

Annual Letter to PCC Secretaries - 2017

2 March 2017

Dear PCC Secretary

Welcome to those of you who are new to the role of PCC Secretary, and thank you all, newcomers and older hands, for shouldering what is a key role in the smooth running of the PCC, and your parish.

This letter includes information on Annual Parochial Church Meetings (APCMs), elections, PCCs, and on any changes in the rules governing these. **New Church Representation Rules** have been issued in 2017, and these **contain certain changes** (explained below) which **affect APCM forms and Annual Reports**.

Capital Vision 2020

As we continue in our commitment to ‘Capital Vision 2020’, our vision for how, together as a Diocese, we serve Jesus Christ in London, please continue to use the opportunity which the APCM presents for prayer and reflection on your parish’s engagement with ‘Capital Vision 2020’, to be more ‘Confident’, ‘Compassionate’ and ‘Creative’.

Please draw to the attention of your parish priest the invitation from Debbie Clinton, Director of Capital Vision (debbie.clinton@london.anglican.org), at your APCM, as you review the life of your parish in 2016, and look forward to the rest of 2017 and beyond, to consider setting aside time to include one or more of the following in your meeting:

- As we increase our focus on making our Diocese a place where youth ministry thrives, please set aside time at your APCM to consider how your parish could seek to better reach and disciple the young people in your parish, particularly the youth of our city. *What first steps could we take in this area that would signify our intent to have a culture where youth ministry increasingly thrives? How can we reach and disciple the young people of our parish? How could we work with others or take new approaches to make a real difference?*
Could you ensure that young people are part of or lead this conversation?
- Over 16,000 people have already been commissioned as ambassadors representing Jesus Christ in daily life and almost one third of churches are involved. If you are already involved please celebrate the mission and ministry of your commissioned ambassadors during your APCM, bringing your own stories of people being fruitful for God right where they are in day to day life. If you have not yet connected with Ambassadors 2020, please consider how you can do so in

2017. You could order copies of *Right Where You Are* for all attending at www.ambassadors2020.org/orders.

- Reflect on how over the last few years you as a parish have become more confident in speaking and living the Gospel of Jesus Christ, more compassionate in serving communities with the love of God the Father, and more creative in reaching new people and places with the Good News in the power of the Spirit. Take time to pray for each of these key areas as you look backwards and forwards. Please share your reflections with capitalvision2020@london.anglican.org or tweet us @dioceseoflondon #cv2020.

If you would like any Capital Vision resources to share at your APCM please email capitalvision2020@london.anglican.org.

You may be wondering why I have started off this letter with Capital Vision 2020, our diocesan vision for mission and ministry. This is because it is *what we are really about*, and our governance structures – if they are working well – should be supporting these ends.

1 Data Protection

New Data Protection legislation affecting all organisations will take effect in May 2018. This is in the form of the GDPR (General Data Protection Regulation), which replaces the Data Protection Act 1998 that is currently in place. More information and guidance will be available to help parishes to prepare for the GDPR.

2 APCMs

Parishes are required to hold their APCMs by no later than 30 April in each year. Key items of business conducted at the APCM include, the Annual Report on the proceedings of the PCC and activities of the parish, and the Financial Statements of the PCC for the year ending 31 December, which the meeting receives from the PCC and is free to discuss. Elections of lay representatives to the PCC are also held each year.

(a) APCM forms

Appendix 1 lists documents that relate to the APCM, and which can be downloaded from the diocesan website.

Please note that the regulations surrounding **eligibility** to serve as a churchwarden, PCC or deanery synod member **have changed** in the last twelve months, following changes to the Church Representation Rules, (mainly due to Acts of Parliament concerned with Safeguarding of Vulnerable Groups and Children and Young Persons).

New versions of the APCM forms – 4 in all, namely the Notice of the APCM, and nomination forms for the PCC, deanery synod and churchwarden elections, reflect these changes and are **for use from this year** onwards, together with the revised *Form of Declaration that a person is not disqualified from being a PCC member*. This should be

signed by all PCC members who have not signed a nomination form which contains the declaration.

*(Please note that there are new provisions - noted on this 'Declaration' form – which disqualify persons from acting as PCC treasurers or secretaries **even if they are not** members of the PCC).*

(b) Annual Reports on the proceedings of the PCC and the activities of the parish

Changes reflected in the 2017 edition of the Church Representation Rules **now require parish annual reports to include a statement** as to whether the PCC has complied with the duty under section 5 of the Safeguarding and Clergy Discipline Measure 2016, in relation to having due regard to House of Bishops' guidance on safeguarding children and vulnerable adults.

The House of Bishops has produced policy statements which can be found at this link: <https://churchofengland.org/clergy-office-holders/safeguarding-children-vulnerable-adults/house-of-bishops'-policy-statements.aspx>

3 Deanery Synod Elections - at this year's APCMs

(a) Elections of deanery synod representatives for the new term (i.e. from 1 June 2017 to 31 May 2020)

Elections to deanery synods take place at this year's APCMs. At the end of last year, I sent you details of the number of representatives to be elected by your parish. This may be different to the previous allocation: For the 2014-2017 term, it was 1 rep for every 57 on the electoral roll. For the 2017-2020 term, it is **1 rep for every 76** on the electoral roll. The electoral roll figure used is the number as declared at the 2016 APCM. The number of representatives **remains the same** throughout the 3 year term.

With regard to the election itself, nominations must be invited **for all** of the places allocated to the parish, and the number of persons elected **must not exceed** the number of places allocated.

(b) The Diocese of London website – 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 diocesan website at <http://www.london.anglican.org/support/annual-meetings/>. You can consult this at any time throughout the 3 year deanery synod term.

4 Changes in Deanery Synod reps during the year

It may be that changes amongst your parish's deanery synod representatives occur after the APCM, and after the parish's annual return has been submitted. One or more of the representatives may step down, or a place which was not filled at the original APCM election,

may be filled later in the year. If this is the case, please **email the details of the new reps to your Area/Archdeaconry office straight away** for updating the diocesan database.

It is important that the diocesan database records of the deanery synod memberships are kept accurate and up to date. The reasons for this include the use of these records:

- In the event of a by-election to the Diocesan Synod, the Area Councils or to the General Synod, **which can occur at any time**; or
- By deanery synod secretaries, for circulating deanery synod agendas and papers.

Your assistance in helping us to have accurate and up to date deanery synod membership records on the diocesan database would be very much appreciated.

5 Diocesan Synod Elections and Area Council Elections – in 2018

Elections to the Diocesan Synod and Area Councils take place every 3 years, and the next elections will be held in 2018.

The lay people who can be nominated in these elections are those in the parishes. (In brief, candidates must be actual communicants, whose names are also entered on the electoral roll of a parish in the deanery, and who are at least 16 years of age).

The Houses of Laity of the deanery synods are the electors in these elections (they nominate candidates and then, if voting is required, vote for them). **Those elected by the parishes to the deanery synods at this year's APCMs, will be the electors in next year's Diocesan Synod and Area Council elections.**

It will therefore be **important** for the efficient conduct of these elections, that the **results of the deanery synod elections** (i.e. the names and contact details of those elected) are entered **promptly and accurately** on the diocesan database, **via the parish annual returns**.

6 Electoral Rolls

(a) Prompt submission of parish electoral roll numbers

The above mentioned election to the Diocesan Synod which will be taking place next year, requires the electoral roll numbers reported at this year's APCMs to be used to calculate the number of places on the Diocesan Synod that each deanery synod will have.

These calculations form part of a statutory process to produce a set of 'Scales of Representation' which apply across the diocese.

Before this process of calculating the 'Scales' can begin, **the electoral roll numbers of all of the parishes in the diocese are needed.**

It would be greatly appreciated if PCC Secretaries and Electoral Officers could ensure that the electoral roll number reported at this year's APCM is submitted via the Parish Annual Return **by 31 May**. (There is no need to forward separate notification).

As part of the parish Annual Return process, the 2017 electoral roll portal will be open from April 2017.

(b) Guide for the Revision of electoral rolls

A sample schedule, based on a hypothetical APCM date of 22 April, showing the minimum periods in the revision timescale can be downloaded from the following link on the diocesan website: <http://www.london.anglican.org/kb/electoral-roll>.

(c) 2019 – date for the Preparation of new electoral rolls

2013 was the last year for the preparation of new church electoral rolls, which meant that everyone had to come off the roll and re-apply. This takes place only once in every six years. The next preparation of new rolls will be in 2019.

In the intervening years, i.e. this year and 2018, the usual annual revision of the electoral rolls takes place.

7 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:

(a) Number of lay representatives on the PCC, i.e. 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 (i.e. higher or lower) number of lay representatives to elect, (e.g. a parish with an electoral roll of 101-200 may consider 10 rather than 12 representatives to be more appropriate). 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*.

(c) **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, was produced in 2011 for use in parishes from that point onwards. This form has been updated to reflect recent changes in legislation. A copy of the updated form can be obtained from the diocesan website at

<http://www.london.anglican.org/support/annual-meetings/>.

You should ensure that **all members of the PCC have signed** either this updated Form of Declaration, or an **updated** nomination form containing the declaration on the reverse, that they are not disqualified from being a PCC member.

Circumstances which disqualify a person from serving as a PCC member include, for example, being an undischarged bankrupt.

How should the Form of Declaration be used?

Sufficient copies of the form for completion, 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)).

- **For anyone being co-opted** to the PCC, or who is an ex-officio member who has not already signed a declaration.

8 After the APCM

(a) **Parish Annual Returns - deadline: 31 May**

A Parish Annual Return is completed each year by every parish. It is the means of collecting information required by the bishops, archdeacons, diocesan officers, and the committees of the Archbishops' Council, to assist in their various responsibilities for planning and administering the affairs of the Church at its different levels.

The Annual Return should be completed online as soon as possible after your APCM, and in any event, **must be completed by 31 May**. (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).

The 'Statistics on Mission and Finance' provided through the Annual Returns are very useful in enabling changes in these areas to be identified over the years within parishes, deaneries, Areas and across the Diocese as a whole.

Parishes were asked to complete the 'Statistics for Mission' section of the Return by 31 January 2017. *(If your parish has not as yet submitted this section of the Return, please could this be done urgently).* This section covers a range of subject areas including questions about the worshipping community; special services, such as weddings, and attendance data for Easter, October and Christmas.

Please contact your Area/Archdeaconry Office if you experience any difficulty with the online process.

(b) Parish Annual Report and Accounts

PCCs are governed by the Church 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 1 June means that all members of the PCC are in breach of their duty as trustees. Failure to file may also affect the validity of the parish's insurance policy.

Online submission of accounts and report

Parishes should 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 chair 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. In addition to providing the Charity Commission with their annual report and accounts, they must also complete a 'Charity Commission Annual Return'. The Charity Commission will e-mail a reminder to the nominated contact about this.

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. A further impact of not filing accounts is that charity status could be withdrawn / suspended,

and this would mean the PCC being unable to make Gift Aid claims, which would present a serious problem.

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

9 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 in 2008. 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.

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; tel. 020 7932 1228.

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

With kind regards

Yours sincerely

Monica

Monica Bolley
Synodical Secretary

Copies emailed to:

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

Notes:

1 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.

2 Area /Archdeaconry offices

- London Archdeaconry: Pam Nicholls, pam.nicholls@london.anglican.org
- Stepney Area: Jenny Harding, jenny.harding@london.anglican.org
- Kensington Area: Olivia Malhotra, olivia.malhotra@london.anglican.org
- Edmonton Area: Maura Roni, maura.roni@london.anglican.org
- Willesden Area: Anne Davies, wao@london.anglican.org

Appendix 1

Forms for Parish Annual Meetings

The following documents can be located on the diocesan website at

<http://www.london.anglican.org/support/annual-meetings/>

(a) **Electoral Roll**

- Electoral Roll application form
- Electoral Roll certificate for display in church
- Notice of Revision of Electoral Roll
- Sample of timetable for Revision of Electoral Roll

(b) **Other 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

(a) **Parish Representation on Deanery Synods – Schedule of Numbers**

(b) **The Role of PCC Secretaries – copy of a presentation on the legalities and practicalities**
can be located at: <http://www.london.anglican.org/kb/pcc-secretaries>.

Publications for PCC secretaries

(a) **Church Representation Rules 2017 (This replaces the previous blue 2011 edition).**

PCCs are governed by the Church Representation Rules. **All parishes should have a copy.** The Church Representation Rules 2017 (ISBN 9 780715 111062) are available electronically on the diocesan website at

<https://www.churchofengland.org/about-us/structure/churchlawlegis/church-representation-rules/church-representation-rules-online.aspx>

These Rules comprise Schedule 3 of the Synodical Government Measure 1969, together with subsequent amendments. They contain information including details on the governance of APCMs, PCCs, deanery synods, and other synodical bodies, and on the formation, maintenance, revision and renewal of Electoral Rolls.

(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).