

Annual Letter to PCC Secretaries - 2020

February 2020

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 this key role in the smooth running of the PCC and your parish.

This letter, as well as centring on APCMs (Annual Parochial Church Meetings) as usual, also mentions other important aspects of governance at parish level.

Capital Vision 2020

As we celebrate all God has done through Capital Vision 2020 and reflect on lessons learnt, we are also getting excited about how God is calling us to serve Jesus Christ across London through our new 2030 Vision. Please use the opportunity which the APCM presents for prayer and reflection on the Diocese's emerging 2030 Vision, 'For every Londoner to encounter the love of God in Jesus Christ', and the four priorities that build on Capital Vision 2020: Confident Disciples; Compassionate Communities, Creative Growth and Connected Young People. If you would like any Capital Vision resources to share at your APCM please email capitalvision2020@london.anglican.org.

Key items:

- **Church Representation Rules 2020 (new!)**
- **Elections take place to deanery synods and afterwards to the General Synod – with only a small gap between the two for preparation!**
Deanery synod members elect General Synod members.
Therefore, we urgently need prompt and accurate details from your parish on those elected by the APCM to the deanery synod.
- **2020 APCM forms are on the diocesan website at:**
<https://www.london.anglican.org/support/annual-meetings/>

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Please share this letter with other church officers, and where appropriate, also with the secretaries of any district church council associated with your parish. Please do not hesitate to contact me on any of the above matters, on monica.bolley@london.anglican.org; tel. 020 7932 1228.

With kind regards

Yours sincerely

Monica

Monica Bolley, Synodical Secretary

Copies emailed to:

The General Secretary, Diocesan Registrar,
Archdeacons, Incumbents and Priests-in-Charge, Area Deans,
Churchwardens, Treasurers, Parish Administrators, Electoral Roll Officers,
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 - please contact your churchwarden or parish priest to whom this letter is also being emailed.
- 2 Area /Archdeaconry office:
 - London Archdeaconry: Keiron Ronan, keiron.ronan@london.anglican.org
 - Stepney Area: Joanne Rolling, joanne.rolling@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

Church Representation Rules 2020 – arrangement of content

The new Rules have been completely redrafted and are a great deal easier to understand. They are no longer characterised by over-long sentences; provisions are broken down into more easily digestible parts. Secondly, all the provisions relating to parish governance are now in a self-contained Part of the Rules (Part 9). This should make navigation around the rules easier. *See Appendix 1 for a Summary of changes.*

Basic outline of the new Rules

- **Part 1** (church electoral roll) regarding compilation & revision of church electoral rolls.
- **Part 2** (parish governance) provides for the model rules in part 9 to apply to each parish subject to the other provisions of Part 2
- **Part 3** (deanery synods) makes provision for composition and elections
- **Part 4** (diocesan synods) makes provision for composition and elections
- **Part 5** (House of Laity of the General Synod) provides for membership and elections
- **Part 6** (appeals) makes provision for appeals
- **Part 7** (disqualification etc.)
- **Part 8** (miscellaneous)
- **Part 9** (parish governance: model rules) contains the model rules for parish governance. These provide for matters such as annual and other parochial church meetings, elections of members of parochial church councils (PCCs) and deanery synods, the composition and business of PCCs.
- **Part 10** (forms) contains forms required to be used for the purposes of the Rules.
- **Part 11** (index) contains an index of defined terms for the purposes of the Rules.

1 APCMs

Parishes are required to hold their APCMs by no later than 31 May (previously 30 April) in each year. Key items of business conducted at the APCM include presentations of the Annual Report on the proceedings of the PCC and activities of the parish generally, and of the Financial Statements of the PCC for the year ending 31 December. The meeting receives these, and are free to discuss them. Elections of lay representatives to the PCC are also held each year, and to the deanery synod every third year, including this year.

(a) APCM forms -2020

Appendix 3 of this letter lists documents that relate to the APCM, and which can be downloaded from the diocesan website. These are updated versions reflecting the new Church Representation Rules which was issued on 1 January 2020.

Please note that the regulations surrounding **eligibility** to serve as a churchwarden, PCC or deanery synod member changed in 2017, 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 were produced in 2017 and the changes have been incorporated in the new 2020 version. Four forms, namely the Notice of the APCM, and nomination forms for the PCC, deanery synod and churchwarden elections, reflect these changes and should be used, together with the revised *Forms of Declaration that a person is not disqualified from being a PCC member, and is a 'fit-and-proper' person issued in 2019.* These should be signed by all PCC members.

Provisions introduced in 2017, and noted in the 'Declaration' form, 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, and in the new 2020 edition, of the Church Representation Rules **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://www.churchofengland.org/more/safeguarding#na>

After the APCM

(c) Parish Annual Returns

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.

To complete your annual return, please use this link

<https://parishreturns.churchofengland.org/>. If you have any problems logging in, please contact your area administrator or area finance adviser. (Note that when completing the Return online, it need not be filled out in one sitting, as the different parts can be filled out at different times.)

The 'Statistics for Mission and Return of 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 2020. *Note that this deadline has been extended to **15 March**.* 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.

Parishes are asked to complete the 'Return of Parish Finance' section by **15 June**.

(d) Parish Annual Report and Accounts

PCCs are governed by the Church Representation Rules 2020, Rule M5 (8) of which states that, after the APCM, the PCC

must, before the end of 28 days beginning with the date of the annual meeting, ensure that a copy of the annual report and financial statements are given to the secretary of the diocesan board of finance, i.e. the London Diocesan Fund, for it to retain.

These are to be prepared as set out in **PCC Accountability - The Charities Act 2011 and the PCC**. The current 5th edition was published in February 2017 and issued free to all parishes via the Area Finance Advisers.

Failure to submit accounts before 28 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.

(e) Online submission of accounts and report

Parishes should submit their annual accounts and report online

<https://parishreturns.churchofengland.org/> as soon as possible after your APCM.

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).

(f) 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.

(g) 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.

Please contact your Area/Archdeaconry Office if you have any questions or queries relating to the matters raised in this section of the letter. This includes if you experience any difficulty with the online submission of the Parish Annual Return.

(h) Annual Return of Electoral Roll figure declared at APCM

As ever, you will have to submit your parish's electoral roll figure after the APCM. You will be able to enter the **2020 electoral roll** figure through the 'Statistics for Mission' section of the Return. (You will need to go in a second time, after Easter, by which time the system will have been rolled over from the previous year to receive the current year's electoral roll figure.)

2 Deanery Synod Elections – in 2020

Special arrangements are in place for parishes to collect in and submit details of their deanery synod representatives elected at this year's APCM. The reason for these arrangements is because preparations for the **General Synod Elections** start immediately after the deanery synod elections have taken place, and because it is the deanery synod members just elected, who then go on to the Register of those who elect the General Synod members.

(Remember, that those elected previously to the deanery synod are no longer members of the deanery synod unless they are re-elected. Those elected at this year's APCMs will be your parish's representatives on the deanery synod for the new term which starts on 1 July 2020).

Note that the requirements for lay persons to stand as candidates in the General Synod Election is that (amongst other requirements for which please see Rule 50), their name is on the electoral roll of a parish. They do not have to be members of a deanery synod.

SENDING IN DETAILS OF DEANERY SYNOD MEMBERS

In order for the process of collecting in prompt and accurate details of the deanery synod members elected from across the Diocese to run smoothly, we are asking parishes to take 2 steps:

- 1. Early in March you will be emailed a form to complete with the details of your deanery synod members. Please take this to the APCM to complete and/or check, with the relevant individuals who are present.**
- 2. Please then scan and email the completed form to your Area Office. The email address will be provided when the forms are sent to you.**

(Note: this is the only method for returning details of deanery synod members. The portal previously used to enter details cannot be used).

- General Synod elections to be online – Where email addresses have been provided by deanery synod members, they will be used for those deanery synod members to participate in the online version of the General Synod election. Hard copy election papers will be posted to those not on email.
- Ensure that your APCM elects the correct number of deanery synod representatives – A new figure is calculated for each election. Your parish's figure may well have changed. If necessary please check the 'Deanery Synod representation – Schedule of allocation to parishes' on the website: <https://www.london.anglican.org/support/annual-meetings/>.
- There is a new rule regarding the 'term of office' of deanery synod members, starting with this year's elections – ***See Appendix 1 for further information***

3 Electoral Rolls – revision & publication

(a) **Changes** – a key change is that only names are now permitted to be listed in the electoral roll that is published, and not addresses or any other personal information. *See Appendix 1 for more on this and other changes*

(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) Next date for the Preparation of new electoral rolls

2019 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 **2025**. In the intervening years, annual revision of the electoral rolls takes place.

4 PCCs

See Appendix 1 for changes brought in on 1 January 2020 by the new Church Representation Rules. These include widening the use of email for carrying out business, and the new provision for sidesmen to be appointed by the PCC rather than by the APCM.

Appendix 1

Church Representation Rules 2020 - Summary of changes *taken from the introduction to the Rules*

Revision of church electoral roll

- The provisions relating to the revision of church electoral rolls and the preparation of new rolls in **Part 1** have been simplified. Names no longer need to be removed from the roll during the course of the year; they only need to be added: see **rule 2**. Names are still removed, as appropriate, at the annual revision: see **rule 4**. Provision has been made to avoid a person's name incorrectly being removed from a roll: see **rule 4(8)**.
- Rolls may be published electronically instead of in paper form. The roll as published must include every **name** entered on the roll **but not other personal data (e.g. addresses)**. See **rule 5**.

Annual meeting

- The annual parochial church meeting may now be held between 1 January and 31 May (rather than 30 April): see **rule M1**.
- The annual meeting no longer appoints sidesmen; they are now appointed by the PCC: see **rule M6(6)**.

Deanery Synod – term of office

- A person who is elected in 2020 or subsequently to serve as a lay member of a deanery synod is limited to two successive terms of office. Having served two successive terms, the person is ineligible for election for the next three-year term before becoming eligible again. But the annual meeting may pass a resolution disapplying the limit on the number of terms which may be served by lay members elected by the parish to the deanery synod. The term limit does not apply to any term of office which began before 2020 and will therefore not become material until the deanery synod elections in 2026. See **rule M8(5) to (7)**

Parochial Church Councils – meetings

- The Rules no longer specify a minimum number of PCC meetings which must be held each year. Instead, the PCC is required to hold a sufficient number of meetings to enable the efficient transaction of its business: see **rule 23(1)**.
- The Rules now expressly state who is entitled to attend a PCC meeting. A PCC may invite other persons to attend its meetings as it wishes. See **rule M24**.

Parochial Church Councils – conduct of business by correspondence

- Provision is now made in the Rules to enable PCCs to conduct business by correspondence (whether on paper or by email) where the chair of the PCC decides that particular business can properly be conducted in that way: see **rule M29**.

Joint Councils

- The Rules enable the annual meetings of ‘connected parishes’ to make schemes establishing a joint council: see **section C of Part 9**.

Mission initiatives

- The Rules now make mandatory provision for the representation of mission initiatives (i.e. initiatives that are established by bishops’ mission orders) on deanery synods where the bishop so directs: see **rule 24**. They also provide for persons who worship in mission initiatives to be eligible for election to diocesan synods and the General Synod: see **rule 36** and **rule 50**.

Electronic communication

- The Rules now make comprehensive provision for the use of communication by email: see **rule 76**. Providing an email address is optional; but if one is provided, any communication under the Rules may be sent to that email address. An email will satisfy any requirements in the Rules for a communication to be in writing. Where in the past there was an obligation to pass on addresses (e.g. by the PCC secretary to the secretary of the deanery synod), any email address given by a person must also be passed on.

Electronic voting in elections

- The Rules now facilitate the use of electronic voting methods in elections to diocesan synods and to the General Synod: see **rule 42(5)** and **rule 56**.

Data Protection

- The Rules take account of recent changes to the law contained in the General Data Protection Regulation and the Data Protection Act 2018. The Rules have been designed to avoid any need to obtain consent from individuals for processing their personal data for the purposes of the Rules. Instead, personal data can be processed in the ways required by the Rules on the basis (i) that doing so ‘is necessary for compliance with a legal obligation’ (as the Rules have the force of law); and (ii) so far as data includes ‘special category personal data’ because it reveals a person’s religious beliefs, that the processing is carried out internally in the course of the Church of England’s legitimate activities. Personal data

contained in the published version of the electoral roll is data which ‘is manifestly made public by the data subject’ when he or she applies to have his or her name included on the roll and is covered on that basis.

- A person who holds personal data for the purposes of the Rules must ensure that the data is held securely: see **rule 72**.
- Further information and guidance about data protection for parishes is available on the diocesan website, <https://www.london.anglican.org/kb/data-protection/> and the national Parish Resources website.

Appendix 2

Data Protection: The GDPR

The Diocesan ‘**GDPR Toolkit for Parishes**’ and other resources, including the **PowerPoint slides and Questions & Answers from the GDPR Parish Workshops** are available on the following link: <https://www.london.anglican.org/kb/data-protection/>. A video of one of the workshops is also available via that link.

A suggestion for regular online GDPR training for PCC members and key data users in the parish is ‘iHasco’: <https://www.ihasco.co.uk/courses/detail/gdpr-training>
Tel: 01344 867 088 and quote London Diocese ref: 132444. (The contact is Sue Webb sue.webb@ihasco.co.uk).

As mentioned at the GDPR Parish Workshops, the APCM presents a good opportunity to draw attention to the parish’s Privacy Notice and to distribute Consent Forms.

Appendix 3

Forms for Parish Annual Meetings

The following documents can be located on the diocesan website at <http://www.london.anglican.org/support/annual-meetings/>

Notice of Revision of Electoral Roll - 2020

Notice of meeting of parishioners to elect Churchwardens - 2020

Notice of Annual Parochial Church meeting (APCM) - 2020

Annual parish meeting results - 2020

Nomination of a PCC member - 2020

Nomination of a deanery synod member - 2020

Nomination of a churchwarden - 2020

Electoral Roll certificate to display in church - 2020

Application for Enrolment on Electoral Roll - 2020

Sample schedule for revision of Electoral Roll

Cover Note - PCC Members - Declarations - 2019

PCC Members - Declarations - 2019

Deanery Synod representation - Schedule of allocation to parishes

Note regarding Election of churchwardens from 2008

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>

A copy of current and past editions of PCC Secretaries letters at:
<http://www.london.anglican.org/kb/pcc-secretaries>

Appendix 4

Churchwardens Measure 2001

Disqualification after six periods of office

For information regarding the appointment of churchwardens to office after 6 years of serving, please go to: <http://www.london.anglican.org/support/annual-meetings/>

Appendix 5

Publications for PCC secretaries & other officers

- (a) **Church Representation Rules 2020 (This replaces the previous maroon coloured 2017 edition).**

PCCs are governed by the Church Representation Rules. **All parishes should have a copy.** The Church Representation Rules 2020 (ISBN 9 780715 111581) (bright green in colour) are available for purchase from Church House bookshop. They can also be viewed online in the form as passed by Parliament in July 2019 at:
<http://www.legislation.gov.uk/ukcm/2019/1/schedule/1>.

- (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).