



LONDON DIOCESAN FUND

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Annual Letter to PCC Secretaries

February 2011

Dear PCC Secretary

Welcome to those of you who are new to the role of PCC Secretary. This letter takes the form of the usual Annual Letter sent out at around this time of year. It has information on Annual Parochial Church Meetings (APCMs), Elections, PCCs, any changes in the rules governing these, and other information which may be useful.

1 Elections

(a) Declaration that a person is not disqualified from being a PCC Member

In order to assist in meeting statutory requirements, a Form of Declaration that a person is not disqualified from being a charity trustee, and therefore a PCC member, has been produced for use in parishes from this year onwards. The Form is attached to this letter. Circumstances which disqualify a person from serving as a PCC member include, for example, being an undischarged bankrupt.

The form should be read by

- Those standing for election to the PCC, deanery synod, and as churchwardens;
- Those elected verbally at the Annual Parochial Church Meeting to the PCC, or deanery synod; and
- Other persons appointed as members of the PCC (e.g. co-options), and who have not signed a declaration confirming that they are not disqualified from being members of the PCC.

The form explains that

- Candidates standing for election to the PCC, deanery synod, or as churchwardens should read the declaration (in Section 4 of the Form), but need not sign it if they will be signing (or have signed) nomination forms which already contain the declaration (i.e. which include a reference to section 72(1) of the Charities Act 1993.)
- The declaration should be signed by
 - a) Those elected verbally at the Annual Parochial Church Meeting to the PCC or deanery synod; and
 - b) Others appointed to serve as members of the PCC (e.g. co-options), who have not signed a declaration confirming that they are not disqualified from being members of the PCC.

What should now happen to the Form of Declaration?

Sufficient copies of the form should be provided

- Alongside nomination forms for those standing for election to the PCC, deanery synod, or as churchwardens; and
- During or after the APCM, for anyone elected to the PCC or deanery synod verbally at the meeting to sign;

(Ideally, when a verbal request for nominations is made at the APCM, it should be announced at that point that those offering themselves should be satisfied that they are not disqualified from serving as a member of the PCC. (Note that deanery synod members are automatically members of the PCC)).

- To those appointed to the PCC in other ways, such as by co-option.

(b) **Deanery Synods**

- Parish representatives to be elected

Parish representatives to the deanery synod are due to be elected at this year's APCMs. I wrote to you at the end of last year with details of the number to be elected by your parish. Please note that this number may have changed from the last occasion of the elections 3 years ago. The number may in fact have gone down, owing to a change in the Scale applied across the Diocese.

The term of office for the new deanery synod runs from 1 June 2011 to 31 May 2014.

- The Diocese of London Intranet – schedule on parish representatives

A schedule containing the number of parish representatives on the deanery synod to which parishes are entitled can be found on the Diocese of London Intranet (see Appendix 1)¹. You can consult this at any time throughout the 3 year term if you should need to check the number of representatives for your parish on the deanery synod.

- Term of Office

The term of office of the deanery synod representatives is 3 years, from 1 June 2011 to 31 May 2014. The number of parish representatives on the deanery synod *remains the same* throughout the three year period.

- Keeping Records Up to date

It is important that details of deanery synod representatives are accurate on the Diocesan database, and kept up to date with any changes made during the 3 year term. This is achieved by the officer(s) in your parish with the entry login to the database (which may, for instance, be yourself, the churchwarden or treasurer) making the change directly online, or by advising your Archdeaconry/Area Office of the change.

¹ Access address: <http://gabriel.london.anglican.org>. Under 'Public Information' select 'Parish Annual Meetings'.

2 Electoral Rolls

Electoral rolls are due to be *revised* this year. This is the fourth year in which electoral rolls are being revised, since the last year of full preparation in 2007.

The date on which the next preparation of new electoral rolls takes place in **2013**.

A form of notice for the revision of the electoral roll can be found on the Diocesan Intranet², as can a copy of the Church Electoral Roll certificate for display in church.

3 PCCs

Below in (a) and (b) is a recap on two significant changes in the Church Representation Rules which took place in 2004 relating to PCCs.³

(a) Number of lay representatives on the PCC – the formula now in force

Number on Electoral Roll	Number of representatives to be elected
50 or less	6
51 – 100	9
101–200	12
over 200	15

Note that parishes are permitted to set a different number of lay representatives to elect. This is done by passing a resolution at the APCM. Any such resolution, however, will only take effect from the following APCM.

(b) Term of office of elected lay members of the PCC

The length of time that an elected member serves on the PCC changed in 2004 from one year to three years, with a third of the PCC to be elected each year – unless the APCM decides to retain the system of annual election of the whole PCC. Such a decision, when taken, is effective in the year in which it is passed, and must be reviewed at least every six years.

4 After the APCM

(a) Parish Annual Returns

These should be completed as soon as possible after your APCM, and in any event, must be completed by 1 June. (Note that when completing the Return online, it need not be filled out in one sitting, but the different parts can be filled out at different times).

You will be hearing from the Archdeaconry / Area Office staff during March with information on how to access the new online Annual Return site.

² Other forms relating to the APCM can also be found on the Diocesan Intranet, and are listed in Appendix 1.

³ For further information, for instance, on how elected members to the PCC change from a one to three year term of office, please refer to the letter to PCC Secretaries for 2004. This can be found on the Diocesan Intranet, (please follow the directions provided in Appendix 1) together with letters for other years starting from 2001. (Note that no letter was sent in 2007, as the General Secretary had already written to parishes concerning the preparation of the new electoral roll).

(b) **Parish Annual Report and Accounts**

PCCs are governed by the Churches Representation Rules, Rule 9 (4) of which states that, after the APCM, the PCC

shall cause copies of the annual report and financial statements to be sent within twenty-eight days of the annual meeting to the secretary of the [London Diocesan Fund] for retention by the [Diocese]

Failure to submit accounts before 1st June means that all members of the PCC are in breach of their duty as trustees.

On-line submission of accounts and report

Parishes are strongly encouraged to submit their annual accounts and report online. They will need to certify electronically that the copies being sent in electronic form are an accurate copy of the accounts which have been approved by the PCC and signed by the chairman presiding at the meeting. (Please note that the electronic certification will also constitute a declaration that the accounts have been signed off with an unqualified report by either the Independent Examiner or the Auditor).

Registered Charities

Parishes with income of over £100,000 must now be registered with the Charity Commission. Such PCCs must also submit their accounts and reports to the Charity Commission as well as to the Diocese.

Personal liability

The PCC is a charity (whether registered or not) and all PCC members are classed as trustees. As trustees, the PCC's members are not normally personally liable for the activities of the parish. However, as the Charity Commission's website makes clear, if the trustees act imprudently, or are otherwise in breach of the law or the governing document, the position is different. Here, trustees may be personally responsible for liabilities incurred by the charity, or for making good any loss to the charity. Since trustees act collectively in running a charity, they will usually be collectively responsible to meet any such liability. Failing to keep proper records and accounts, to prepare annual statements or failing to submit accounts on time could well be considered to be an example of acting imprudently or in breach of law.

Please draw this section of the letter to the attention of your PCC Treasurer.

**5 Churchwardens Measure 2001
Disqualification after six periods of office (Section 3)**

The following note is based on one which was included in mailings of 'Ministry Matters' sent to clergy in the Diocese three years ago. They were asked to note that:

A person is disqualified from being appointed to the office of churchwarden when he or she has served as churchwarden of the same parish for six years in succession. A person must have a gap of at least two years before serving again.

However, the Annual Meeting of Parishioners can pass a resolution to the effect that this section of the Measure shall not apply, which would allow the person in question to be appointed after the six years has expired. Such a resolution would take effect

immediately. The end of the first six year period, since this rule came into effect, was the Annual Meeting of Parishioners held in 2008.

This therefore meant that any churchwarden who had served continuously since the Annual Meeting of Parishioners of 2002 could not be re-appointed in 2008 unless the Meeting had passed a resolution specifically overruling this provision in relation to the parish, which would enable him or her to be reappointed.

Any such resolution can be revoked by a subsequent Annual Meeting of Parishioners.

The intention of the legislation appears to be that six successive terms should normally be regarded as the maximum, unless exceptional circumstances apply.

If necessary, advice can be obtained from the Diocesan Registrar.

6 The Role of PCC Secretary

A presentation which may help you in your role as PCC Secretary can be found on the Diocesan Intranet. (Please follow the directions provided in Appendix 1). This was given to a gathering of PCC Secretaries and Churchwardens.

A list of publications which may also provide some help is provided in Appendix 2.

Please do not hesitate to contact me on any of the above matters, on monica.bolley@london.anglican.org.

I am sending copies of this letter to those noted below. Please share the contents of this letter with your parish priest (particularly section 1), and other church officers. Where appropriate please also pass on a copy to the secretaries of any district church council associated with your parish.

With kind regards

Yours sincerely

Monica Bolley
Synodical Secretary

Copies emailed to:

Archdeacons, the General Secretary, Diocesan Registrar, Incumbents and Priests-in-Charge, (*) Churchwardens, Treasurers, Parish Administrators, Area Deans, Deanery Lay Chairs, Deanery Synod Secretaries, Area Directors of Training and Development, Area Finance Advisers and Area Office Staff.

Note to PCC Secretaries:

In view of the increased use of email, and its benefits including the reduction in diocesan postage costs, this letter is now being sent by email to those PCC Secretaries for whom we have an email address. Those not on email are being sent copies by post.

Enclosure:

PCC MEMBERSHIP - Form of Declaration that a person is not disqualified from being a PCC Member

Forms for Parish Annual Meetings

The following documents can be located on the Diocese of London Intranet. This is accessed using the following address: <http://gabriel.london.anglican.org>. The page which appears has three headings, one of which is 'Public Information'. From the list under this heading, select the link, 'Parish Annual Meetings'. Please then click on the document you require from the list which appears:

- (a) **Forms relating to Parish Annual Meetings**
 - Notice of Annual Parochial Church Meeting
 - Notice of Meeting of Parishioners - for Election of Churchwarden
 - Nomination Form for Election to the PCC
 - Nomination Form for Election to the Deanery Synod
 - Nomination Form for Election of Churchwardens
 - Results of Elections – Notice for display
 - Notice of Revision of the Church Electoral Roll
 - Application for enrolment on the Electoral Roll
 - Church Electoral Roll Certificate (for display in church)
- (b) **Annual Letters to PCC Secretaries (from 2001 to date)**
- (c) **Parish Representation on Deanery Synods – Schedule of Numbers**
- (d) **The Role of PCC Secretaries – copy of a presentation on the legalities and practicalities**

Publications for PCC secretaries

(a) **Church Representation Rules 2011**

Please note that a 2011 edition of the Church Representation Rules has been published. I would encourage all parishes to acquire a copy of the Church Representation Rules 2011 (ISBN 978 0 7151 1041 6). These Rules comprise Schedule 3 of the Synodical Government Measure 1969, together with subsequent amendments. They contain a wealth of information including details on the governance of PCCs, Parochial Church Meetings, deanery synods, as well as information on Electoral Roll formation, maintenance, revision and renewal.

(b) **Other useful publications**

- A Handbook for Churchwardens and Parochial Church Councillors (Kenneth MacMorran and Timothy Briden) ISBN 0-819-28111-5
- Practical Church Management – A Guide for every Parish (James Behrens) ISBN 0-85244-602-0 (2nd edition)
- An ABC for the PCC – A Handbook for Church Council Members (John Pitchford) ISBN 0-8264-6599-4
- A Basic Church Dictionary and Compendium (Compiled by Tony Meakin) ISBN 1-85311-087-6
- Your Church and the Law (A simple explanation and guide) – David Parrott ISBN 978-1-85311-927-9

All of these publications are available from Church House Bookshop, 31 Great Smith Street, London SW1P 3BN (tel: 020 7898 1300 / www.chbookshop.co.uk).