

SIMPLIFICATION

Church legislation we would love to see simplified...

There were 37 postcards completed with suggestions of what church legislation should be simplified. A full list can be found in Annex one.

There were four main subjects which came from the audience. These were church buildings, clergy discipline/capability, Church Representation Rules/parish boundaries and patronage. Within each of these topics there were some themes which were highlighted by a number of respondents. In addition, there were some which were more specific. The summaries of the feedback can be found below, along with any steps which are being taken or will be taken to address the concerns of the respondents.

Church Buildings

There was a focus on the ability to close buildings and to speed up the Diocesan Advisory Committee processes. There was a specific request to extend List "B" in the Faculty Jurisdiction Measure.

Following the suggestions received, we will be working with the Third Estates Commissioner to look at what can be addressed in the future.

The Rule Committee is currently carrying out a consultation on extending List B and simplifying the Faculty Jurisdiction Rules. It will be meeting in November to decide what changes to make.

Clergy discipline/capability

Several comments were received on having the ability to move clergy and to deploy them more effectively. There were also suggestions that clergy should become employees. There was a specific question about Canon C4 Faculties.

In response, the Remuneration and Conditions of Service Committee is about to undertake a consultation process to look at proposals for improving the capability procedure. In relation to suggesting that clergy become employees, clergy actually have less security of tenure than employees (whose term automatically becomes permanent after 4 years). With clergy it is possible to have fixed term appointments in a large number of specified circumstances including interim appointments and to renew them repeatedly. Making clergy employees would not be straightforward as church structures would have to be changed so that they could all be managed.

Church Representation Rules/Parish Boundaries

There were some general comments which suggested new approaches to PCCs for multi-parish benefices and a specific comment which proposed a complete re-write of the Church Representation Rules, e.g. abolish PCCs and replace with a more agile trustee group; make the benefice not the parish the unit of administration [not of Mission and Pastoral care]; abolish deanery synods and make deaneries a relational and missional entity rather than a bureaucratic one.

In response, we can confirm that the new Church Representation Rules are being considered by the General Synod in July. They will make it possible to replace connected PCCs with a single, joint council. They will also allow parishes to create their own governance arrangements, subject to certain limits.

Patronage

There were questions raised about the patronage system and whether it was needed and/or could be abolished.

The Simplification Task Group did carry out a review of the Patronage Benefices Measure and agreed that work should be done on revising it. This work is now being taken forward by the Remuneration and Conditions of Service Committee (RACSC) and is in their work programme for 2019. The intention is that RACSC will carry out a fuller consultation process that involves patrons on possible amendments to the Patronage Benefices Measure. As you are aware, how parochial appointments are carried out is an issue that many people – whether patrons, bishops, parishes or clergy – have strong views on, and we definitely need to consult further before taking any action.

Other

There were a number of other suggestions which related to BMOs, the repeal process and the dismantling of dysfunctional LEPs.

The reference to Bishop Mission Orders has been addressed in phase one of the simplification process as part of the Mission and Pastoral etc (Amendment) Measure 2018.

Church Buildings:

- Faculties including use of buildings
- Church buildings – we need to find a way to resource and support dioceses with many buildings. We should change legislation to remove the church from incumbent and share with lay in PCC
- Make it easier to close churches
- Please make it possible/easier for “ownership”/responsibility for church buildings to be transferred while the churches remain open for worship
- Simplify Pastoral Measures reducing paperwork and time over re-organisation and church closure
- Simplify and speed up the DAC process so we can make buildings fit for mission
- Please extend List “B” in the Faculty Jurisdiction Measure to include grab handles and such minor modifications to make the front doors of churches more accessible. At present a full faculty is required for a simple grab handle by a church door to help the elderly mount a step. This is costly and makes our buildings less accessible to all.
- Faculty legislation – still too cumbersome, nit-picky and slow. Need to populate DACS with mission minded as well as building experts
- Further simplify faculty permissions and procedures
- Church Buildings Management

CDM/Capability:

- Capability Measure and Common Tenure for ending some appointments.
- Make the movement of clergy easier vs security of tenure.
- CDM/Capability – we must have more ability to remove clergy who have lost faith or are failing to perform duties.
- Make clergy employees and therefore deployable.
- Speed up processes for developing and deploying clergy.
- Probably not a legal change more of a need to implement the lightness and ease of movement of clergy that was supposed to be part of Freehold – Common Tenure. Where the incumbent is proving a barrier to renewal and reform, can we find a more effective way of moving them so both they and their congregations can grow and flourish.
- CDM
- Canon C4 Faculties – required for candidates for ordination who have divorced and remarried. At present, a Bishop writes up and approves an extremely long set of papers for an application. These are sent to Lambeth for ++Justin’s approval and then to York. It means the process takes months and candidates take ages to get to BAP. Archbishops have to trust the Bishop’s advice anyway, so why add time for another signature!

Church Representation Rules/Parish Boundaries:

- Replace the word “parish” with “benefice” in Church Representation Rules for rural areas
- Change the rules so that priests in multi-parish benefices do not need to attend every PCC meeting
- A complete re-write of the Church Representation Rules eg abolish PCCs and replace with a more agile trustee group; make the benefice not the parish the unit of administration [not of Mission and Pastoral care]; abolish deanery synods and make deaneries a relational and missional entity rather than a bureaucratic one
- We have just had diocesan synod “elections” in which more than half the places were unfilled and in no deanery was there an actual election. This makes diocesan synod unrepresentative. We want to reduce the overall size of the Synod (after all the Church of England is less than half the size it was in 1975) but we fell foul of CRR 31(6)b which requires

a minimum of two members from each constituency. If you remove the last sentence in the CRR “*provided that at least two members shall be elected by each house of every deanery synod*” from the rule, it would give much greater flexibility to dioceses to review the size of their synods

- Come up with a different approach to PCCs for multi-parish benefices
- Making it possible for multi parish benefices to operate as a single parish especially in terms of governance
- Multiple PCCs in multi-parish benefices – reduce to one PCC.
- Changing parish boundaries, vicarages etc
- Flexibility over parish boundaries – effectively irrelevant today in most places ie allowing mission everywhere
- Processes for pastoral reform eg parish boundaries, so quicker and easier

Patronage:

- Is patronage still needed?
- Patronage system
- Abolish the patronage measure

Other:

- Repeal more - only law if realistically enforced. Simplify capability, pastoral schemes and marriage law re church type
- Consider after repealing a lot a consolidation exercise like the Companies Act/Charities Act.
- Is any work being done to enable the straightforward dismantling of dysfunctional LEPs?
- Appointments to enable easy long term lay ministry appointments
- Get rid of “use only the forms of worship authorised by canon”
- Simplify BMOs