

Diocese of Monmouth

Ministry Area

Governance Toolkit



**Faith in our
Future**

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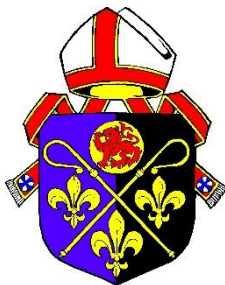
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Introduction by Bishop Cherry

In order for our Ministry Areas to work as effectively as possible, they will need to have clear governance structures that promote good decision-making processes. In the document below you will see outlined the elements that we believe will ensure good and clear governance at the different levels of each MA. As with the Finance Toolkit, this represents the fruit of a good deal of discussion with Ministry Area Leaders, representatives of the Standing Committee and DBF and members of the Bishop's Staff Team.

I warmly commend this to you and encourage you to read it and engage with it so that all our MAs are established on a wise and sound footing from the outset.



1.0 Ministry Area Structure

1.1 Overview

Each Ministry Area will be created as a rectorial benefice but will be known as a Ministry Area. For those Ministry Areas which are not already rectorial benefices, a decree will be drafted by the Diocesan Registrar which will be specific to the Ministry Area, but based on precedent documents. Each Ministry Area will be a charity and will have to be registered with the Charity Commission.

1.2 The Decree

The Constitution of the Church in Wales (“the Constitution”) dictates what is to be included in a decree to create a Ministry Area, but there are certain matters in the decree which can be discussed with each Ministry Area and adapted to suit specific needs before the decree is sealed. These are:

- The name of the Ministry Area, although this must refer to the term “Ministry Area”.
- How the first Ministry Area Council is created. For example, are trustees to be elected on a free vote at the Vestry Meeting, or will the Ministry Area want to mandate a different arrangement, for example that there should be a certain number of representatives from each church or previous parish on the Council?

The Ministry Area will come into existence as a legal entity on the date that is stated in the decree once it has been sealed by the Bishop. This date will also be the date on which all assets from all the parishes will be transferred to the Ministry Area, and this will be set out in the decree.

1.3 Ministry Area Councils (MAC)

Each Ministry Area must have a PCC. This PCC will be known as a Ministry Area Council (MAC). This is the trustee body for the Ministry Area. Each member of the MAC is a charity trustee. The trustees have overall control of the Ministry Area which will be a charity registered at the Charity Commission. Trustees are responsible for making sure that the Ministry Area is doing what it was set up to do and fulfilling its mission. The trustees are the people who lead the charity and decide how it is run. Trustees will be making a difference to their local communities and to society, as a whole, through the outreach strategy which is to be the focus of the MAC.

The constitution of each Ministry Area will be the Constitution of the Church in Wales and therefore the trustees are bound by the obligations within the Constitution. They must familiarise themselves with it and, in particular, the regulations relating to parochial church councils in Chapter IV C (Parochial Administration) and the Regulations relating to Parochial Administration.

Trustees on the MAC have six main duties:

- To ensure that the Ministry Area is carrying out its purposes for the public benefit.
- To comply with the Constitution and the law.
- To act in the Ministry Area's best interests.
- To manage the resources of the Ministry Area responsibly.
- To act with reasonable skill and care.
- To ensure the Ministry Area is accountable.

All members of a MAC should read Charity Commission guidance CC3 known as *The Essential Trustee*. <https://www.gov.uk/government/publications/the-essential-trustee-what-you-need-to-know-cc3>

It is important to remember that these are not new duties. All current members of a PCC, whether of a parish that is a registered charity or not, are already charity trustees and already have these obligations and duties. Whilst some parishes are not registered charities, they are what is known as "excepted" charities. These are still charities, with the PCC members being charity trustees. The only difference is that the income of the PCC was not large enough to be meet the threshold set for registration at the Charity Commission.



1.4 MAC Organisation

The MAC is intended to be a strategic body, and careful thought should be given to how it will function best; its size; how it will be organised; and what qualities and experience are required in its members. In organising itself, each MAC is free to set up whatever committees it deems necessary. It can delegate powers to those committees if it wishes. The extent of those delegated powers should be set out in writing for the purposes of clarity, to protect those members in the committees making those decisions, and to ensure good governance. Set out below are the requirements of the Constitution in relation to the make-up of a PCC, and the MAC will need to be set up within these parameters.

1.5 MAC Membership

The ex officio members are:

- The Ministry Area Leader (incumbent)
- Ministry Area Vicars
- Associate Priests
- Assistant Curates
- Two Church Wardens, to be known as Ministry Area Wardens. (One of the Ministry Area Wardens will be appointed by the Ministry Area Leader and one will be elected by the Vestry Meeting).

Although Subwardens are currently ex-officio members of the PCC we anticipate a change in the Constitution to remove this requirement so we recommend that Subwardens are not considered as ex-officio members but may be among the elected or co-opted members.

The elected members of the MAC are fixed by the Annual Vestry Meeting but cannot exceed 25. If the MAC is too large it may inhibit efficient debate and decision-making. The MAC may consider setting up an Executive/Leadership Team/Standing Committee for regular operations.

If not already ex officio or elected, then the Lay Co-Chair of the MAC, Ministry Area Treasurer and Secretary are co-opted.

Additional people can be co-opted, namely:

- up to 7 lay persons or clerics as determined by the MAC (including the Lay Co-Chair, secretary and treasurer if co-opted)
- such licensed Readers as determined by the MAC

No retired cleric is eligible to be elected or co-opted.

The number of lay members must be more than the number of clerics on the MAC.

1.5.1 Ministry Area Leader (MAL) and Ministry Team

The Ministry Area Leader will be a cleric appointed by the Bishop. He or she will have the rights and duties of the incumbent of the Ministry Area and will be collated by the Bishop and Inducted as Rector of the Ministry Area. The Ministry Area, as mentioned above, will be formed as a rectorial benefice.



It is crucial that each MA works in a fully collaborative way drawing on the skills and abilities of both lay and ordained.

The model of ministry we are building is one in which lay and ordained ministers work in partnership and therefore the Ministry Team will include:

- All clerics beneficed or licenced to the Ministry Area
- Licensed Lay Ministers (LLMs) licenced to the Ministry Area
- Other Lay Ministers as appropriate for each Ministry Area.
e.g. Children/Youth Minister.

1.5.2 Chairing of the MAC

The MAL or Lay Co-Chair will chair meetings. The role of the Co-Chairs can be agreed by each individual MAC, but often the role will include:

- Offers strategic leadership to the Ministry Area.
- Helping plan and run trustee meetings.
- Taking the lead on ensuring that meetings are properly run and recorded.
- Taking the lead on ensuring that trustees comply with their duties and the charity is well governed.
- Could have a second or casting vote if a vote on a trustees' decision is tied, but only if the Ministry Area Council decide beforehand and specify it in their rules on running their meetings.
- May act as a spokesperson for the charity.

The Lay Co-Chair is elected annually at the Annual Vestry Meeting. The Lay Co-Chair may be re-elected for five further one-year terms. If a previous Lay Co-Chair has been in the post for six consecutive terms, he or she can be appointed again but only after a period of one year has elapsed from the end of the last term as Lay Co-Chair. In exceptional circumstances the Archdeacon may allow the term of a Lay Co-Chair to be extended.



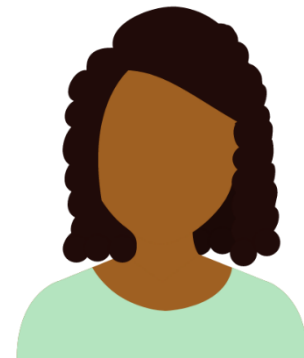
1.5.3 MA Wardens

One of the Ministry Area Wardens will be appointed by the Ministry Area Leader and one will be elected by the Vestry Meeting.

1.5.4 MAC Secretary

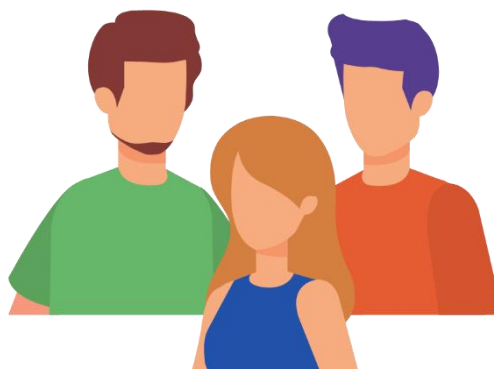
The MAC must appoint a secretary, and can appoint a deputy secretary. The secretary will:

- Attend and keep minutes of the MAC meetings and of any Vestry Meetings.
- Send to the Archdeacon the names, phone numbers, emails and addresses of the Ministry Area Wardens.
- Send to the Area Dean the names and addresses of the persons elected to the Deanery Conference.
- Send to the Secretary of the Diocesan Conference the names and addresses of the persons elected to the Diocesan Conference.



1.5.5 MA Committees

The MAC may appoint sub-committees (including Ministry Team, Finance, Property) as deemed appropriate. Each church or group of churches within the Ministry Area may have a church committee and appoint sub-wardens. The MAC will decide which powers to delegate and, unless pre-authorized, all decisions of these sub-committees must be ratified by the MAC which retains overall responsibility.



1.6 Ministry Area Transition Team (MATT)

In order to prepare the ground and undertake the necessary work to make a successful change to a MA, we advise the setting up of a dedicated Ministry Area Transition Team (MATT) to work across the period of time from now to the signing of the decree. Ideally this working party will include good representation from across the area and should be mandated by and report to all the existing PCCs. The MATT will be supported in its work by the Archdeacon and Diocesan Office Staff. External professional advice may also be brought in for specific purposes, especially in regards to uniting the finances.

1.7 Ministry Area Forum

As the new Ministry Areas will be considerably larger than existing parishes, it may not be possible for all churches to be represented on the MAC. In order to make sure that the voices of all parts of the Ministry Area are heard and good relationships are maintained with individual church congregations, a Ministry Area Forum may be set up to act as a consultative body to the MAC. The Forum will have no legal or constitutional authority but may be seen as an aid to furthering the mission of the MA. The MATT can determine if it would be helpful to have such a body and draw up the method of appointment of the membership of the Forum.

1.8 The Electoral Roll

The MAC is responsible for the management of the Electoral Roll in the Ministry Area. It is recommended that an Electoral Roll Committee or Electoral Roll Officer is appointed to carry out revisions and report to the MAC. If there are church committees they could be responsible for collating their own Electoral Roll and the send it up to MAC for collating (by church) to form the Ministry Area Electoral Roll. The Electoral Roll must be revised annually and renewed every five years as outlined in the Constitution of the Church in Wales.

1.9 The Deanery

The Diocese will be reconfigured to have three Deaneries each covering the same territory as the three Archdeaconries. Each will have an Area Dean, a Clergy Chapter and a Deanery Conference as outlined in Chapter IV B of the Constitution of the Church in Wales with representation from all the MAs in the Deanery. As well as fulfilling its constitutional functions, the Deanery will become a focus for support, encouragement, sharing of good practice, training and equipping God's people for mission.

2.0 The Legal Set-Up of the Ministry Areas

2.1 Procedures

The legal process for setting up a Ministry Area will mostly be the same for each MA but there will be differences for those MAs which have within them a parish that is already a registered charity. A template Decree will be prepared, and the MATT will work to determine the detail as it applies to each MA.

The MATT will bring together the Electoral Rolls from the existing parishes which will form the Electoral Roll for the new MA.

The MATT will also determine the following in particular:

- Whether or not there is to be any stipulation of the make-up of the Ministry Area Council of the Ministry Area as discussed above in section 1.2.
- Agree the name of the Ministry Area.

Once the details of the Decree have been agreed, each of the current PCCs will pass a resolution transferring all the assets and liabilities from the parish to the new Ministry Area.

The Archdeacon will liaise with the Registrar in confirming that all is in place. Once all has been agreed the Registrar will finalise the decree. A date will be agreed on which the decree will be sealed by the Bishop. Ideally this will be the same date as the service to License all the ministers in the new MA. The MA will come into being on this date. The assets will be transferred from each Parish to the Ministry Area by the decree so this will happen on this date.

Three weeks before the date of sealing/licensing, a notice of the first Vestry Meeting of the new MA will be posted in all churches. This meeting is to take place within eight days of the date of the sealing/licensing. This will receive the name of the Rectors MA Warden and elect the people's MA Warden. It will also elect member of the MAC in accordance with the decree.

The process of Charity Registration will differ depending on whether or not one of the previous parishes was a registered charity.

PROCESS 1 - None of the previous parishes were a registered charity

- a) An application will need to be made by new MAC to register the Ministry Area at the Charity Commission. The MAC will have to answer the questions asked on the Charity Commission's application form which is on the Charity Commission website. Diocesan office staff will help the MAC with this application form including some standard answers. The form will then need to be submitted to the Charity Commission and await to see if the Charity Commission requests any further information. If it does not, the Charity Commission will supply the Ministry Area with a charity registration number. This number should be included on all official letters and documents produced by the Ministry Area Council, or used by the Ministry Area.
- b) Following registration as a registered charity, the Ministry Area must apply to HMRC for a new tax number entitling them to charity tax exemptions and gift aid. Please see the Finance Toolkit for more information about the use of existing gift aid numbers prior to the receipt of a new one.
- c) The Ministry Area must register the merger of the parishes in the Ministry Area on the register of Mergers on the Charity Commission website. This must be done to make sure that any future legacies drafted using old parish names can be transferred to your new, merged charity, without the Charity Commission having to approve each one separately in future (it does not make any change to the rules governing which legacies must in future be treated as restricted funds in the Ministry Area).

PROCESS 2 - One of the previous parishes was an existing registered charity

- a) The newly formed Ministry Area Council must update its status on the Charity Commission register and change its name. This will require obtaining the consent of the Charity Commission to the change of name.
- b) The Ministry Area's entry on the Charity Commission website will need to be amended to update the names of the new MAC members.
- c) Register the merger of the parishes in the Ministry Area on the register of Mergers on the Charity Commission website. This is done to make sure that any future legacies can be transferred to your new, merged charity without the Charity Commission having to approve the transfer.

3.0 Safeguarding



As part of good governance, the Ministry Area will need to follow the Provincial Safeguarding Policy and recommended procedures. The MAC will need to appoint a Safeguarding Co-ordinator. The MA Safeguarding Co-ordinator will ensure all worship and activities in the Ministry Area are organised in accordance with the policy and recommended procedures. The MAC will also need to identify people responsible for safeguarding in each church.

4.0 Contacts

If you have any questions about Ministry Area toolkits, please contact your relevant Archdeacon in the first instance –

The Ven Jonathan Williams **Archdeacon of Newport**

Email: archdeacon.newport@churchinwales.org.uk

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