Linking Assembly to the wider life of the Church Paying for Assembly, and keeping it within budget
Previous relevant documents	Mission Council minutes 15/39 and 15/65, November 2015
Consultation has taken place with...	General Secretariat, the Treasurer

Summary of Impact

Financial	This paper aims, among other things, to bring Assembly within its agreed budget
External (e.g. ecumenical)	Nothing specific at the moment.

The future of General Assembly

1. Mission Council has asked me 'to initiate a review of the ways in which our meeting together as General Assembly may develop in the future so that it can better reflect our ethos as a conciliar church through the activity of growing together as the Body of Christ. In particular the review should consider whether General Assembly can be funded without calling upon additional finances from individuals and synods.'
2. That remit raises two obvious issues: what does Assembly accomplish; and what does it cost? But it raises too a broader issue, about the role of Assembly in the decision-making structures of the URC – its relationship to Mission Council, to committees and task groups, and to decisions taken in synods and local churches. Recent Mission Council discussion on 'Hearing God more clearly' reflected a strong commitment to Assembly, with a desire to meet annually if possible and to pay for this by reducing our committee work. Inevitably the three issues are linked: the role of Assembly; the wider web of meetings and decisions; and the cost of it all.
3. Traditionally a General Assembly in the Presbyterian tradition has three functions – administrative, legislative and judicial. It oversees the Church's work, determines rules and procedures, and adjudicates on serious difficulties. In those respects it is a working council with a job to do. In the Congregational tradition, however, annual gatherings of this kind have had a less defined, although perhaps not less important role. Their primary benefit is to nurture identity and fellowship, to celebrate what God is doing among us, and to provide a focus for mutual encouragement and support.
4. Some of our present dilemmas about Assembly result from the difference in the above two approaches. One tradition would judge an Assembly by what flows out from it – decisions, policies and so on. Another looks at what happens in Assembly: how well does it nurture the Christian life and vision of those who attend? Certainly there need not be a complete mismatch between these approaches. Good work can itself be uplifting; and an occasion that inspires is more likely to lead to good listening and wise resolutions. However, it may be worth teasing out some of the implications of the two models, in relation to the hopes and dreams that an Assembly kindles in us.
5. If Assembly is primarily a business meeting, with work to do, then we should aim at being efficient, informed and representative. The number of people who attend may not much matter, as long as we can trust them. Trust depends, of course, on how well they engage with their synods before Assembly and afterwards, so that there are good links between the conversation at Assembly and the needs of our congregations. But the actual decisions may not depend very tightly on the number of people making them. An average synod sends about twenty people to Assembly, and four to Mission Council. But I rarely hear people saying that Mission Council is unrepresentative on these grounds. If those four are diligent, vocal and in touch with the churches, they can take good decisions. The quality of Assembly's decision-making doesn't have very much to do with size; it could grow or shrink quite a lot without there being much change in the wisdom of its corporate judgment.
6. However, even a businesslike Assembly makes some gains by being larger rather than smaller. Here are some of the reasons why. There is a strand in Reformed tradition that thinks of the whole Church taking decisions together; we tend to suspect tight-knit power-groups. Some of our people find it energising to share in decision-making. Being present at Assembly draws members together in common vision, nurtures our identity as one body, and helps us to understand and honour policies that

- would not have been our personal first choice. A big Assembly does have some advantages over a small Assembly, even if we view it as a business meeting.
7. However, if we switch to a view of Assembly as primarily an occasion for mutual support and growth, then big is definitely beautiful. If, like the Baptist Union of GB, we invited people to Assembly primarily for inspiration, vision and equipping, we might (like the BU) ask members to pay for themselves, we would restrict formal business to a small slice of our time together, and in planning for the event our only limitations would be logistical. How many can we fit in, how many want to come, and (depending on how we fund the event) how many can we pay for? – these would be the key questions, and we would aim for these numbers to be as high as possible. Learning, worship, celebration of God’s work, resourcing, networking – these would be the main themes, and debate would be cut to a minimum. No longer would we ask about the decisions Assembly takes, but about the experience Assembly offers. One or two days might very well be better than three or four, as more people could come.
 8. So what does the Church want from Assembly? (i) Wise decisions? In that case, I don’t think size matters very much (para 5 above). (ii) Widely shared decisions (para 6)? That might fit the brief given me about conciliarity and growth, and it strikes me as the implicit rationale of Assembly at the moment. (iii) Or inspiration and equipping (para 7)? In which case, could we arrange for another body to take more of the decisions – Mission Council, perhaps? And could we then change the character of Assembly, and save some budgetary problems along the way?
 9. Realistically, I cannot see the URC opting for either the first or third of the courses above. We value the notion of Assembly as primarily a ruling council of the Church. Moving away from this (as in para 7) would be legally complicated, and would feel like selling our birthright; we would not be willing to do it. But shrinking Assembly radically would not attract us either; we are not just interested in good decisions; we also want good numbers of people to take them. So can we acknowledge why it is that we want this? Are the reasons in para 6 above indeed the ones that matter most to us? And, even so, might we still think of these as relative rather than absolute preferences, so that we should not try to possess more of them than we can afford? We shall return to this point when we think about cost.
 10. From now on, I shall work with the model of Assembly set out in para 6: primarily a business meeting, in which the Church wants a wide group of people to participate. If this model is to ‘reflect our ethos as a conciliar church through the activity of growing together as the Body of Christ’ what might be the criteria for achieving such a result? Two are implied in the brief: is it relational; and is it relevant?
 11. Is Assembly relational? Does it truly enable people to get to know each other, to deal well with one another, to give and receive together, and to offer their personal inputs aptly and helpfully? Such a way of working would both match and nurture our conciliar ethos, and surely our current commitment to taking decisions by consensus reflects our desire to be properly relational. So more about consensus in a moment.
 12. Is Assembly relevant? Does it address the needs and reflect the concerns of local churches: is it honest, grounded, encouraging, responsive? Only so will it help us to grow. Calling for relevance need not imply that Assembly must comfort rather than stir, nor that it must be introverted, concerned only with church life as a contained little world. At its best it will press us outwards, with eyes, hearts, lips and hands open in care, testimony and service. It will teach and challenge us in ways we had not expected, and send us out re-formed for the mission of Christ. However, one does occasionally hear that an Assembly is out of touch, and I am inclined to think that this sense of distance arises when our people feel that its business and decisions do not

- match well to the concerns of their local fellowship. If that is the complaint, then it will only be allayed if we look with greater care at the business we do, the programme we plan, and the ways that we listen to one another, and think how all this might be experienced by people whose main church involvement is local. Which might mean that we shall be most relevant when we are also properly relational.
13. I want to explore the notion of Assembly as relational by looking at how we discuss and decide. Why use consensus as much as we do? What is helpful about this method, and when might it prove unhelpful?
 14. There is a theological rationale for the consensus decision making (CDM) process in the 2007 General Assembly reports. As often happens in the URC, the case is supported by some good scriptural examples and some experiential reflection on church life. There is less by way of doctrinal analysis – moving from what we believe towards a theology of decision-making. By contrast the main themes of this 2007 report – pilgrimage, listening, openness, patience, exploration, discernment – are theology refracted through experience. They are practical theology, concerned with the active expression of godly communal life.
 15. I can think of four possible reasons to favour CDM. (i) Polity. If our theology of decision-making depends on us all journeying together, then CDM makes sure we do this. (ii) Prophecy. It is important to hear all the voices in a council, and sometimes the slowest members to speak, the most diffident people and the minority voices have wisdom that eludes the rest of us. CDM opens us to radical listening and so, often, to God. (iii) Process. CDM is a good procedure ‘for moving fluently and respectfully through the stages of debate’. It works well when a wide range of views need to be gradually exposed and explored. This is especially true when an issue is either new or controversial. The slowness of CDM can be a virtue. It gives people time to hear the Spirit, and to reflect on the input of others. (iv) Perception. CDM gives us more chance to gauge the depth of feeling on a difficult issue. It allows people’s instincts, emotions and concerns to contribute, in constructive and respectful ways.
 16. We may not yet have managed to distinguish between CDM as a method and unanimity as an ideal. Undoubtedly CDM is a helpful method for working through a discussion, and even after a careful and constructive use of the process, unanimity will sometimes elude us. But if we abandon outright the notion that CDM aims for unanimity, or set this aim aside too quickly and too often in practice, we may find that our commitment to the method will dilute and some of its benefits will be lost.
 17. The attitude of members of council is critical. CDM ‘relies on those present wanting to find a way that is good not just for themselves but for as many others as possible. That demands an attitude of mind and heart.’ There needs to be a common aim, and a desire to work together towards it, a readiness to listen to people with whom we disagree, and a willingness to be changed by the conciliar experience. This suggests that the capacity of a council to use CDM is nurtured by the broader culture of church life, and the extent to which we already want to live, speak and act as members of one another. In other words, Assembly can support our conciliar ethos, but we also depend on our wider conciliar ethos to enable good experience at Assembly.
 18. The slowness of CDM may require us to be more selective about what we discuss. As mentioned in para 7 above, it is possible that Mission Council could take more decisions. But perhaps we also need to learn not to waste time at Assembly by muddle and confusion. We do depend on those who prepare business for Assembly. The officers of Assembly are not censors, but they have an advisory role, to make sure that conveners and synod representatives bring resolutions in the most lucid and

constructive form possible. 'What are you aiming to achieve? How can we help you to make sure that Assembly understands this?' If these questions are answered before Assembly, we shall know better what to categorise *en bloc* and what needs to be tabled for our precious discussion time.

19. Finally, even when a conciliar discussion has been marked by attentive listening and growing convergence, it may still be hard for people who were not present to share the journey that was taken by those who were. A consensual council will only result in a consensual church, if we devote time and care afterwards to advocacy and explanation, and to a necessarily patient process of engagement with people who question the path that their council followed.
20. This takes us back to the issue of relevance. Any thinking about the renewal of Assembly needs to see it in context: most of what the URC achieves is done locally. Most of our worship, learning, care, mission and practical service happens through local churches. So Assembly needs to connect. People who represent synods or other constituencies are called, surely, to consult before and communicate afterwards. We cannot hope to be relevant, unless we talk to the people for whom we seek that relevance. Members of Assembly are not mandated to vote. They listen in Assembly for the Spirit, who may blow in unexpected directions. But they are responsible for thinking, 'How will this play out in my county, our city, this synod, the sort of churches I know?' They speak, listen and vote with that in mind, and then explain what Assembly has done to the people who are affected by it. Is that what happens at your synod meeting? Or elsewhere in your synod?
21. One way of bringing Assembly's work to the attention of the URC as a whole might be to recall that we are pretty good at running inspirational events of various kinds – synod days out, Youth Assembly, Pilots Big Day Out, multicultural celebrations, and so on. Could we do more to thread common themes through these events that connected well with the agenda of our central councils? That need not mean, lest you fear this, asking Pilots to explore the arcane excitements of church law and polity. But it could mean rejoicing in, for example, feasts and festivals, or roots and foundations, in a series of events over a year or two. Our Youth and Children's staff generate good titles every year, which are consistently concise and accessible, yet also substantial. A bit more synergy might help us all. That in turn might address the concern for inspirational gatherings noted above. Maybe Assembly isn't meant to be the main carrier of that particular expectation.
22. Now to finance. Recent Mission Council discussion on 'Hearing God more clearly' expressed a strong commitment to Assembly, within an overall concern to manage and limit spending on central councils and committees of the Church. The current budget for an Assembly is presently £100K p.a., thus £200K for each biennial meeting.
23. This figure was fixed by Assembly in 2012, as part of a major review of all our spending. We chose positively to put this money into Assembly, when we could have assigned some of it to other tasks. And we chose definitely to limit Assembly's budget to this sum because we believed that spending more than this would cut into other important needs. That budgetary discussion was difficult; to ignore its outcome would be dishonest. Yet we presently have an Assembly that actually costs more than this, and it appears that we are squaring the circle by asking synods and members of Assembly to help with costs. In 2016 we can run Assembly for £200K by limiting the board and lodging subvention to £50 per person per night (whereas Southport hotels cost about £70); by providing only partially for evening meals; and by asking synods to pick up their members' travel costs. The real cost is surely nearer to £250K, or even a little more.

24. Synods have made it clear that they do not wish their representatives to pay for going to Assembly. Nor are synods keen to pay for this regularly themselves; they might contribute in 2016, but do not wish to go on doing so. So how could Assembly cost less?
25. (i) It could meet more rarely.
 (ii) It could have fewer members.
 (iii) It could meet more briefly.
 (iv) It could be less elaborate.
 (v) We could try to make efficiencies in planning.
- (i) This would not be popular in the Church. Memories still go back to annual assemblies. Discussions at Mission Council, on the Wessex resolution of March 2014 and the medium term strategy group report in May 2015, confirm this view.
- (ii) We could take some small steps along this track if, for example, we allowed the size of Assembly to vary in proportion to membership figures. A synod's allocation would be one place in Assembly per 300 (or maybe one per 250) URC members in the churches. Of course one could argue whether membership is a precise measure of a local church's strength; but aggregated across a whole synod it is as fair a measure as we have got. And when a synod's numbers grow, so will its contingent in Assembly.
- (iii) and (iv) A combination of these two adjustments might be possible, with shorter and simpler meetings. A risk here would arise if we had to deal with business so briskly that members felt unable to contribute properly. But there is surely still room to explore these leads: could we save money on layout (not insisting on table groups), venue (fewer fringe stalls and events), audio-visual excellence or guests? Could we present even more uncontroversial business en bloc? What about the timing of discussions? Could better preparation help? It is better to get the paper on authorised elders, for example, into really good shape beforehand, than to have a ragged and lengthy debate on it; I have been glad to see the responsible committee attending to this concern.
- (v) And what about our planning? Could we use an events management company? Would they negotiate better deals on hotel rooms and meeting venues than our staff can? If so, could we find a company that would understand our needs and ethos? Could such a company range around the land, as Assembly moved? Or might we also look for a regular Assembly venue, to which we would return many times, and which would therefore offer various economies in preparation?
26. There are several loose ends that this paper does not address. It is presently only an interim draft.
- (i) Who makes decisions about Assembly? Another way of putting that question is to ask about the limits and the freedom given to the Assembly arrangements committee. Have they the power, for example, to shorten the Assembly by a day, if they could find a way to cover the business within a shorter time? And if not that, what can they decide, and what may they not?
- (ii) If we contain Assembly within its agreed budget, and also reduce money on committees, as Mission Council requested in 2014-15, where will policy be formed? I think the answer is that Mission Council might need to do a bit more. My sense is that it probably has capacity to do so, if it is well briefed.

- (iii) This leads, in turn, to the question of how we put the whole machine together – Assembly, Mission Council, committees, synods and congregations.

27. Now for some questions to help the thoughts above to develop in useful directions:

- (i) Paras 5-7: which of the following three aspects of Assembly is most important – the quality of its decisions, the sense of ownership around the decisions, or its inspirational character as an event? Put another way, are you primarily a paragraph 5 person, or para 6, or para 7?
- (ii) If you opted for para 5, do you agree that the size of the Assembly is not very important? If you think its size does matter, what for you would be its ideal size, and why?
- (iii) If you opted for para 6, are the reasons given in para 6 also the reasons that motivate you to care about participation? If not, what are your main reasons?
- (iv) If you opted for para 7, where would you expect the Church to do most of its business and take most of its decisions, if not at Assembly?
- (v) Para 15: which of the four reasons given for favouring CDM matters most to you? And which matters least? Is there another reason entirely that you would have put ahead of these four?
- (vi) Para 16: do you think we can aim for consensus in our business, without insisting on unanimity? What snags might arise if we did this, and how could we overcome them?
- (vii) Para 20: in years when you have not been at Assembly, what is your experience of the quality of information that has come back to you from those who did attend? What, if anything, would you have liked these people to do differently?
- (viii) Para 25: if you had to save over 20% of the cost of Assembly (as we do), which of these five threads would you expect to tug first and hardest? And which of the five would you be least inclined to touch?

Paper M5

Clerk

Resolution 19B(2) and 19E from
General Assembly 2014

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper M5

Clerk

Resolution 19B(2) and 19E from General Assembly 2014

Basic Information

Contact name and email address	The Revd Michael Hopkins clerk@urc.org.uk
Action required	Decision
Draft resolution(s)	<p>1) (Resolution 19B(2) from Cardiff) Mission Council, acting on behalf of General Assembly, resolves to amend the Structure of the United Reformed Church by deleting the words ‘a committee convener or otherwise entitled to membership of the Assembly’ from Paragraph 2(6)(d). That sentence would now read: Where the moderator of synod is an officer of the Assembly the synod concerned shall appoint a substitute as its representative;</p> <p>2) (Resolution 19E from Cardiff) Mission Council, acting on behalf of General Assembly, resolves to amend paragraph 2(4)(a) of the Structure of the United Reformed Church by adding the words ‘former Moderators of General Assembly and Assembly appointed ministers who are members of a local church in that synod’ This sentence would now read: The synod being representative of the local churches in that province or nation united for the purpose of dealing with matters of wider concern shall consist of: (a) All ministers, registered pastors (in Scotland) and Church Related Community Workers engaged directly in the service of the United Reformed Church within that synod, former Moderators of General Assembly and Assembly appointed ministers who are members of a local church in that synod</p>

Summary of Content

Subject and aim(s)	Membership of synods and of General Assembly
Main points	Adding two new categories of people to the roll of synods Reducing the number of cases in which conflict of interest may allow a synod to appoint an extra member to Assembly
Previous relevant documents	Record of Assembly, 2014, pages 15-19 Paper M4, Mission Council, May 2015 Paper M3, Mission Council, November 2015
Consultation has taken place with...	All thirteen synods

Summary of Impact

Financial	Occasional slight reduction in Assembly costs; small increases in the synods' running costs
External (e.g. ecumenical)	None.

Resolution 19B(2) and 19E from General Assembly 2014

1. Resolution 19 at the 2014 General Assembly concerned the membership of Assembly and Mission Council. Some sections of the resolution were agreed at that Assembly and were able to be implemented. Various other sections proved more complicated than expected and cannot immediately be taken forward. Two further sections that were agreed at Cardiff would involve changes to the Structure of the United Reformed Church, and so require a more elaborate process, involving reference to the synods and further consideration at a central council of the Church. These two sections are the subject of this paper.
2. The proposed amendments to the Structure, approved in July 2014, were forwarded to synods in May 2015, and replies were sought by December 2015. The attached two-page letter from the General Secretary to the Synod Clerks sets out both the procedure and the substance of the amendments.
3. All thirteen synods have had opportunity to consider these two amendments. None has asked that they 'be not proceeded with'. The amendments therefore come to Mission Council, with a resolution that would effect their final approval and incorporation into the Structure of our Church. In this matter, Mission Council would act on behalf of General Assembly.



17th May 2015

To Synod Clerks

Dear Friends,

Report to Synods on matters referred to you for consideration

This letter comes on behalf of the Revd Michael Hopkins, Clerk to the General Assembly, as well as on my behalf. Any responses should be sent to me.

We write to let you know about three sets of matters that were discussed at the URC's Mission Council last weekend. These are now referred to Synods for consideration, because they would involve changes to the Structure of the Church. The procedure for doing this is set out in Section 3(1) of the Structure. You will see that such matters are considered at a central council of the Church, referred to Synods, and then considered again at a central council, where a formal and final decision may be taken. So this is now the middle stage of a three-stage process.

Unless your synod passes a resolution that an item "be not proceeded with", and you notify the General Secretary by the date specified, your synod will have been deemed to agree by default. That means that if you agree with a measure, you do not need to reply. If you disagree with it, it is important that you do reply.

For convenient consideration of these matters, they are set out below on separate pages.

Should you have any questions about the process and formalities of these matters, please do not hesitate to contact me.

With thanks for your help in guiding the life of our Church,
Yours sincerely,

John Proctor

1. Changes to membership of governance bodies

These items were both approved by General Assembly meeting in Cardiff in July 2014:

19B(2) General Assembly resolves to amend the Structure of the United Reformed Church by deleting the words “a Committee Convener or otherwise entitled to membership of the Assembly” from Paragraph 2(6)(d).

That sentence would now read:

Where the Moderator of Synod is an Officer of the Assembly the Synod concerned shall appoint a substitute as its representative;

In practical terms, this first resolution means that where a Synod Moderator is a member of General Assembly in more than one capacity, the Synod would now only appoint a substitute if that other capacity is as an Officer of Assembly. This was agreed because the Assembly judged that this was the only conflict of interest that was really sufficient to merit a substitute.

19E (re Paragraph 2(4)(a) of the Structure) General Assembly resolves to amend the Structure of the United Reformed Church by adding the words “former Moderators of the General Assembly, and Assembly appointed Ministers who are members of a Local Church in that Synod” to the end of the current sentence.

This sentence would now read:

The Synod being representative of the Local Churches in that Province or Nation united for the purpose of dealing with matters of wider concern shall consist of:

(a) All Ministers, Registered Pastors (in Scotland) and Church Related Community Workers engaged directly in the service of the United Reformed Church within that Synod, former Moderators of the General Assembly, and Assembly appointed Ministers who are members of a Local Church in that Synod.

This second resolution adds two categories of people to the membership roll of a provincial or national Synod.

*The date for responses to these is **31 December 2015**, which means that these matters must be dealt with at your forthcoming autumn Synod if you wish to consider them.*

*Michael Hopkins, Clerk to the General Assembly
John Proctor, General Secretary
May 2015*

M5

United Reformed Church • Mission Council, March 2016

Paper M6

URC-Methodist strategic oversight group

The URC-Methodist Reciprocal Arrangement

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper M6

URC-Methodist strategic oversight group

The URC-Methodist Reciprocal Arrangement

Basic Information

Contact name and email address	The Revd John Proctor john.proctor@urc.org.uk
Action required	Mission Council is asked to take note. Synods should consider making their own responses
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	To invite synods to consider ending an arrangement that once served well but is not now as helpful as it used to be
Main points	It may be time for the Churches to end the Reciprocal Arrangement as a formal expectation, while continuing to support one another generously in particular local situations
Previous relevant documents	Nothing recent
Consultation has taken place with...	The Methodist Church. Synod Moderators and synod property staff

Summary of Impact

Financial	In practice the effect may be very slight indeed
External (e.g. ecumenical)	Greater clarity may emerge in dealings between Methodist and URC congregations.

The Reciprocal Arrangement

1. What does the Arrangement do?

The Reciprocal Arrangement (sometimes known as the Reciprocal Agreement) came into being at the start of the 1990s. It provides for Methodist and United Reformed Church funds to be invested in shared buildings. Typically it applies when a local congregation in one of the two traditions closes its doors, sells the building, and merges with a nearby fellowship from the other tradition, as an LEP. Proceeds from the sale might then be used to develop the other church building, even though it is held under different trusts to that of the property that was sold. A key feature of the Reciprocal Arrangement is that this money will carry no legal charge to require its repayment should the second building eventually be sold too – if, for example, the united congregation decides a decade or two later that its life must end. The freedom from such a legal charge has often given local churches the confidence to develop their buildings and their congregational life in creative ways, which have in turn released energy and shaped opportunity for effective Christian mission.

2. Who has supported it?

The legal title of Methodist buildings is held by the Trustees for Methodist Church Purposes as the Custodian Trustee, whereas most URC buildings in England and Wales are held by the various synod trust companies. Therefore the URC synods (apart from the Synod of Scotland, which had not yet come into being) were asked to commit themselves formally to this Arrangement within the first year or two. A number did so, although at least one synod declined, on the grounds that the synod meeting could not direct the Provincial Trust Company; nonetheless, the URC has been widely supportive of the Arrangement. The Methodist Church has supported it too.

3. How well has it worked?

The Arrangement has proved creative and helpful in many places. An organised list of these situations has, however, proved impossible to assemble. While we honour what has been done, we have no complete record of it. There is no evidence of any systemic bias towards either Church, although there may be local memories of one tradition 'doing better out of it' than the other in a particular area. If this had happened, it would not be surprising; one could not expect complete symmetry in every corner of the land.

4. How is it working today?

There is no thought at all of withdrawing from commitments made under the Arrangement. Money that has been committed is precisely that – committed. However, expectations have moved on since the early 1990s. Perhaps there is less energy and enthusiasm now for some ecumenical ventures. There is certainly a higher level of sensitivity around the responsibilities of charity trustees. Possibly for these reasons, among others, the Arrangement is presently being applied rather unevenly, and is sometimes surrounded by a more visible caution than would once have been the case.

5. Where should we go from here?

It seems that the time has come to draw a line under the Arrangement as a formal bilateral commitment. It was never exactly that anyway, due to the diffuse polity in the URC, compared with the structure of the Methodist Church. In part for that reason, it would be difficult to construct a new reciprocal scheme that had a uniform and formal structure. So perhaps it is now better to proceed no less carefully but on a case-by-case basis according to local circumstances.

6. A less formal generosity?

Both churches continue to value each other's witness highly, and we welcome opportunities to worship and work together both in local situations and more widely. There will still be occasions and places for dealing collaboratively with church buildings, and we shall do so best when each side seeks to be generous. But the formal structure that has helped us to do this since the early 1990s is no longer serving the present need. Subject to the comment of Mission Council and the agreement of the Methodist Council, we suggest that the Methodist Conference and the URC's synods release one another from formal obligations under the Arrangement. The obligation that will remain is the regular Christian debt, to love one another, and so to devise, explore and adopt practical, timely and generous ways of expressing that love.

Paper O1

Human resources advisory group (HRAG)
Report on recent work

United Church 2016
Church 2016
Reformed Church 2016
Church 2016

Paper 01



Human resources advisory group

Report on recent work

Basic Information

Contact name and email address	Keith Webster kwebsterwms@btinternet.com
Action required	For information
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	Report providing an update on the recent work of HRAG
Main points	
Previous relevant documents	Previous HRAG reports to Mission Council
Consultation has taken place with...	Senior staff at Church House

Summary of Impact

Financial	The new staff post for Retired Ministers' Housing has been considered and budgeted for by the Housing Society
External (e.g. ecumenical)	None.

HRAG: report on recent work

1. Membership

Keith Webster (convenor), Alastair Forsyth, Bridget Fosten, Mike Gould, Peter Pay, the Revd John Proctor, General Secretary, Jane Baird, Deputy General Secretary (Administration & Resources)

These people bring a wide range of skills in diverse aspects of human resources (HR).

2. Remit

HRAG was established in October 2012 and its remit was renewed by the May 2015 meeting of Mission Council. The remit is to provide a unified reference point on HR matters for Mission Council/General Assembly/Trust and Church House personnel.

3. Routine work report, October 2015-January 2016

3.1 The following job descriptions and posts have been reviewed:

Under the renewed remit HRAG reviews the job descriptions and person specifications for Assembly Appointments. Other staff posts are only reviewed as a consequence of major changes.

Staff posts. Production and Marketing Officer, *Reform*
Regional Property Manager, Retired Ministers Housing Society

3.2 **Assembly committee convenor** – role descriptor

Following the review of the requirements of the role of an Assembly Committee Convenor a draft 'role descriptor' was prepared. This was circulated to all Assembly committee convenors and the General Assembly Moderators for comment. The draft generated considerable interest and, as is often inevitable when something is put down on paper for the first time, a range of issues and queries came to the fore. These were related not only to the draft but also more generally to what could be classed as 'committee issues'.

The draft has been amended as a result of the comments received and has the aim of being indicative rather than prescriptive. Hence it was still felt that the requirements could best be set out in a leaflet in the *So they have asked me to be a ...* series so enabling, in particular, prospective convenors to be able to consider what is entailed in the role. Accordingly, arrangements will be made for the production of a draft leaflet – we are speaking with the communications department about the best way to make this information available.

3.3 **Policies and procedures review**

The review of the HR policies and procedures which apply at Church House has now been completed with the ratification of the following final four policies:

- Harassment and bullying
- Whistleblowing
- Anti-bribery
- Equalities

The complete suite of policies will be available to the synods in due course and can be modified to meet their needs.

Appropriate training at Church House with regard to the policies and procedures has taken place and this has involved not only Church House staff but also staff from four synods and two Resource Centres for Learning.

Paper P1

Law and polity advisory group
Appeal, reference and
constitutional review between
councils of the Church

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper P1

Law and polity advisory group

Appeal, reference and constitutional review between councils of the Church

Basic Information

Contact name and email address	Augur Pearce augur@dunelm.org.uk
Action required	Decision
Draft resolution(s)	Mission Council resolves to propose to the General Assembly the following amendments to the Structure of the URC and to the Rules of Procedure (the Rules changes to take effect only if the Structure changes are ratified)

Summary of Content

Subject and aim(s)	To amend and clarify the mechanism for appeals from more local councils of the Church to wider councils; to introduce a procedure for reviewing decisions of more local councils which are believed to lie outside their competence.
Main points	The proposals: clarify who can appeal; confirm that a wider council can substitute its own decision on an appeal; allow appeals out of time when fairness or the interests of the Church require this; provide for hearing by a commission as the normal procedure for disposal of appeals; and allow a wider council, following constitutional review, to quash a more local council's decision taken outside its competence or contravening a binding resolution of the Assembly
Previous relevant documents	
Consultation has taken place with...	

Summary of Impact

Financial	Appeal hearings already have a cost in terms of time and travel. The proposals may increase their frequency, but the regular use of commissions would reduce the number of people involved.
External (e.g. ecumenical)	Decisions of an ecumenical area meeting are now clearly brought within the URC oversight mechanism if they have implications for the URC or any part of it.

Appeal, reference and constitutional review between councils of the Church

- A. The law and polity advisory group (LPAG) was asked by the former Clerk of Assembly (Margaret Carrick-Smith) and General Secretary (Roberta Rominger) to look at the church's rules for appeals from its more local to its wider councils. The topic was introduced at the group's meeting in June 2014 and the general principles discussed at that meeting. Agreement having been reached on the main points, a detailed draft was presented for the group's November meeting. The current draft, reflecting one alteration asked for in November, was adopted by the group's meeting in June 2015 and commended to Mission Council.
- B. The proposed amendments seek:
- B.1. to remedy one clear omission from para 5 of the Structure as it stands (the lack of any appeal from an ecumenical area meeting, even if it has itself determined an appeal from a local church);
 - B.2. to clarify who can appeal;
 - B.3. to resolve any doubt whether a wider council can substitute its own decision on an appeal;
 - B.4. to allow appeals out of time when fairness or the interests of the Church require this;
 - B.5. to provide for hearing by a commission as the normal procedure for disposal of appeals.
- C. They also introduce a new procedure – 'constitutional review' – whereby a wider council can, on application or on its own initiative, review a more local council's action when that action is believed to lie outside the more local council's competence or to contravene a binding resolution of the General Assembly.
- D. They do not cover decisions made by trust bodies, or by members of elders' meetings when acting as trustees, since these are not decisions of councils of the Church.
- E. Proposed Structure para 5**
- E.1. The first three sub-paragraphs distinguish the three ways in which a council's decision may be brought before a wider council for review.
 - E.2. An appeal is appropriate when a council's decision aggrieves individuals (or some other council) who wish to challenge it, and have standing to do so. A reference, on the other hand, is made when a council wishes a difference arising in the local church, ecumenical area, province or nation under its oversight to be considered at a wider level – this can include questions that lie within the referring council's own competence, but which it feels have a wider import or would benefit from being considered elsewhere.

- E.3. Appeal and reference are both concerned with policy decisions, and can be used when it is felt that the more local council's decision is simply wrong. Para 5.4 indicates that the wider council can substitute its own judgment for that of the more local council. Constitutional review, on the other hand, is not about the rights and wrongs of policy: it is about a more local council arrogating a wider council's power to itself without authority, or taking action contrary to the Basis of Union, Structure of the URC or a binding resolution of Assembly. Here there is no question of substituting a decision: the outcome of a successful review application is simply that the lower council's decision is declared a nullity.

F. Proposed Rule of Procedure 8

F.1. Appeals

- F.1.1. Following the principle of subsidiarity, nobody can appeal from a local church decision made within its competence except a member (or the elders' meeting collectively) of that church. The definition of 'dissentient' in rule 8.21 makes this clear.
- F.1.2. Comparable provisions apply to appeals from the ordinary decisions of wider councils. More local councils affected by an ecumenical area meeting or synod decision can also appeal from it. Finally, if a wider council has determined an appeal to it, the parties to that appeal are also given the right of further appeal.
- F.1.3. Time limits and procedure once an appeal is initiated are broadly carried over from the existing rules. So is the rule that action on a decision is halted once it is clear that an appeal is being pursued. However, the wider council with jurisdiction is allowed to lift the stay in appropriate cases, and its moderator can waive time limits when fairness or the church's interests so dictate.

F.2. References

- F.2.1. References are made only by councils, not by individuals. They are in themselves not of a litigious nature, but represent the referring council's judgment that other minds than its own should be brought to bear on the difference or dispute in question. It did not seem necessary to impose time limits on such action. Once a reference has been made, however, the question passes out of the referring council's hands, so there is a stay on further action similar to that flowing from an appeal.

F.3. Constitutional review

- F.3.1. It is important to be clear that constitutional review is very different from the other two processes. Appeal and reference are appropriate when a question is difficult or controversial, but they do not suggest any breach of URC rules. A constitutional review application (CRA), however, does suggest such a breach. The procedure does not, therefore, take away from the local church (or intermediate council) any competence that it had: rather it suggests that the church or council in question was claiming a competence it did not have, or acting in disregard of a mandatory procedure.
- F.3.2. (Illustration: if a local church objects to a synod decision to commission the publication of a booklet about local community projects for the involvement of church members – arguing that it is too expensive, and contentious in its selection – the remedy is an appeal; since that comes clearly within synod function (xiv) and a decision about how to discharge that function is therefore a policy decision (not a constitutional decision). However, if the synod has

decided to allow all retired ministers a vote in its decisions, which a local church feels has 'drowned out' local church opinion on important questions, a CRA is appropriate. Since the Structure stipulates that such ministers shall be associate members of the synod without a vote, the decision to give them a vote (and any decision where those votes have swung the balance) are nullities, and the CRA enables this to be authoritatively stated.)

- F.3.3. Rule 8.9.3 allows a person or council which could appeal against a decision on policy grounds to make a CRA where that is believed appropriate. But there may be cases where a council takes a decision that is very popular locally, yet still outside its powers. In order that the constitution of the URC may be respected, it is necessary for people outside that council to be able to initiate a constitutional review. Rule 8.9.1-2 suggests that the General Secretary, or a person named by a Synod Moderator (probably following a synod executive discussion) for the purpose, should be able to apply alone; otherwise any three members of the wider council can bring their concern for adjudication by it. The clerk of the council with jurisdiction, however, is not designated to make the application since it will be his/her task to decide independently whether there is a *prima facie* case. If there is not, the CRA will proceed no further.
- F.3.4. We have not suggested any strict time limit for a CRA since sometimes there may be a long time-lag between a local church decision and the synod or its officers learning of it. (There may be a case, though, for a time limit where the CRA is made by a dissident).

F.4. Commissions

- F.4.1. Much of the section on commission procedure is carried over directly from the existing rules. What is new is the provision that hearing by a commission of 3 or 5 persons, which then reports to the full council with jurisdiction (or to Mission Council, if the review of a synod's decision needs urgent disposal), should be the norm. The existing rules allow disposal by a commission only if the parties agree.
- F.4.2. If a commission's decision is accepted on all sides there seems no need to take up the full council's time. Otherwise it becomes a report to the full council (or Mission Council), which can (a) confirm it, (b) embark upon a plenary rehearing or (c) refer the case further 'up' (e.g. from a synod to the Assembly). We envisage both the latter courses being rare.

F.5. Recording outcomes

- F.5.1 The final provision, apart from definitions, requires the minutes of any council whose decision is reversed or annulled to be annotated to reflect that fact.

G. Resolution

The following changes of wording are therefore proposed to the structure of the URC:

Mission Council resolves to propose to the General Assembly the following replacements in the Structure of the URC and in the Rules of Procedure (the Rules changes to take effect only if the Structure changes are ratified).

Structure of the URC

5. Appeal, Reference and Constitutional Review

- 5.1. Any decision of a URC Church Meeting within an area of ecumenical cooperation may be taken by way of appeal to the area meeting. A decision of any other URC Church Meeting may be taken by way of appeal to the synod on which the local church concerned is represented. Any decision of an ecumenical area meeting having implications for the United Reformed Church or any part thereof [with the exception of decisions concerning Local Ecumenical Partnerships or Union Churches] may be taken by way of appeal to the synod on which local churches in the area are represented. Any decision of a synod may be taken by way of appeal to the General Assembly.
- 5.2. A Church Meeting may itself refer any dispute or difference arising within the local church for resolution by the synod. An ecumenical area meeting may refer any dispute or difference arising within the area for resolution by the synod. A synod may refer any dispute or difference arising within the province or nation under its oversight for resolution by the General Assembly.
- 5.3. The Synod may declare any decision of a Church Meeting within the province or nation under its oversight, or any decision of an ecumenical area meeting within that province or nation having implications for the United Reformed Church or any part thereof, which is (or has been reached by a procedure) incompatible with the Basis of Union, the Structure of the URC, the constitution of the ecumenical area (where applicable) or any rule or resolution of Assembly binding on the local church or the ecumenical area to be a nullity. The General Assembly may declare any decision of a synod to be a nullity on analogous grounds. The review of any decision with a view to declaring it a nullity shall be known as constitutional review.
- 5.4. Appeals, references and constitutional review under this paragraph shall be subject to conditions and processes laid down by the Assembly in Rules of Procedure. A wider council determining an appeal or reference may either substitute its own decision for that of the more local council, or remit the issue to the more local council for reconsideration. No procedure governed by this paragraph shall be used to review decisions reached under the ministerial disciplinary process or the incapacity procedure.
- 5.5. The decision of the General Assembly on any matter which has come before it on appeal, reference or constitutional review shall be final and binding.

Rules of Procedure

8. Appeal, Reference and Constitutional Review (Structure, paragraph 5)

I – Appeals

- 8.1. The right to appeal from a decision of a Church Meeting belongs to (a) the elders' meeting of the local church concerned and (b) any dissentient.¹
- 8.2. The right to appeal from a decision of an ecumenical area meeting belongs:
- 8.2.1 In the case of a decision in appeal proceedings, to (a) the appellant in those proceedings, (b) the respondent council in those proceedings and (c) any dissentient;
- 8.2.2 In the case of any other decision, to (a) the Church Meeting of any local church of the URC subject to the oversight of the area meeting and (b) any dissentient.
- 8.3. The right to appeal from a decision of a synod belongs:
- 8.3.1 In the case of a decision in appeal proceedings, to (a) the appellant in those proceedings, (b) the respondent council in those proceedings and (c) any dissentient;
- 8.3.2 In the case of any other decision, to (a) the Church Meeting of any local church subject to the oversight of the synod, (b) any ecumenical area meeting subject to the oversight of the synod and (c) any dissentient.
- 8.4. The following time limits apply to appeals governed by rules 8.1 to 8.3:
- 8.4.1 The potential appellant must, within ten days of the decision, request the clerk of the respondent council, in writing, to supply a copy of the minute of the decision.
- 8.4.2 This copy minute must be supplied within ten days of the request.
- 8.4.3 Within ten days of receiving such copy minute, the appellant must notify his or her desire to appeal, in writing, to the clerk of the council with jurisdiction.
- 8.4.4. For the purpose of rule 8.4.1, the date of a decision shall be
- (i) in the case of decisions taken at a plenary meeting of the synod, the date of that meeting;
- (ii) in the case of decisions taken by officers or committees under powers delegated by the synod, the earliest of the following (a) the date on which the

¹ For definitions see rule 8.21

decision is communicated in writing to the appellant (or to church secretaries, if the appellant is a local church); (b) the date on which the decision is published on a synod website; or (c) the date of the next plenary meeting of the synod after the decision.

- 8.4.5 An appellant may appeal out of time, giving reasons for the delay, but such an appeal shall only be entertained if the Moderator of the council with jurisdiction, after considering the reasons given for the delay and (if he or she thinks fit) inviting comments on behalf of the respondent council, so directs in the interests of the Church or of fairness.
- 8.5. On receiving due notice of a desire to appeal, the clerk of the council with jurisdiction must forthwith notify the clerk of the respondent council. The effect of this shall be to stay the action of the respondent council pending the decision in the appeal proceedings, unless the council with jurisdiction, on the application of the respondent council, lifts the stay.

II – References

- 8.6. A council of the church wishing to refer a dispute or difference for resolution by a wider council under paragraph 5.2 of the Structure may do so, either without taking any decision of its own on the subject-matter, or by submitting a decision it has already taken to the wider council's judgment.
- 8.7. The effect of a resolution to refer shall be to stay any action or further decision of the referring council on the subject-matter of the reference pending a decision on that reference, unless the council with jurisdiction, on the application of the referring council, lifts the stay.
- 8.8. In either case the clerk of the referring council must, within ten days of the resolution to refer, transmit to the clerk of the council with jurisdiction a copy minute of the resolution and the names of any members of the referring council who appear willing and able to present the issues to the council with jurisdiction.

III – Constitutional review

- 8.9. A decision of a synod or any more local council of the church which is not already the subject of an appeal or reference may be considered for constitutional review on the application of
- 8.9.1 in the case of a synod decision, (a) any three members of the General Assembly or (b) the General Secretary
- 8.9.2 in the case of any other decision, (a) any three members of the synod having oversight of the council taking the decision or (b) a member of that synod designated by the Synod Moderator
- 8.9.3 in any case, of a council or person who would be entitled to appeal from the decision.

- 8.10. A council or person wishing to apply for constitutional review of a decision must request the clerk of the respondent council, in writing, to supply a copy of the minute of the decision. There is no time limit for the making of this request but it should be done as soon as possible after the applicant has become aware of the decision. The copy minute must be supplied within ten days of the request. Within ten days of receiving such copy minute, the applicant must notify his request for a review, in writing, to the clerk of the council with jurisdiction. In case of urgency the request may be notified in advance of receiving the copy minute.
- 8.11. On receiving an application, the clerk of the council with jurisdiction must rule whether there is a *prima facie* case that the decision in question is incompatible with any of the authorities listed in paragraph 5.3 of the Structure. If not, he or she is to inform the applicant and no further action shall be taken; except that the applicant may require the clerk of a synod to reconsider his or her ruling after consulting the Clerk of Assembly.
- 8.12. If there is held to be a *prima facie* case, the clerk of the council with jurisdiction must forthwith notify the clerk of the respondent council. The effect of this shall be to stay the action of the respondent council pending the decision on the review.

IV – Commissions, their procedure and their reports

- 8.13. As soon as the clerk of the council with jurisdiction has received due notice of an appeal or reference, or has decided there is a *prima facie* case for constitutional review, the officers of Assembly (in the case of the General Assembly), the executive committee or other body charged with the synod's business between sessions (in the case of a synod), or the corresponding organ of an ecumenical area meeting (in the case of such meeting) shall appoint a commission to hear the case and report to the full council. The commission shall consist of either three or five members of the council with jurisdiction, except that one person who is not such a member may be appointed in respect of some particular relevant expertise. That person must be a member of the United Reformed Church or, in the case of an ecumenical area meeting only, of one of the other denominations represented on the meeting. No individual personally concerned with the case may serve on the commission. The commission shall proceed as it sees fit subject to the following principles.
- 8.14. An appellant, or the applicants for constitutional review, shall have the right and may be required to appear at a meeting of the commission. A council referring a dispute or difference for resolution must also appear, unless the individuals named under rule 8.8 appear and the commission considers itself adequately informed regarding the issues in dispute. A respondent council must also appear in support of its decision.
- 8.15. Individual parties appear in person; a council of the church appears by two or more members authorised by the council to represent it.
- 8.16. Appeals, references and applications for constitutional review shall be accompanied by all relevant records and papers. Appellants and applicants shall be entitled to see such papers as they deem necessary in order to bring their case before the commission.

- 8.17. Commissions proceed in the matter in the following order:
- (a) call for and read minutes and papers relevant to the case
 - (b) hear and question the parties
 - (c) consider and decide upon their report in the absence of the parties
 - (d) the parties being recalled, intimate the recommended decision to them
 - (e) report in writing to the council with jurisdiction through its clerk, who supplies copies of the report to the parties.
- 8.18. If all parties notify the commission, at the close of the hearing or in writing through the Clerk of the council with jurisdiction within seven days thereafter, that they acquiesce in the decision it recommends, then that decision shall become final and have effect as a decision of the full council. The commission's report shall be presented to the council with jurisdiction for information only.
- 8.19. Except where the foregoing provision applies, the commission's report shall be presented to the full council with jurisdiction at its next meeting (or, if the council with jurisdiction is the General Assembly and the commission sees need for a swift disposal, to Mission Council) and the recommended decision shall become final if confirmed by a simple majority. The commission may, if it thinks fit, lift any stay on actions of the respondent council at the close of the hearing. If the full council does not confirm the commission's recommendation it may reconsider the case in plenary session (following the same procedure as prescribed for the commission). The General Assembly may alternatively direct Mission Council to reconsider the case in plenary session; and any other council may refer the matter under rule 8.6 to the next wider council.
- 8.20. If a decision of any council of the church is reversed or declared a nullity on appeal or constitutional review, or the decision of a wider council substituted for it, the clerk of the respondent council must annotate accordingly the record of the decision in that council's minute book, and enter in the minute book a copy of the wider council's decision.

V – Definitions

- 8.21. Throughout rule 8:

'appellant' means the person or council appealing to a wider council of the church

'Clerk', in relation to a church meeting, means the church secretary, and in relation to an ecumenical area meeting, means its secretary

'constitutional review' has the meaning ascribed in paragraph 5.3 of the Structure of the URC

'council with jurisdiction' means the council competent to hear a particular appeal, reference or constitutional review

‘decision’ of a council of the church includes an express decision not to take any action, or the refusal by any council (or by the person presiding at its meeting) to consider a proposal for such action

‘decision in appeal proceedings’ means the decision of a wider council of the church on appeal from a more local council

‘dissentient’, in relation to any decision of a council of the church, means a member of that council who dissents from the decision.

‘general decision’ means any decision of a council of the church except a decision in appeal proceedings.

‘minute’ of a decision includes, where no formal minute was made, a record of the decision made by the clerk of the respondent council at the request of an appellant or a person applying for constitutional review

‘Moderator’, in relation to a council with jurisdiction, includes the presiding member, by whatever title, of an ecumenical area meeting. In relation to the General Assembly, the moderators shall agree between themselves which one is to act in relation to a particular appeal as soon as it is notified, and the term ‘moderator’ in this rule shall thereafter apply only to the moderator so acting. A moderator in the sense of this rule may however appoint a deputy to act under the rule throughout a particular appeal.

‘respondent council’ means the council of the church whose decision is currently under appeal to a wider council or has been referred for constitutional review.

Paper P2

Law and polity advisory group
Annual report

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper P2

Law and polity advisory group Annual report

Basic Information

Contact name and email address	Dr Augur Pearce augur@dunelm.org.uk
Action required	For information only
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	To report on the work of the advisory group since Autumn 2014
Main points	
Previous relevant documents	
Consultation has taken place with...	

Summary of Impact

Financial	
External (e.g. ecumenical)	

Report to Mission Council

1. The Law and polity advisory group was created by resolution of Mission Council in October 2007. The first appointments to the group were made by the General Assembly of 2010. The group last reported on its work to Mission Council at the autumn meeting in 2014, when the Group's composition and functions were revised by Resolution P2. This report covers the Group's main business to December 2015.
2. **Membership**
 - 2.1 The group comprises:
 - A convenor and secretary (currently the Revd Prof David Thompson and Dr Augur Pearce);
 - The Clerk of Assembly, the General Secretary and the legal adviser;
 - One Synod Clerk (currently George Faris); and
 - Two other members (currently Morag McLintock and Denise FitzPatrick).
 - 2.2 Appointments aim to ensure that at least one other member besides the legal adviser is legally qualified, and that the group brings together expertise in the history, polity and administration of the United Reformed Church and/or ecumenical constitutional issues.
 - 2.3 The group has also made a practice of inviting a representative of the provincial legal and trust officers (PLATO), currently Neil Mackenzie, to attend its meetings.
3. **Meetings and business**
 - 3.1 Since its reconstitution, the group has met four times: in November 2014, and February, June and October 2015.
 - 3.2 Members of the group have contributed to the work of the National Synods and human sexuality task groups and the human resources advisory group. Formerly overlapping membership with the faith and order committee enabled the group to contribute at the early stages of the latter's work on church membership.
 - 3.3 The group has worked with the Clerk of Assembly on drafting projects flowing from the work of the Peel Commission, including proposals to govern the suspension or removal of denominational volunteers and officers of Assembly; the urgent replacement of an Assembly Moderator-elect; and closed sessions of Assembly or Mission Council. It has also contributed to guidance from the Clerk on the role retained for district councils under the Schedules to the URC Acts.
 - 3.4 The group is now in a position to append to this report (as Paper P2a) an 'Opinion on trustee responsibilities for church buildings' obtained from Mrs Francesca Quint of Counsel in 2014 (slightly revised from the version prepared after a conference in late 2013).
 - 3.5 A paper prepared by the group, which drew substantially on this Counsel's Opinion, became in turn the primary reference source from which guidance was circulated by PLATO to directors of provincial and national Trust Companies and to synod officers in England and Wales. That PLATO guidance is also appended (Paper P2b). Now that this PLATO paper has been sent out for the benefit of trust companies, a further document will need to be issued on behalf of Mission Council, making this guidance

available to local churches in an appropriately accessible form. The group will attend to this, in consultation with PLATO.

- 3.6 A paper on the local church and the charities supporting it, personal liability and incorporation, has been prepared by the group and forwarded to PLATO for comment. This addresses the suggestion sometimes heard that the new legal vehicle of the Charitable Incorporated Organisation (CIO) may be a useful tool for local churches.
- 3.7 The group has completed its consideration of Appeals procedures between councils of the Church, on which a separate paper sets out recommendations to Mission Council.
- 3.8 In December 2014, the group answered a question posed by the General Secretary regarding the doctrinal implications of a change in the Church's marriage practice; together with the views of the faith and order committee, this fed into the discussion on the marriage of same-sex couples which took place at Mission Council in May 2015. Members of the group have since contributed to practical guidance that may be required if the proposed change in practice takes place. The group has continued to monitor regulations appearing in this area in both England and Scotland, and is now monitoring legislative initiatives in the Isle of Man and Channel Islands.
- 3.9 Material considered by the group on the secession provisions of the URC Acts 1981 and 2000 was supplied through the General Secretary as a resource to Synod Moderators.
- 3.10 The group has ongoing work on the employment status of ministers and the discipline of elders. It plans to co-ordinate its work in both areas with the ministries committee, prior to making proposals.

Paper P2a (an annexe to P2)

Law and polity advisory group

Counsel's opinion

Basic Information

Contact name and email address	Dr Augur Pearce augur@dunelm.org.uk
Action required	For information
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	Trustee responsibilities for United Reformed Church buildings. This opinion from legal counsel is mentioned in para 3.4 of Paper P2. This advice was sought with Mission Council's approval, and is reported to Mission Council accordingly.
Main points	Trustee responsibilities; delegation of certain Trustee responsibilities; elders' and Church Meeting responsibilities.
Previous relevant documents	
Consultation has taken place with...	

Summary of Impact

Financial	
External (e.g. ecumenical)	

**THE UNITED REFORMED CHURCH
WHO ARE THE CHARITY TRUSTEES OF CHURCH BUILDINGS?**

OPINION

This is a version of Mrs Quint's Opinion issued, with slight typographical corrections, in April 2014. Pagination has been added.

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Ref: Andrew Middleton

**THE UNITED REFORMED CHURCH
WHO ARE THE CHARITY TRUSTEES OF CHURCH BUILDINGS?**

OPINION

- 1 I am asked to confirm in writing and add slightly to the advice which I gave during the helpful discussion in conference at my chambers on 22 October 2013.

- 2 The trustees of an increasing number of church buildings held on the statutory trusts referred to in s 8 and Schedule 2 Parts I and II of the United Reformed Church Act 1972 or s 6 and Schedule 2 Parts I and II of the United Reformed Church Act 1981 (as amended) are corporate trustees connected with URC Synods instead of a body of individual trustees as was the more usual arrangement at the time when those Acts were passed. In most cases the corporate trustee is or has become the sole trustee. In this opinion for convenience I refer to the statutory trusts under Schedule 2 Part I of the 1972 Act but the arguments apply equally to the corresponding provisions under Part II and to the statutory trusts in Parts I and II of the 1981 Act.

- 3 Although paragraph 7(5) of the statutory trusts requires the number of trustees ‘so far as practicable’ to be kept up to four, the fact that the company is the sole trustee creates no legal problem since each of the trustee companies in question is a trust corporation. Indeed, s 19 of the 1972 Act specifically envisages the appointment of URC trust corporations even in cases where there is a religious qualification for trustees. However, the trustee companies are relatively remote from the churches of which they are the trustees, and this naturally militates against their close involvement in the day to day management of the relevant trusts and the buildings subject to them. It is a natural consequence that the Church Meeting, and in particular the Elders of individual churches, find themselves taking more responsibility than when there was a body of individual trustees appointed locally. This has led to the suggestion that in law the corporate trustee is a custodian trustee and the Elders and/or the Church Meeting are the charity, or managing, trustees.

- 4 In my view this is an incorrect analysis.
- 5 In the first place, a ‘custodian trustee’, which is a term of art, is a specific type of holding trustee, being a trust corporation, whose powers and duties are set out in the Public Trustee Act 1906 and the Public Trustee Rules 1912 and who can only be appointed expressly as such. A custodian trustee has no powers of management and is bound to concur in the decisions of the managing, or charity, trustees unless those trustees have made a decision in breach of trust. In other words, if there is a custodian trustee the trust must by definition have a two-tier trusteeship structure.
- 6 It may be that the trusts of some church buildings which fall within s 8 of the 1972 Act, or the equivalent provisions under the 1981 Act, were originally constituted with a two-tier structure with both a custodian trustee and a separate body of managing trustees. In such cases, if the governing document’s trusteeship provisions have not been expressly amended, the trust will continue to be administered with a two-tier trusteeship structure and there will still be both a custodian trustee and a body of managing trustees. The statutory trusts will have replaced all the other provisions in the original governing document including any provisions relating to the appointment of trustees, but do not affect the trustee structure itself. In this connection, it is worth noting that s 20 of the 1972 Act and s 11 of the 1981 Act specifically preserve existing trusteeships and make provision for those changes which are necessary as a result of the unification of the relevant churches.
- 7 In the great majority of cases, however, the original governing document simply refers to a body of individual trustees and the statutory trusts give the power of appointing future trustees to the Church Meeting. Unless the Church Meeting expressly appoints a trustee company as a custodian trustee and at the same time appoints a separate body of managing trustees – and I am not aware of any case in which this has been attempted – the fact that a trustee is a trust corporation and may be (or become) the sole trustee does not alter the nature of its trusteeship, which will be equivalent to that of the trustees appointed under the original governing document.
- 8 In other words, the norm is for the original trustees, and thus their successors, to be the trustees for all purposes of the relevant trusts, both holding title to the property

and being responsible for the proper administration and management of the trust. These responsibilities include the duty to pay any rates, taxes and other outgoings relating to the trust property, to insure the buildings, to take legal proceedings to protect the title to the trust property or defend proceedings where a third person has a contested claim for damages relating to the property or its occupation and to obtain any official permissions required for the intended use of the premises, e.g. for the celebration of marriages.

- 9 Clearly, the original trustees were the charity trustees and therefore the trust company as sole trustee is the sole charity trustee. It should be noted that where an unincorporated charity has a trustee which is a company (whether charitable or not) the directors of the company are not technically charity trustees. Their duties as directors under the Companies Act 2006 and the Articles are owed to the company itself and not directly to any trust of which the company is the trustee. These duties inevitably require them to ensure that the company acts lawfully and conscientiously as a trustee of the charitable trust. Such directors will of course be charity trustees in relation to the company if it is itself a charitable company.
- 10 The next question relates to the roles of the Elders and the Church Meeting. The statutory trusts require the trustees to act only with the authority of the Church Meeting in exercising the powers specified in paragraph 2 (subject also, in some instances, to the approval of the Provincial Synod or the District Council) and in paragraph 3. The Church Meeting also has the statutory power of appointing new trustees (paragraph 7) and the power (subject to the sanction of the Provincial Synod and the General Assembly) to exercise the power to amend the trusts (paragraph 8). The Church Meeting would normally act on the recommendation of the Elders.
- 11 It is technically possible for there to be more than one person or body in the role of charity trustee of a charity at the same time: see Re Carapiet, Manoogian v Sonsino [2002] EWHC 1304, where Jacob J adverted to the possibility, but declined to decide whether the Armenian Patriarch of Jerusalem, who had certain functions relating to investment and the application of income under the trusts of a charitable settlement was a charity trustee alongside National Westminster Bank PLC. (He had decided that the Bank was definitely a charity trustee despite the fact that it was obliged to act in

accordance with the Patriarch's decisions on those aspects of the administration of the Settlement.) It is in fact not uncommon in the constitutions relating to mosques and Hindu and Sikh temples for there to be separate bodies of charity trustees being the 'trustees' and 'the management committee' who have complementary functions, and the Charity Commission frequently expresses the view in such cases that the members of both bodies are charity trustees. However, it seems reasonably clear to me that it is not necessary or indeed appropriate to analyse the statutory trusts in this way.

- 12 In the first place, no positive duty is placed on the Church Meeting or the Elders by the terms of the statutory trusts. References to their approval in paragraphs 2 and 3 are expressed using negative terminology to the effect that the trustees may not exercise the relevant powers without the requisite approval: it is a restriction on the trustees' discretion, not a requirement that the Church Meeting should consider whether or not to give approval. The powers of appointing trustees and amending the trusts conferred by paragraphs 7 and 8 are clearly powers, not duties, and are perfectly compatible with the body exercising the power not being itself a trustee.
- 13 Secondly, the duty placed on the trustees under the core trust itself is extremely limited. It is simply to 'permit the premises to be used' for one or more of the stated purposes (paragraph 1). There is no obligation to ensure that the premises are so used, and there is the further limitation, indicating a potentially very passive role for the trustees, that trustees are not responsible for the repair and upkeep of the buildings to the extent that they are not supplied with funds to do so (paragraph 4). This is no doubt a reflection of the reality that many trusts for church buildings do not have significant assets apart from the land and buildings themselves, and have to look to the local church which uses the building to cover the essential outgoings. This does not make the local church a trustee as such of the statutory trust.
- 14 The Elders and the Church Meeting have important fiduciary duties of their own, however, which derive, not from the statutory trusts of the premises, but from their position as the governing body of the local church as a charitable institution in its own right. The local church is, in effect, the beneficiary of the statutory trusts in that it is the body to which permission is given by the trustees to use the premises for worship etc. In my view, the approvals without which the trustees cannot exercise the powers

specified in paragraphs 2 and 3 are given or refused by the Church Meeting in its capacity as beneficiary and not as charity trustee of the statutory trust. The Elders and the Church Meeting owe their fiduciary duty to the local church and are concerned with the management and care of the premises subject to the statutory trusts, and interested in the manner in which capital funds may be applied, as representatives of the local church as a human institution. They are the decision-makers within a charitable unincorporated association regulated by its own rules and thus by the constitution of the United Reformed Church itself.

- 15 In practice, I gather, partly because of the common (but normally incorrect) perception that the trustee is no more than a custodian trustee and that it is legitimate for the local church to take management decisions relating to the premises, a number of the decisions which are required by the general law or even expressly by the statutory trusts to be taken by the trustee, are actually taken, in many instances, by the local church. For example the power at paragraph 3 of the statutory trusts to permit the church building to be used temporarily, occasionally or intermittently by another person or body, for a reputable purpose - i.e. otherwise than in accordance with the uses specified in paragraph 1 - is (I gather) often exercised in practice by the local church without reference to the trustee. Indeed it might well appear inconvenient and unnecessary to require any such arrangement to be made formally with the trustee given that the arrangement cannot amount a lease or tenancy.
- 16 The suggestion made in conference was that this should be regarded as an informal, implied delegation of the trustee's power. The problem with this approach is that trustees, being in a sense 'delegates' themselves, have no legal power to delegate their powers and duties except as provided for in the governing document or under the Trustee Act 2000. The Act of 2000 (see s 11) enables trustees of charities to delegate to anyone they think fit such of their functions as relate to:
- (i) fundraising (except via charitable trading),
 - (ii) investment management, and
 - (iii) the implementation of trustees' decisions.

It does not confer a general power to delegate. A trustee therefore remains potentially personally liable for the consequences of any unauthorised delegation as though it were the trustee's own act or omission. (A third party would not of course be

prejudiced because reliance could be placed on the ostensible authority of the local church to render the agreement enforceable.)

- 17 Thus, if the trustee through inaction or lack of interest were to allow the local church to make an arrangement for the non-charitable use of the church building on a particular occasion and the organisation using the building, being unsupervised, damaged it and did not have the money to pay for a repair, the cost might become payable by the trustee. In that case the directors of the trustee might be held to have breached their duty towards the company by not ensuring that it carried out its duties as trustee and might themselves have to find the funds from their personal resources to avoid a loss to the company or the trust.
- 18 The trustees might in theory seek reimbursement from the local church by claiming that the decisions-makers within local church had made themselves constructive trustees by ‘intermeddling’ with trust assets, and that this made them personally liable. The local church might then reply that the trustee’s inaction or lack of interest made it necessary for the local church to intervene. Such arguments could be unpleasant and stressful for all concerned and in my view can and should be avoided
- 19 If there were an express power to delegate decisions, and this were properly drawn with the normal requirement for the delegate to be appointed and the terms of reference set by the trustee and all acts of delegates were required to be reported back promptly to the trustee, the trustee would not be liable in those circumstances provided that it had exercised due care in making the appointment and setting the terms of reference and the delegates, having acted in accordance with their terms of reference, would be entitled to an indemnity from the assets of the trust.
- 20 There is an express power of amendment, vested in the Church Meeting, which is conferred by paragraph 8 of the statutory trusts. That power not only requires a 75% majority vote at a special meeting but also the sanction of the Provincial Synod and the General Assembly, the latter to be evidenced by a memorandum signed by the Moderator and attached to the trust deed in each case. I was told that this is considered a somewhat cumbersome procedure and has not, apparently, been used in practice.

- 21 There is now an alternative, however. Trusts in the form of the statutory trusts which related to any particular church building could be modified by resolution of the trustee in so far as the amendments did not alter or affect the charitable purposes of the trust. Although I am not aware of the exercise of the relevant power in a previous case involving trusts contained in a statute, I consider that a resolution modifying the trustees' administrative powers and procedures could be passed under s 280 of the Charities Act 2011. That section applies to all unincorporated charities, whatever their size and regardless of how they are constituted. It would therefore be possible for a trustee company to adopt an express power of delegation relating to the management and hiring out of the church building and thereby enable such routine transactions lawfully to be dealt with by the local church without prior reference to the trustee.
- 22 If it were considered generally desirable to do so, it would be possible for a single trustee to pass a single resolution to this effect in relation to all the trusts of local church buildings of which it was the sole trustee. If this course were to be adopted I would recommend:
- (i) that some thought first be given to the extent to which it was felt desirable to enable trustees to delegate matters to the local church, with suitable safeguards to protect the trust; and
 - (ii) that the form of words should be drawn with care, bearing in mind that the trustee would not be shedding all responsibility for the matters to be delegated but merely adopting in each case a more convenient procedure for the proper administration of the trust.
- 23 I would also recommend two further preparatory steps, namely that:
- (i) the local church be consulted and asked to agree in principle to the proposals, since no delegation will be workable unless the basis for it is understood and agreed; and
 - (ii) an explanatory letter be sent in advance to the Charity Commission by or on behalf of the trustee, informing the Commission of the proposal and the outcome of the consultation with the local church and inviting comments. This would help to ensure that the Commission was not taken by surprise and had the opportunity to ask for a more detailed explanation if it so wished.

- 24 One of the concerns expressed during the discussion on 22 October related to actual or potential conflicts of interest and duty, including conflicts of loyalty. Such a conflict may arise for the director of a trustee company when the trustee company is (for example) taking a decision about a local church building where the director is an Elder of the local church. The interests of the local church may or may not be in conflict with those of the trustee company as trustee of the trust. In my view, Company Law requires the potential conflict to be disclosed in any event but whether the director concerned must be excluded from the decision and/or even discussion on the matter will depend on whether there is a conflict or coincidence of interests, whether the director concerned can provide helpful information to his co-directors and what express provision is included in the trustee company's Articles, which may contain a procedure for 'authorising' certain conflicts.
- 25 The existence of a power of delegation can of course also assist in a practical way in the management of conflicts: simply by delegating a decision the trustee or director concerned can avoid becoming conflicted. If, however, a power has been validly delegated to the local church, and a member of the body of local church is personally conflicted in some way, he or she should not take part in the decision. As is illustrated by s 14(3) of the Trustee Act 2000, delegates are as much bound as trustees themselves by the fiduciary duty to avoid placing themselves in a position of actual conflict or to take a decision which may be perceived as affected by a conflict.
- 26 I have been asked since the conference to add a note about the way in which church buildings should be accounted for. I understand that they are often accounted for by the local church. This is not strictly correct because the church building is not an asset of the local church, which has no more than permission from the trustees to use it. Therefore it should be made clear in the local church's accounts that it is permitted to use the church building under the (separate) trusts of the church building and any expenditure on the church building from the funds of the local church should be treated as expenditure rather than as a capital addition to the assets of the local church. It would be appropriate for a trustee company which is the sole trustee of several Schedule 2 trusts to identify each of them in its accounts as a special fund showing the relevant church building and any associated cash or investments as the assets of that

special fund. Where there is more than one trustee of a Schedule 2 trust it will normally require its own individual set of accounts.

27 I will be happy to advise further at any stage.

**Francesca Quint
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Lincoln's Inn
7 November 2013**

Paper P2b (an annexe to P2)

Law and polity advisory group

PLATO guidance document

Basic Information

Contact name and email address	Dr Augur Pearce, Secretary augur@dunelm.org.uk
Action required	Information only
Draft resolution(s)	None

Summary of Content

Subject and aim(s)	This guidance document, which has been circulated by PLATO for the benefit of Synod Trust Companies, is mentioned in para 3.5 of Paper P2. The advice will need to be made available to local churches, in a suitably compact and accessible form.
Main points	Responsibilities in regard to the use, maintenance and repair of local church buildings.
Previous relevant documents	
Consultation has taken place with...	

Summary of Impact

Financial	
External (e.g. ecumenical)	

Guidance to trust companies¹ and synod officers concerning the use, maintenance and repair of church premises and manses in England and Wales

Introduction

This guidance is issued on behalf of the Trust and Property Officers of the synods of the United Reformed Church² with the agreement of the Law and Polity Advisory Group and is for the directors and members of the URC Trust Companies associated with Synods and for Synod officers.

This guidance only applies to England and Wales. In Appendix 1 we set out an aide memoire or checklist of the issues discussed in this guidance.

This guidance is NOT CONCERNED with local church funds and other local church property.

Please refer to the existing URC guidance, denominationally and within synods, concerned with the mortgaging, sale and leasing of church and manse premises.

This guidance IS CONCERNED with the responsibilities of the Trust Companies (as trustees), synods and local churches for the use, maintenance and repair of local church premises and manses held by the Trust Companies on the trusts which are set out in the second schedule to the United Reformed Church Act 1972, as amended, (URC Act 1972). These trusts are hereinafter called ‘the URC Trusts’.

This guidance is issued following legal advice received by the law and polity advisory group on behalf of URC Mission Council concerning the relationship between local churches and Trust Companies with regard to trusteeship and the management of local church premises. Although this means that changes in the way Trust Companies operate may be necessary there is no cause for alarm. The URC Act 1972 has been in operation for over 40 years without any calamity befalling us. Many of the suggestions for better compliance with the legal advice are already being taken up, whether by the Trust Companies themselves or by synod officers, or by both working together.

Local church premises

Nature of occupation of church premises

- 1 In accordance with the URC Acts, the Trust Companies hold the local church premises on trust to allow them to be used for all or any of the following purposes and all proper ancillary purposes:
 - (a) the public worship of God **according to the principles and usages for the being of the United Reformed Church;**
 - (b) the instruction of children and adults;
 - (c) the promotion of other charitable purposes not inconsistent with the principles and usages aforesaid (for example, a church hall is used for social purposes ancillary such worship and otherwise for serving the life of the local church);

- 1 It is recommended that individual trustees of local church and manse premises be made aware of the issues which this guidance raises
- 2 Meeting as PLATO – synod officers will remember that PLATO is not an official council of the URC

such **use to be primarily by the members of the local church** and to be directed by the Church Meeting acting with due regard for the recommendations of the elders' meeting **and those Councils of the URC which exercise oversight of the local church.**

Note: As part of these uses, other persons or organisations may be allowed by a Trust Company (as trustee of the premises)³ to use the premises temporarily or occasionally or intermittently. This guidance refers to such periodic informal use as casual lettings and in more detail later. In law such use is under licence and licences vary in degree⁴ of formality.

2. The above local church use in paragraph 1 is conveniently described in this guidance as the primary trust for which the premises are held.
3. Whilst local churches use the whole of their church premises as above, the Trust Companies, generally, up to now have been content to let the situation be with synod exercising support – with regard to use, maintenance and ongoing repair of the premises as well as support and oversight of the mission, life and witness of a local church.
4. Our view of this position has changed in the light of the legal advice mentioned in the introduction. An important general duty of trustees is to protect their trust property. Broadly, the advice is that Trust Companies, as trustees of church premises, have an ultimate responsibility for seeing that the premises are properly used and maintained. However, the URC Trusts for both church premises and manses are clear that the Trust Companies **are not responsible for the cost of the repair and upkeep except to the extent of funds supplied to them for that purpose.** (URC Act 1972 sched 2 Pts 1 & 2 paragraph 4)
5. So, whilst Trust Companies, as trustees, are required to take an interest in the condition of local church premises in order to see that church premises are not falling into decline and hence losing their material value, they have no direct duty to repair and maintain unless they are put in funds. They have no direct responsibility for the repair and upkeep and cannot be liable to the local church for repairs.

Liability for repairs

6. It follows that a local church has to accept that an essential part of having the use of their premises is the commitment to maintain them and meet ongoing repairs (see structure of the URC para 2(1)(xiii) & para 2(2)(x). Ideally, each successive generation of members should 'leave the premises at least as good as they found them', which includes making good fair wear and tear. The responsibility for repair and maintenance falls on the elders and the local church meetings.⁵

3 The following section 'Casual letting of church halls' (para 14 et seq) deals with the casual letting of church premises and how local churches should be authorised to continue to casually let themselves. In law, casual lettings are called licences. The URC Trusts provide for licences in paragraph 3 (referring to permission for use temporarily or occasionally or intermittently) but saying that no lease or tenancy is to be created.

4 Across the synods these licences may be referred to as hiring, use of halls/premises, casual use etc. but as mentioned, in this guidance we refer to licences by local churches as casual lettings.

5 Note that where the premises are listed, listed building consents may still be required.

7. In practice, in many of our synods, the Trust Companies are not involved in the repairs because they are not put in funds. Low cost or simple repairs are dealt with by local churches themselves. In some synods local churches have to get permission to go ahead with repairs where the cost exceeds a specified amount and in some synods the synod officers and/or Trust Companies involve themselves in expensive repair work.
8. Agency is discussed later in this guidance (see para 21). The view is taken that local churches are not agents of the Trust Companies when carrying out repairs. However, the more apparent the involvement of the Trust Company or synod in the process of commissioning and managing the repair work, the more likely it is that a contractor will see the local church officers as agents of the company or synod.
9. There can be a fine line between repair and improvement. When does a repair become an improvement? For this reason some synods have thresholds whereby specified works should be referred to them at the earliest opportunity to determine whether a Trust Company's or synod's permission is needed in specified cases (for example, is the value of the work greater than £5,000? Is the work to a listed building? Is there some progressive condition, e.g. dry rot?).

Protecting the value of church premises and manses

10. Given the duty to protect trust property, it is suggested that if the following are or continue to be carried out (whether under the direction of Trust Companies, synod officers or the local churches); and the Trust Companies see the results; and maintain an oversight over the properties; and bring their concerns (where such arise) to the attention of the appropriate officers of the local churches and synod, the Trust Companies are fulfilling their duty of care:
 - quinquennial surveys of premises are carried out so that the Trust Company directors are aware of urgent and other work that **needs** doing and local churches are informed of the outcome and need for work to be carried out;
 - checks on suitable insurances being in place with full insurable values and that the policies are paid up.

Note: The interest of the Trust Company as trustee should be noted on the insurance policies for the buildings.⁶

11. Where a Trust Company is aware of a failing which materially affects the value of the premises or carries that risk or other risks and considers that action is necessary, it should bring its concern to the attention of the local church and synod and ask them to put in hand strategies to remedy the failing. This might run from the carrying out of a repair to the sale of the whole or part of the premises.

Liability to third parties for repair and under statutes

12. Legislation imposes duties on the occupier or the party with control of the premises such as:

⁶ If the local church is using Congregational & General or Ecclesiastical, there is no need to insist that they note trustees' interest, as both insurers are well aware of our structures.

- Occupiers Liability Acts 1957 and 1984
- Defective Premises Act 1972
- Landlord and Tenant Act 1989
- Control of Asbestos Regulations 2012
- Regulatory Reform (Fire Safety) Order 2005.

The view is taken that the local church is the occupier ⁷ or is in control of the buildings because they are the party who are the primary users of the buildings and in physical occupation. The Trust Companies are 'remote' and are obliged to allow the premises to be used by the local church for whichever of the permitted uses the local church directs, and it is the local church who are responsible for the repair of the building.⁸

13. However, as the local church are responsible for the repairs and this is the area of concern of most of the statutes, the view is still that the primary responsibility lies with them. The Asbestos Regulations specifically indicate that where there is more than one duty holder, the contribution by each in complying with the regulations is determined by the extent to which they owe any repairing obligation.

Casual lettings of church halls

Generally

14. When does a casual letting become a tenancy or lease? If a local church is in doubt, the synod or trust officers are there to be consulted. The question is important because under the URC trusts a local church cannot create a tenancy or lease of its premises or any part thereof. A lease or tenancy of church (or manse) premises may only be granted by the trustee by virtue of paragraph 2 with authority of the church meeting and approval of synod.

Casual lettings of church halls

15. Each Trust Company **will** have to deal with the casual letting of church premises because the URC Trusts paragraph 3 provides that it is the trustees of the premises who have this duty subject to the authority of a resolution of the church meeting. A Trust Company will have a choice of either dealing with the casual lettings themselves or delegating this function to each local church. As the Trust Companies have never assumed the function of managing the casual lettings of local church premises of which they are trustees, and it would likely be impractical and resource consuming to do so, it is assumed that they will wish to delegate this function. (Another reason is that local churches will expect to continue to deal with casual lettings of their premises themselves.)
16. We say the Trust Companies **will** have a choice because it is they who are charged with power to casually let but as yet they have no power to delegate this power to the local church. So, it is proposed that the Trust Companies will amend the URC Trusts⁹

⁷ The expression 'occupier' is not defined in the same way in the different legislation but the expression is sufficiently similar in each for us to use the expression generally in the context of this guidance.

⁸ It might be argued that a Trust Company also has control (for example, without formal delegation a Trust Company controls secondary users in casual letting – about which see later para 14) but if this were so, it would be a shared liability with the local church. This is a risk which has to be assessed and also is the reason why Trust Companies, as trustees, will seek assurance that local churches are complying with the respective regulations.

⁹ Using the statutory power of amendment in s. 280 Charities Act 2011

by passing resolutions allowing themselves to delegate the power of casual letting to the elders or their nominee(s). (It should be noted that the terms of the delegation can include conditions concerning such issues as asbestos checks and safeguarding.)

17. Appendix 2 sets out a precedent form for the resolution to be passed by a Trust Company for the amendment of the URC Trusts relating to the local church properties of which it is trustee giving itself the power to make the amendment. Appendix 3 sets out a precedent form for the actual delegation to the local church of the power to casually let the church premises.
18. The precedent for delegation sets out the basic terms. It is suggested that the Trust Companies identify risks where they may be liable materially or where their reputation or the URC's reputation may be harmed. Where a risk or potential risk is identified, a Trust Company may need to discuss with synod officers how the risk is to be mitigated. They may then wish to adapt the delegation accordingly, so that the risk is eliminated or mitigated. For example, a risk that there might be a failure to comply with legislation, regulations or trust law might already be identified in the risk register of the Trust Company; and now one of the actions taken to mitigate the risk of harm or the extent of loss might be to make appropriate provision in the instrument of delegation of casual lettings to local churches requiring them to meet the statutory obligations.

Alteration, enlargement, improvement, rebuilding and demolition of buildings

19. Unlike repairs and maintenance, where local church premises are to be improved, the URC Trusts say it is the Trust Companies who decide whether to permit alteration, enlargement, improvement, rebuilding, supplementation or demolition of church buildings provided there is a church meeting resolution and the approval of synod. (But the approval of synod is not required if the work does not substantially alter its character, appearance or value.) (see URC Act 1972 sched 2 Pts 1 & 2 para 2(a)).¹⁰
20. The Trust Companies should bear in mind that the greater the involvement of the Trust Company in the process of transacting of repairs, the greater is the risk that the local church or synod, as the case may be, may be regarded as acting as their agent. Agency is discussed next.

Agency – Liability for contracts

21. Regarding repairs and upkeep, contracts with which local churches are concerned will be those which church members themselves have authority to enter. A member or members (usually elders) will on the authority of church meeting enter the contract on behalf of the church and will sign it off (if it is even in writing) on behalf of the church. If the local church does not pay that contract the Trust Company is not liable. If the authority to enter the contract was granted by the elders or at a church meeting then those elders or members that passed the resolution may be personally jointly liable to pay the contract. If it is an individual member of the local church then that individual would be personally responsible. For contractors to claim against synod or the Trust Company, it is for them to ascertain who they are contracting with. The contractor cannot assume that he is dealing with the Trust Company as the person with legal title to the land. Effectively whoever concludes the contract with the contractor will be liable for any payments made under the contract. The contractor should carry out due diligence to make sure that they are contracting with a person with authority to enter the contract.

¹⁰ If the premises are listed, the listed building regime will apply.

22. Is the position altered if synod gives approval for the work? The risk is that the involvement of the synod and/or Trust Company gives the impression that a local church is their agent. The law would allow the contractor to treat a local church as an agent having ostensible or apparent authority to contract on behalf of synod and/or the Trust Company if either:
- someone holds a position that a third party contractor would normally expect that person to have authority to act on their behalf; or
 - where they have held out a person as having authority to act in a particular manner and the contractor has acted in reliance on this.
23. The first scenario is a possibility if the local church member is also an officer or member of the Trust Company or a synod officer. However, a contractor still has to carry out due diligence and find out who he is contracting with and if he thinks he is contracting with the church members, then that is who he contracts with.
24. With regard to the second scenario, the Trust Company and/or synod are unlikely to represent to a contractor that a local church has authority to bind them in relation to a contract. But say a third party contractor, in finding out who he is contracting with, phones the synod office or an officer of the Trust Company and asks if such a person is from the 'church' meaning do they have the authority to bind the synod or the Trust Company. The question might well be answered 'yes, that person is from the "church"', meaning they are a representative of the local church. This is an example how potentially synod and/or the Trust Company could give a contractor the impression that a person has authority to bind them. This is something that we should be alive to – i.e. people use the word 'church' interchangeably to mean any part of URC or the individual churches or their members.
25. As mentioned above, where church buildings are altered, enlarged, improved, rebuilt, supplemented or demolished the URC Trusts require Trust Companies to decide whether the work should go ahead (provided there is a church meeting resolution and, where required, synod approves). It does not automatically follow that whoever commissions the work is the agent of the Trust Company but in such cases it is important to be clear from the outset who the parties to the contract are to be and that it is understood what they are to be responsible for and that they are entering into a legal relationship with the other contracting party/s. The options for taking on the project and dealing with the contractors are that this might be done by a Trust Company, by a synod or by a local church or a combination of the local church and the Trust Company and/or synod.
26. The URC Trusts say that the Trust Companies may permit such work so the inference to be drawn is that the local church or synod carries it through rather than the Trust Company being put in funds but in some synods the Trust Company joins in the contract.

Vicarious liability – liability for negligence

27. The local church is responsible for insuring against risks associated with negligence or nuisance. These are risks associated with occupation and use of the premises. A visitor to the church buildings who is injured would usually have a claim against the local church as occupier. Because the Trustees are not responsible for the repair and upkeep of the land and buildings, buildings insurance should be maintained by the Church.

28. However, the difficulty faced by Trust Companies, as trustees, is that because the local church is an unincorporated association, it does not have a separate legal identity and cannot be sued as 'The Church'. The elders of the local church or 'management committee', or other individuals acting on behalf of church meeting, assume responsibility for the repair and upkeep of the buildings, and ensuring that they are safe; and it should be they who are sued as a group of individuals in their own names. Where premises are vested in Trust Companies, they will be likely treated as occupiers by claimants and will be the named defendants in any action. And if no insurance is in place, it is most likely that any claimant would pursue the Trust Companies as defendants as it would be perceived that they are more likely to be able to meet any claim. Normally, such pursuit would fail for the reasons given above.
29. Any negligence or nuisance claim against a local church is likely to involve the Trust Company. So, whilst it is the local church which has responsibility to maintain insurance in respect of these risks, it is in the interests of the Trust Companies, as trustees and owners, to ensure that each local church has a valid certificate of insurance in place.
30. A further reason for ensuring local churches have insurance is that synod and the Trust Companies may consider that they have a moral duty to meet any claim by a third party if a local church does not have adequate insurance cover and a group of individuals is likely to be sued in their own names and/or a victim will have an unmet justifiable claim.¹¹
31. It is also worth considering with insurance brokers whether any 'fall back' insurance may be purchased to protect your Trust Company (and synod) from liability where a local church may have failed to take out adequate insurance or such insurance has lapsed. This is another risk which should be assessed.
32. It is worth remembering that if a local church has permitted a third party contractor to enter the land or buildings, e.g. to carry out repairs, improvement or alterations to the buildings, again, any liability does not automatically extend to the Trust Company. If injury is caused to a third party by virtue of the contractor's activities, that will be the responsibility of the contractor.

11 It is therefore recommended that Trust companies/synods have a method of ensuring that all churches maintain proper and adequate buildings and liability insurance.

APPENDIX 1

Aide memoire/checklist for Trust Companies

General

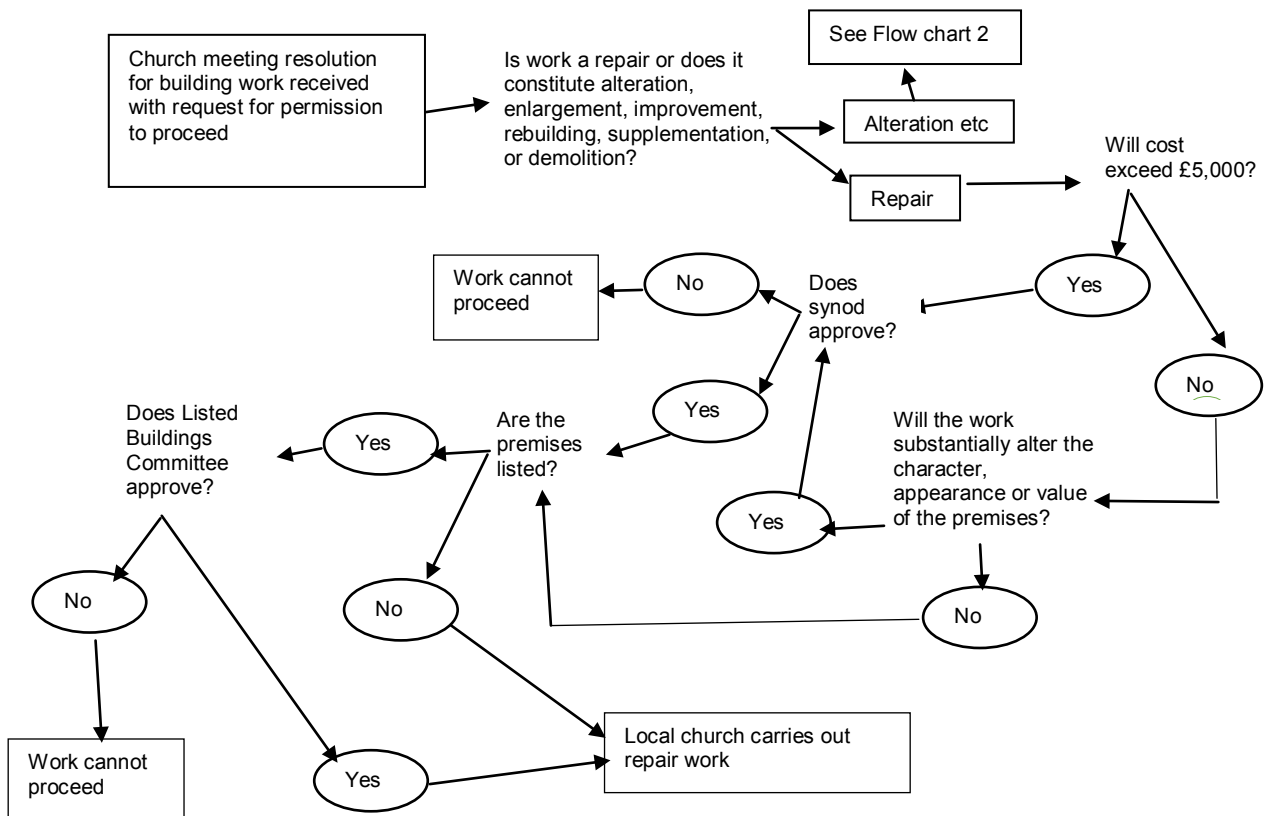
1. Satisfaction that:
 - a) quinquennial surveys/inspections are completed
 - b) suitable and appropriate insurances are kept on foot
 - c) Depending on risk assessments, additional items such as –
 - d) asbestos registers in place
 - e) gas and electricity checks been carried out.

2. Ensure company or synod has copies of the surveys and latest accounts. Where synod has these, ensure that the Trust Company is allowed to inspect them.

Repairs

3. Satisfaction that local churches are in a satisfactory state of repair or that any outstanding necessary repair(s) will be attended to in a timely manner.

FLOW CHART 1 (No action by Trust Company)

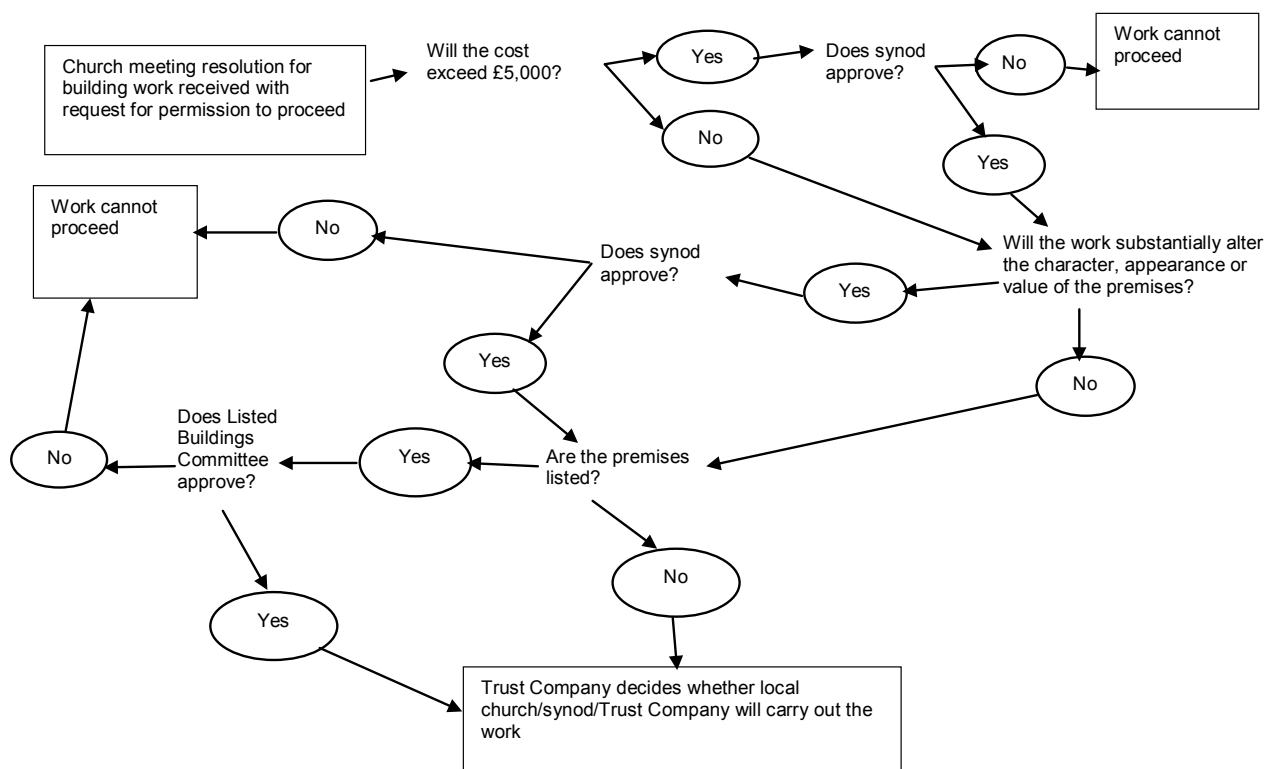


4. Where Trust Company is not satisfied about the state of repair, advise local church and synod of the Trust Company's concern(s) as trustee of the premises.
5. Where Trust Company identifies risks of harm to the material value of the premises or the reputation of the URC e.g. failure to insure suitably or comply with regulations, advise local church and synod accordingly.

Alterations, improvements etc

6. Determine whether repair work constitutes alteration, enlargement, improvement, rebuilding, supplementation or demolition.
7. Confirm church meeting resolution and synod approval.
8. Decide whether to allow the work to proceed.

FLOW CHART 2 (Trust Company makes the decision)



Agency

9. In carrying out repairs (minor and major) and alterations, improvements etc, determine who is responsible for what.

Casual lettings

10. Pass resolution under s. 280 Charities Act 2011 amending the URC Trusts to allow the Trust Company to delegate the power to casually let their premises to local churches.
11. Determine what conditions should be imposed on local churches before allowing them to casually let their premises.
12. Pass resolution(s) delegating to local churches the power to casually let their premises.

Appendix 2

Model document A

The following is a true extract from the minutes of a meeting of the Board of Directors of URC (X) Trust Limited held on ... #2016.

_____ Chairman _____ Company
 _____ Secretary

As charity trustee of the charities listed in the first column of the schedule to this resolution, comprising land used subject to the direction of the church meetings of the local churches of the United Reformed Church listed in the second column of the schedule to this resolution under the operative trust provisions set out in the relevant Part of the Second Schedule to the United Reformed Church Act 1972 or 1981, as indicated in the third column of the schedule to this resolution, UNITED REFORMED CHURCH (X PROVINCE) TRUST LIMITED hereby RESOLVES pursuant to section 280 of the Charities Act 2011 to modify the said operative trust provisions by the insertion of the following power to be exercisable by the charity trustees of each such charity for the time being in the administration of that charity.

Insert the following wording into the operative trust provisions after paragraph 3:

- 3A. (i) Subject to such conditions as they may specify in the authority, the trustees may authorise the members of the elders' meeting (or, if the church meeting shall by resolution so request, the members of a named committee of the local church) to exercise as their agents the function of granting or permitting temporary, occasional or intermittent use of the whole or part of the premises pursuant to paragraph 3 hereof.
 (ii) The authority of any agents so authorised shall encompass the negotiation of terms for such temporary, occasional or intermittent use (including whether payment is to be made) and execution on the trustees' behalf of an agreement stating the terms agreed.

This modification shall take effect from the First day of January 2015.

Charity comprising	Church Meeting	Operative trust provisions in (date indicates the URC Act of that year)
Anytown UR church site Chapel Terrace	Anytown URC	1981 Sch 2 Part I
Anytown URC manse, 28 Green Street	Anytown URC	1981 Sch 2 Part II
Bigtown UR church site Anytown Road	Bigtown URC	1972 Sch 2 Part I

Note: A copy of this resolution should be kept by the Trust Company with the documents of title relating to each of the properties in the first column of the schedule.

Once the resolution in Model Document A has been passed and recorded, the way is clear for delegation using Model Document B wherever the local church wishes to allow reputable use licences and understands the conditions. Trust companies may like to agree (or indeed, in many cases already have) a simple form of Licence Agreement such as is mentioned in condition 10. The Group Council and United Church Council given as examples in the third column of the schedule envisage that the churches concerned may be respectively (i) part of a group of churches and (b) occupying a building subject to a sharing agreement.

Appendix 3

Model document B

The following is a true extract from the minutes of a meeting of the Board of Directors of URC (X) Trust Limited held on ... #2016.

_____ Chairman _____ Company
Secretary

As charity trustee of the charities listed in the first column of the schedule to this resolution, comprising land used subject to the direction of the church meetings of the local churches of the United Reformed Church listed in the second column under the operative trust provisions set out in the relevant Part of the Second Schedule to the United Reformed Church Act 1972 or 1981 UNITED REFORMED CHURCH (X PROVINCE) TRUST LIMITED hereby authorises the members of the body, if any, named in the third column, or, if no body is named in that column, the elders' meeting of the local church listed in the second column, subject to the following conditions, to exercise as their agents the function of granting or permitting, pursuant to paragraph 3 of the relevant Part, temporary, occasional or intermittent use of the whole or part of the premises detailed in the first column.

CONDITIONS AND SCOPE OF THE DELEGATED FUNCTION

1. The power delegated is only 'to authorise or permit any person or persons, organisation or other body, other than the local church, to use the whole or any part of the premises detailed in the first column.
2. Such permission can only be granted when use of the space in question is not expected to be required by the local church.
3. The use must be **temporary, occasional** or **intermittent**. Use for storage is seldom occasional or intermittent; it must therefore be temporary. This requires a stated end date, though it does not prevent a fresh period of use being permitted from that date.
4. The use must be **'reputable'**. Ministers and elders* should bear in mind the effect on the reputation (and possible liability) of both the denomination and the local church if users were to make any illegal or immoral use of church premises. They should also bear in mind the statements of the General Assembly of 1974 which, whilst encouraging a sympathetic response to requests for religious or social use of church halls by groups of other faiths, discouraged such use of sanctuaries currently used for Christian worship.
5. At the same time, ministers and elders should recall that if a space is regularly let to individuals and groups outside the church (even without charge) this may constitute provision of a service or facilities to the public. Restricting its use on discriminatory grounds (such as nationality) would then in principle be unlawful. But some restrictions imposed for religious reasons and related to the proposed users' religion, belief or sexual orientation may be lawful. The law in this area is complex and

- ministers and elders who feel they (or their church meeting) may wish to impose such restrictions should raise the issue with the trust company **before** an actual situation arises.
6. The permission given (in law, a 'licence') **may not** create any lease or tenancy. It may not therefore give exclusive possession of any space, including storage space. The users must be made to understand that the trust company or the minister and elders as its agents, reserve the right to enter the space or relocate stored goods, at any time and for any reason. The minister and elders should feel free to act on this reservation.
 7. If users require exclusive possession or a more permanent arrangement, that cannot be granted under this delegation. They should instead negotiate for a lease and be put in contact with the trust company at an early stage.
 8. Permission can only be granted with the authority of a church meeting resolution. It is for each church meeting to decide whether it will give a broadly-worded authority for uses which the trust company (or the minister and elders on its behalf) think suitable, or impose specific conditions (so that any proposed use outside those conditions has to be referred to the meeting).
 9. The minister and elders may decide on the trust company's behalf whether use should be on payment or free of charge. The authorising church meeting resolution may lay down a policy on this, which must be followed. If a proposed use is not charitable in nature (e.g. it is political or makes a profit for the user) the preference should normally be to charge a rate comparable to other such premises in the locality. The costs of lighting and heating/air-conditioning should also be considered: these can be included in an all-embracing fee or charged for separately at cost. Any sums received must be paid into the general funds of the local church.
 10. The trust company supplies a simple form of Licence Agreement which should be used whenever permission is sought in advance for occasional or intermittent use (however short the use will be on each occasion), or for any storage or other use that will exceed a week. The Agreement should be signed by the user and on behalf of the minister and elders: a copy must be kept in the church office (and sent to the trust company on request).
 11. A record of permission granted under this delegation must be kept, detailing (1) the space used, (2) the duration and/or frequency of the use, (3) the purpose of the use, (4) the user, (5) any payment received, (6) whether the standard Licence Agreement was used and (7) any incidents, damage, etc., noted in connection with the use. A copy of this record is to be sent half-yearly to the trust company.
 12. Any serious incident or damage arising in connection with permission granted under this delegation must also be reported immediately to the trust company.
 13. The trust company remains entitled to revoke the delegation of this function or to amend these conditions. Notice of revocation or amendment will be communicated in writing through the church secretary.

*If another church body is listed in the third column of the schedule, references to ministers and elders should be read as referring instead to that other body.

Charity comprising	Church meeting	Agents of the trustee (if not the minister and elders)
Anytown UR church site Chapel Terrace	Anytown URC	
Anytown URC manse, 28 Green Street	Anytown URC	
Barchester UR church site, North Road	Barchester URC	West Bassetshire URC Group Council
Bigtown UR church site Anytown Road	Bigtown URC	Bigtown URC Halls Committee
St Ninian's URC mission hall, High Street, Churchtown	St Ninian's URC Churchtown	
Downtown United Free Church	Downtown URC	Downtown United Free Church Council

Paper R1

Safeguarding Advisory Group
Past case review

United Church 2016
Church 2016
Reformed Church 2016
Church 2016



Paper R1

Safeguarding advisory group

Past case review

Basic Information

Contact name and email address	The Revd Richard Church richard.church@urc.org.uk
Action required	Decision
Draft resolution(s)	Mission Council agrees the principles of the design of phase two of the Past case review as set out in paper R1 of Mission Council March 2016, and delegates authority to agree the finalised process to a group comprising the Safeguarding Officer, DGS (Discipleship), legal advisor, convenor and secretary of the ministries committee

Summary of Content

Subject and aim(s)	Report on the completion of phase one and the design features of phase two
Main points	Data on phase one as of January 2016 Design of phase two
Previous relevant documents	Paper R2 November Mission Council 2015
Consultation has taken place with...	Cassi Wright – Safeguarding Officer Elizabeth Gray-King

Summary of Impact

Financial	£10,000 has been set aside to facilitate this process.
External (e.g. ecumenical)	Julie Ashby Ellis – external safeguarding consultant URC Trust has been made aware.

Past Case review: progress report

Nomenclature

Having previously referred to this as the 'Historic case review', we are now using the term 'Past case review', to accord with wider practice in the sector.

Phase One: Report

1. Following on from our interim report made to the November Mission Council (Paper R2), this phase is now coming to a close.
2. The Church is indebted to synod readers, synod staff and the hard work put in by the Revd Elizabeth Gray-King, who has project managed this phase.
3. At the time of writing one synod has yet to complete reading, one synod has still to submit the reader's report and Church House has yet to complete reading files which are held there.
4. Out of 1162 files which have been read, two were deemed by our external safeguarding consultant to require immediate action and they have been referred into the Church's Ministerial Disciplinary Process. There were none in category two, 25 in category three and 15 in category four.

The four categories are:

One: immediate and significant concern, requiring urgent response;

Two: immediate and significant concern, requiring planned response;

Three: concern, but further information is needed to establish its level;

Four: no apparent current concern, notwithstanding the seriousness of the case and/or past risk.

5. In due course our external consultant will make her report including any recommendations which she feels that the Church ought to consider following her reading of referred files in less serious categories.
6. Colleges and Institutions associated with the United Reformed Church since 1972 have been contacted to draw attention to this triaging of ministers' files and asking that this matter be brought to the attention of their governing bodies. Westminster College and Northern Colleges have asked for guidance on how the Church has conducted the review and the terms of reference and readers' packs of materials have been sent to them.
7. To date, the cost of the review has been £4882.58; this includes readers' expenses and additional staff time in order to manage the project.

8. Early conversations with survivors' groups and a proposal that they share the reading with us have not been implemented as they were unable to come up with volunteers willing to do this by the commencement of the reading. We do however intend to contact them again as we work on the design of phase two.

Phase Two: Design

9. This phase is open for anyone who believes that they have been inappropriately dealt with by the Church to be listened to. From April to October 2016 this phase will encourage those who feel they have been carrying a burden to share that with specialist listening teams.
10. There are four suggested frameworks for this second phase of the Review. At this stage, the review falls into four categories – Listening, Allegation handling, Pastoral Care and Learning.
11. Synod listeners: the synod-based people who will listen, gather and share the stories from those who raise allegations. Skills we are looking for in such people include:
- skills in objective and empathetic listening;
 - an ability to capture the reality of an allegation whilst maintaining integrity;
 - commitment to full confidentiality and data protection;
 - commitment to the safety and care of the whole church, as well as to the individuals involved.

The task of this group of people involves:

- establishing a safe situation in which to listen;
 - capturing stories into a framework which can be shared;
 - ensuring that the complainant knows the process;
 - sharing stories as appropriate with full confidentiality and data protection;
 - ensuring that the story is being held within the full allegation process;
 - closing the story with the complainant;
 - summarising the listening process for the learning group.
12. Allegations group: is an Assembly group to manage the whole allegation process from designing the templates and document flow, to supporting the allegations assessors.
- Skills needed include wisdom in legal mechanisms, including those processes of other denominations and other organisations; experience of shaping sensitive personal information into frameworks which can be used for assessment and legal interpretation.
 - The group's task is to design the individual elements of the processes for key actions, establish an allegation flowchart of the entire process, establish clear communications about processes and people remits, support allegations assessors, create and appropriately share final story closure.
13. Pastoral care group: the synod group to manage the whole pastoral care process from designing the relationship structures, to supporting companions and mentoring local leadership.
- Skills required include wisdom in caring for groups as well as individuals, able to understand organisational dynamics and conflict management.

- Task involves designing the individual elements of the processes for key actions, establish key communications links, support companions as necessary; listen for stories and their impact on congregations/synods; help shape local support as necessary. It is to be hoped that this group is that which already exists within synods as pastoral committees.
14. Learning group: the Assembly group to ensure that both the URC and the wider Church learn from the stories of the Past case review, and to ensure that the learning informs the further work of the URC.
- Skills include wisdom in analysis, knowledge of church structures, knowledge of historic boundary infringement research from other churches and organisation. This group may well involve those already engaged in learning activities within synods.
 - The task is to gather evidence, analyse, create recommendations.
15. Consultation has taken place with Synod Moderators and synod safeguarding Officers. Moderators had reservations about the people needed for such a project. A suggestion was made that a pilot scheme be launched. However, the need for advocacy of this phase to reach across the whole denomination and co-ordinate material received in response makes this difficult to implement. Additionally, a pilot scheme could substantially delay the process.
16. The safeguarding advisory group has met just before Mission Council and wants to recommend the draft scheme for phase two to the Council.

Paper T1

MIND (ministerial incapacity and discipline)
advisory group

Report on recent work, and
proposed changes to
the ministerial incapacity
procedure

United Church 2016
Church 2016
Reformed Church 2016
Church 2016

Paper T1



MIND advisory group

Report on recent work, and proposed changes to the ministerial incapacity procedure

Basic Information

Contact name and email address	Dr Jim Merrilees jmerrilees@urcscotland.org.uk
Action required	Report is for information; proposed changes require decision
Draft resolution(s)	On the recommendation of the MIND advisory group and on behalf of General Assembly, Mission Council approves the changes to the incapacity procedure shown below with immediate effect:

Summary of Content

Subject and aim(s)	Changes to the incapacity procedure
Main points	Detail of necessary changes
Previous relevant documents	Ministerial disciplinary process and incapacity procedure
Consultation has taken place with...	Members of the MIND advisory group at its meeting on 13 January 2016. The group represents all aspects of the process

Summary of Impact

Financial	None
External (e.g. ecumenical)	None.

MIND advisory group

Report on recent work, and proposed changes to the ministerial incapacity procedure

1. This is a report from the MIND advisory group to go before the Mission Council meeting in March 2016 and it contains a request that Mission Council should consider and, if thought fit, pass the resolution which appears at the end of this report.
2. During 2015 the advisory group met twice. At the start of 2015 there were no cases within the disciplinary process and no new case reached conclusion in 2015.
3. The one case within the incapacity procedure mentioned in last year's report was resolved through other procedures within the Church and did not therefore need to go forward. It did, however, highlight the need for changes to the procedure which would allow for a case to be adjourned whilst all other avenues of resolving the matter could be fully investigated. The proposed new paragraphs B.3.5.1/4 set out in the resolution below are intended to remove this difficulty. The resolution also brings forward a number of minor changes to the procedure.
4. The advisory group keeps both the disciplinary process and the incapacity procedure under constant review.
5. The training team provides regular training days and guidance in the form of training packs for those involved with those procedures. A training event was held during the year for those involved with the incapacity procedure and two training events were held for the members of the Assembly Commission. Also this year the team has met with members of the pastoral reference and welfare committee (PRWC) and with the synod moderators. Training events are being planned for the members of the joint panel later this year.
6. This level of activity demands a huge amount of time, expertise, patience and good humour from the leader of the training team. We have in Keith Webster someone who possesses all these qualities in abundance and we are indeed fortunate that Mr Webster is in charge of this vitally important aspect of the work of our group.
7. Currently, as a reflection of the modern climate, the group is needing to spend more time considering the various aspects of safeguarding.
8. So, in conclusion, the MIND advisory group formally places before Mission Council the resolution set out below:
9. **On the recommendation of the MIND advisory group and on behalf of General Assembly, Mission Council approves the changes to the incapacity procedure shown below with immediate effect:**
 - 9.1. **Paragraph A.13** Paragraph M.6 is an important paragraph, providing for the review commission to have control of procedural issues. Its mirror image in the disciplinary process comes in Section A of that process. Accordingly bring the text of the current paragraph M.6 into Section A as new paragraph A.13:

A.13 Where any issue or question of procedure arises whilst the matter is under the jurisdiction of the review commission or the appeals commission, that commission shall resolve each such issue or question and/or give such directions as shall appear just and appropriate in the circumstances.

- 9.2. Paragraph B.2.2** The wording of B.2.2 does not cover the situation where the Church's procedures for ill health retirement do (or might) apply but where the minister has not availed him/ herself of them – possibly because s/he is not prepared to accept that there is a problem and insists on continuing in ministry or, more generally, because of a failure, a refusal or an inability on the minister's part to address the issue of retirement at all. So replace the existing wording of B.2.2 with the following:

B.2.2 That (i) the Church's procedures for ill health retirement do not apply and that there is no reasonable prospect of their implementation or (ii) the Church's procedures for ill health retirement do or may apply but the minister is unwilling to avail him/herself of them or (iii) the minister has failed or refused or is unable to co-operate in ascertaining whether or not such procedures might apply or is prevented by his/her incapacity from so doing and that, whichever of these situations is applicable, there is no reasonable prospect of the retirement or resignation of the minister.

- 9.3. Paragraph B.3.1.1** The existing B.3.1 to become B.3.1.1.

- 9.4. Paragraph B.3.1.2** Add a new B.3.1.2 as follows:

B.3.1.2 In the event that the convenor of the PRWC is prevented from exercising any of the functions allotted to him/her under this Procedure for any of the reasons specified in paragraph A.11, the other members of the PRWC shall appoint one of their number to act as deputy to the convenor to exercise those functions and to receive notices in his/her place and shall forthwith give notice to the secretary of the Review Commission of such appointment.

- 9.5. Paragraph B.3.4** After the word 'procedure' on line 2 insert 'set out in Paragraph D.3.4'.

- 9.6. Paragraphs B.3.5.1/4** The purpose of these new paragraphs is explained at Paragraph 3 of the above report:

B.3.5.1 If, following receipt of the Certificate of Entry but before the Review Commission has been constituted, the secretary receives written information that any of the conditions set out in Paragraph B.2 has not, or may not have been, satisfied, s/he shall consult with the members of the Consultation Group and may on their authority adjourn the proceedings within the incapacity procedure pending the resolution of the matter.

B.3.5.2 If during any period of adjournment referred to in paragraph B.3.5.1 matters resolve themselves without the case needing to proceed within the incapacity procedure, the Moderator of the Synod or the General Assembly representative shall send or deliver to the secretary of the Review Commission a Notice of Satisfaction signed by the convenor of the PRWC certifying that for the reasons stated therein no further steps need to be taken within the incapacity procedure, whereupon the secretary shall send or deliver to the minister and to the persons to whom s/he gave

notice under paragraph B.3.3 a further notice to the effect that the incapacity proceedings have been withdrawn in accordance with this paragraph B.3.5.2.

B.3.5.3 If during the said period of adjournment the PRWC is satisfied that the conditions set out in paragraph B.2 have been satisfied and that the case should therefore proceed within the incapacity procedure, the Moderator of the Synod or the General Assembly Representative shall send or deliver to the secretary of the Review Commission a notice signed by the convenor of the PRWC re-affirming the contents of the Certificate of Entry and Commencement Notice, whereupon the secretary shall send or deliver to the minister and to the persons specified in paragraph B.3.5.2 a notice to the effect that the adjournment is at an end and that the incapacity procedure case is being re-activated. The secretary shall also proceed with the required steps as to the appointment of the Review Commission and the calling in of the Commission officer.

B.3.5.4 An adjournment under this Paragraph B.3.5 shall not exceed eighteen months from the date of receipt by the secretary of the Review Commission of the Certificate of Entry and Commencement Notice under paragraph B.3.2, If at the end of that time the Secretary has not received a Notice under either paragraph B.3.5.2 or paragraph B.3.5.3, the incapacity procedure case shall be deemed to be withdrawn and the secretary shall send or deliver a notice to that effect to the minister, the persons specified in Paragraph B.3.5.2 and the convenor of the PRWC.

- 9.7. Paragraph D.1** The problem here relates to the words **‘whether as a member of any local church or Synod connected with the case’**. It is clear that no-one who is a member of the same local church as the minister could play any part in the case. The juxtaposition of local church and synod might give the impression that membership of the same synod would have the same effect. However, this is not necessarily so. The test would be whether, in the particular circumstances, involvement in the affairs of Synod had brought that person into sufficient contact with the minister to give rise to a conflict of interest. So remove the words **‘or synod’**.
- 9.8. Paragraph D.1.** On the penultimate line, remove the words **‘hearing of the’**. The restrictions in D.1 apply to the whole of the case, not just the hearing.
- 9.9. Paragraph D.1** Add the following sentence at the end of the paragraph:
- ‘The restrictions contained in this paragraph apply equally to the Commission Officer and to any person appointed to assist him/her under Paragraph F.1.’**
- 9.10. Paragraph D.3.2** Remove the words **‘and any supporting documentation’** and replace the words **‘a written response’** with **‘any preliminary comments’**.
- 9.11. Paragraph D3.3** After the words **‘supporting documentation’** insert **‘and any preliminary comments from the minister (as and when received)’**.
- 9.12. Paragraph D.3.4** After the words **‘supporting documentation’** insert **‘and any preliminary comments from the minister (as and when received)’**.

- 9.13. **Paragraph D.4.3** Add a new paragraph as follows:
- ‘When the fifth member of the Review Commission has been identified under Paragraph D.4.1, the secretary shall, as regards that person, follow the same procedure as that set out in Paragraph D.3.3 regarding the four members of the Standing Panel.’**
- 9.14. **Paragraph F.1** Include a new second sentence in this paragraph as follows
- ‘The Review Commission may, if it sees fit, accede to any request from the Commission Officer for the appointment of any person or persons of suitable experience to assist the Commission Officer in the gathering of information and the conduct of the investigation in any particular case.’**
- 9.15. **Paragraph F.8** The first part of this paragraph duplicates Paragraph D.3.4 except that in D.3.4 the secretary supplies the CO with this paperwork at the outset, whereas in F.8 the RC only supplies it when it has carried out its initial review. D.3.4 is preferred as the CO should be brought into the picture as soon as possible, even though s/he must await instructions from the Review Commission. So remove the first sentence of F.8 and re-order the remainder of the text so that the paragraph will read as follows:
- F.8 The Review Commission must make clear to the Commission Officer the issues identified by the Review Commission to which it wishes the Commission Officer to direct his/ her enquiries so that there is consistency and an avoidance of duplication in the gathering of information. Consideration of any specific advice or guidance as mentioned in Paragraph F.4.4 is particularly pertinent in this respect.**
- 9.16. **Paragraph J.2.1** End the first sentence at the word **‘private’**. Then begin a new sentence to read as follows: **‘The Review Commission shall be in charge of the conduct of the hearing, including the control of all procedural matters, and only the following personsetc.’**
- 9.17. **Paragraph K.8.1** On the penultimate line change **‘not less than’** to **‘not more than’**.
- 9.18. **Paragraph K.8.3, K.9.1 (new), K.9.2 (new), L.11.3 (changes to existing paragraph) and M.7 (new).**

The reasons for the remaining changes as set out below are (i) to provide for the Review Commission (or the Appeals Review Commission) to present an anonymised report after each case to assist the MIND advisory group in improving the procedure and provide training and (ii) to state when the IP proceedings are concluded. So:

- 9.19. **Paragraph K.8.3** Add the following sentence at the end of the paragraph:
- ‘The Review Commission shall thereupon comply with the provisions of paragraph M.7.’**
- 9.20. **Paragraph K.9.1** Add this new paragraph as follows:
In the event of the Review Commission deciding not to delete the minister’s name from the Roll of Ministers, the Incapacity procedure case shall be regarded as concluded on the date of the Hearing.
- 9.21. **Paragraph K.9.2** Add this new paragraph as follows:

In the event of the Review Commission deciding to delete the minister's name from the Roll of Ministers and there being no appeal against that decision under paragraph L.1.1 within the period allowed under paragraph K.8.1, the incapacity procedure case shall be regarded as concluded on the first day after the expiration of such period.

- 9.22. **Paragraph L.11.3** After the words 'the decision' insert 'by the Appeals Review Commission' and change the words 'under N.2' to 'under paragraphs M.7 and N.2.' Add the following sentence at the end: 'Also the incapacity procedure case shall be regarded as concluded on the day of the Appeals Hearing.'
- 9.23. **Paragraph M.6** To be transferred to Section A as new A.13.
- 9.24. **Paragraph M.7** The existing M.7 becomes M.6. Add a new M.7 as follows:
- M.7.** Within one month of the conclusion of each case as provided in either paragraph K.8.3 or paragraph L.11.3, the Review Commission or the Appeals Review Commission (as the case may be) shall prepare a written report of its conduct of the case and submit it to the secretary of the Review Commission, who shall, in order to preserve confidentiality, remove from the report the name and address of the minister, the name of the minister's church(es) and any other information which might lead to the identification of any of the individuals involved in the case. The purpose of the report shall be to help those charged with the ongoing review of the operation of the incapacity procedure and thus to ensure that appropriate training and assistance are provided and that the highest standards are maintained.
- 9.25. **Appendix** At the end of the Appendix, under the words 'Convenor of PRWC' add the words 'or his/her duly appointed deputy (see paragraph B.3.1.2).'
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