

# **2018 Session of Synod**

## **Book 2**

(Pages 201 to 270)

### **Supplementary Report of the Standing Committee and Other Reports and Papers**

**Standing Committee of the Synod  
Anglican Church Diocese of Sydney**

## **2018 Supplementary Report of the Standing Committee**

### **Contents**

	<i>Page</i>
<b>Supplementary Report of the Standing Committee for 2018 .....</b>	<b>203</b>
<b>Additional Reports</b>	
Anglican Church Property Trust Annual Report 2018 .....	208
Appointment of Assistant Ministers and Stipendiary Lay Workers (22/17) .....	214
Consultation on Anglicare's delivery of welfare and support services .....	227
Ethical Investment Policy.....	230
Gender representation on Diocesan boards and committees (27/17) .....	232
Human Sexuality Pastoral Guidelines / Diocesan Doctrine Committee report on Human Sexuality (34/15) .....	241
Licensing of Incumbents – Final Report .....	244
Mission Property Committee .....	258
Proposal to financially support the Diocese of Bathurst.....	261
Rouse Hill, Proposal to change the status of the provisional parish to a parish .....	266
Tertiary Education Ministry Oversight Committee (2/15) .....	268

## Supplementary Report of the Standing Committee for 2018

The following material updates the Standing Committee's Report to the Synod and other material in the Synod Book 1 to take into account the work of the Standing Committee since that book was finalised and to make corrections.

### Page 5 – Item 1.3 Meetings and members

Delete '9' and insert '10'.

Insert a new second dot-point –

- A vacancy arose in the position of a lay person elected by the whole Synod upon the death of Dr Robert Mackay on 3 September 2018. A casual vacancy was declared at our meeting on 24 September 2018.'

### Page 6 – After item 1.8

Add –

#### **1.8A Death of Dr Robert Mackay**

We noted with sadness the death of Dr Robert Mackay, on 3 September 2018. Dr Mackay was the Chair of the committee responding to Synod resolution 3/17 (Coordinating the Planting of Churches), which proposed the establishment of the Anglican Church Growth Corporation. Dr Mackay had a long association with Crusaders ministries, served on the Council of The King's School since 1995 (ultimately chairing the Council until the time of his death), served since 1996 as a Nominated Lay member (Part 8) of Synod, chaired the Council of Robert Menzies College and was a member of the Northern Regional Council.

#### **1.8B Death of the Rt Rev Donald Robinson AO**

We gave thanks to God for the life and ministry of the late Donald William Bradley Robinson, who died on 7 September 2018. Born in November 1922, Donald studied at Sydney and Cambridge Universities and then had a significant impact as, first lecturer and then, Vice Principal of Moore College. In 1965 he became a Canon of St Andrew's Cathedral and in 1973 was consecrated to be Bishop in Parramatta. In 1979 he was awarded an honorary doctorate by the Australian College of Theology. In 1982 he was elected as Archbishop of Sydney and continued in this role until his retirement in January 1993. In June 1984 he was made an Officer of the Order of Australia. His service to the church and the community was supported by his wife, the late Marie Robinson (nee Taubman).'

### Page 8 – Item 3.4 Ordinances

Delete '27 August' and insert '24 September'.

In the table in the column headed '2018' delete '22' where twice appearing and insert '27'.

In the first paragraph below the table delete '9' and insert '14'.

Add the following new paragraphs at the end –

*'The Anglican Church Growth Corporation Ordinance 2018* constituted the Anglican Church Growth Corporation (the Growth Corporation) as a body corporate under the Anglican Church of Australia (Bodies Corporate) Act 1938. The Growth Corporation was established in response to Synod resolution 3/17 which, among other things, requested the Standing Committee to consider ways to facilitate appropriate coordination between the Mission Property Committee, Evangelism and New Churches, and New Churches for New Communities, in supporting church planting and revitalisation throughout the Diocese. See item 7.3.

The *Mission Property Ordinance 2002 Amendment Ordinance 2018* amended the *Mission Property Ordinance 2002* to reflect the role of the Anglican Church Growth Corporation in setting the strategy, policies and priority of the MPC in relation to the acquisition and development of property projects. The key changes were –

- (a) a new definition of “Specified Property” and a re-description of the real and personal property which comprises the Mission Property Fund,
- (b) it is now the Anglican Church Growth Corporation that establishes the priority of development projects, and MPC advice is now given “subject to any strategy or policies determined by the Corporation”,
- (c) the fundraising function of the MPC has been moved to the NCNC and the Anglican Church Growth Corporation, and
- (d) the responsibility for the reporting to Standing Committee moves from MPC to ACGS.

See item 7.3.

The *Anglican Youth and Education Diocese of Sydney Ordinance 1919 Amendment Ordinance 2018* amended the *Anglican Youth and Education Diocese of Sydney Ordinance 1919* (the Youthworks Ordinance) to make it consistent with the ‘*Governance Policy for Diocesan Organisations*’ in relation to membership, terms of membership, meetings and voting, the Chair and Deputy Chair, handling conflicts of interest, the appointment and responsibilities of the CEO, and the use of income and property, among others. The Youthworks Ordinance was also amended to include Youthworks’ new vision, “To see an effective youth and children’s ministry in every church” and new Mission Statement, “To support the work of the gospel in churches and schools to present children, youth and families mature in Christ”.

This ordinance also amended both the Youthworks Ordinance and the *Anglican Education Commission Ordinance 2006* to provide that both Youthworks and the Anglican Education Commission share responsibility for advocacy for the place of Special Religious Education in government schools.

The *Safe Ministry to Children Ordinance 2018* gave substantial effect to the *Safe Ministry to Children Canon 2017* in the Diocese of Sydney, except for those provisions that are not suitable or workable in our Diocese. A report about this matter is printed separately

The *Standing Committee Ordinance 1897 and Regions Ordinance 1995 Amendment Ordinance 2018* amended the *Standing Committee Ordinance 1897* and the *Regions Ordinance 1995* to provide that in both amended ordinances, a “Regional Elector” is consistently determined based upon the person’s parish, rather than their residence. This amendment was made in response to the request of resolution 44/17.

This ordinance made two further changes to the *Standing Committee Ordinance 1897* to improve consistency, the more significant being a provision to allow a ballot required as a result of the creation of a new region, to be conducted by electronic means (similar to an existing provision in 3(3A)). See item 7.14.’

#### **Page 11 – Item 3.14 Parochial cost recoveries for 2019-2021**

Delete the second paragraph and insert –

‘The Bill for the *Parochial Cost Recoveries and Church Land Acquisitions Levy Ordinance 2018* and the explanatory report provided as part of the Provisional release of Book 3 have been superseded by a revised form, provided in marked form in the supplementary release of Book 3.

A report about this matter is printed separately.’

#### **Page 11 – Item 3.16 Mission Property Committee Strategic Update**

Add a new paragraph to the end –

‘A further report from the MPC is printed separately.’

**Page 11 – Item 3.17 Mission Property Committee**

Add to the end of the item heading –

**‘provision of a relocatable building’**

**Page 16 – Item 6.9 Matters relating to the Diocese of Bathurst**

Delete the last paragraph and insert –

‘A report about this matter is printed separately.’

**Page 17 – After item 7.1**

Add –

**7.1A 34/15 Diocesan Doctrine Commission report on Human Sexuality**

By resolution 34/15, the Synod, among other things, thanked the Sydney Diocesan Doctrine Commission for its publication *Human Sexuality & the Same-Sex Marriage Debate*, and requested that the Standing Committee continue work developing pastoral guidelines for pastors as they minister to Christians experiencing same-sex attraction, their family and friends, and their churches; and that a committee be formed of sufficient size, breadth of experience, and expertise to accomplish this, to report to Synod in 2017.

A report with recommendations about this matter is printed separately.

**Page 17 – Item 7.3 3/17 Coordinating the planting of churches**

Delete ‘Mission Property Committee, Evangelism and New Churches,’ in subparagraph (a) and insert –

‘Mission Property Committee (MPC), Evangelism and New Churches (ENC),’

Delete the 2<sup>nd</sup> and 3<sup>rd</sup> paragraphs and insert –

‘At our meeting on 24 September 2018, we constituted the Anglican Church Growth Corporation (the Growth Corporation) as a body corporate, to address the requests of this resolution. The Growth Corporation has as its function to develop strategy and policy, provide advice and assist in the provision of resources for ministry growth initiatives involving the acquisition or development of real property in greenfield and existing urban areas, including by –

- (a) setting and reviewing strategy and policies for the MPC,
- (b) promoting and enabling strategic cooperation between the MPC, NCNC and ENC in relation to property initiatives,
- (c) facilitating communication about potential property initiatives among those organisations, relevant parishes and the relevant Regional Bishop, and other diocesan organisations,
- (d) providing an early point of reference for parishes seeking to pursue property initiatives,
- (e) providing advice to parishes in respect to strategy and fundraising related to property initiatives, and
- (f) coordinating the provision of people, property and financial resources in relation to property initiatives, and
- (g) facilitating constructive relationships between all involved in a particular property initiative.

The Growth Corporation may appoint an Executive Director, and must report at least every three months to the Standing Committee in respect to the pursuit of its purposes and functions.

We also amended the *Mission Property Ordinance 2002* to reflect the role of the Anglican Church Growth Corporation in setting the strategy, policies and priority of the MPC in relation to the acquisition and development of property projects.

See item 3.4’

**Page 17 – Item 7.4 8/17 Statement of Anglican doctrine of marriage**

Delete the last paragraph and insert –

‘A report about this matter is printed separately.’

**Page 18 – Item 7.6 16/17 Implementation of the Domestic Abuse Response**

Delete the last paragraph and insert –

‘A report about this matter is printed separately.’

**Page 18 – Item 7.7 20/17 General Synod – Safe Ministry to Children Canon 2017 Adopting Ordinance 2017**

Delete the last paragraph and insert –

‘A report about this matter is printed separately.’

**Page 18 – Item 7.8 22/17 Appointment of assistant ministers and stipendiary lay workers**

Delete the last paragraph and insert –

‘A report about this matter is printed separately.’

**Page 18 – Item 7.10 27/17 Gender representation on Diocesan boards and committees**

Delete the last paragraph and insert –

‘A report about this matter is printed separately.’

**Page 19 – Item 7.11 33/17 Licensing of incumbents interim report**

Add a new paragraph to the end –

‘A report about this matter (‘Licensing of Incumbents – Final Report’) is printed separately.’

**Page 19 – Item 7.12 34/17 Proposal for a Property Receipts Levy**

Delete the last paragraph and insert –

‘A report about this matter is printed separately.’

**Page 19 – Item 7.14 44/17 Proposed review of the Standing Committee Ordinance 189**

Delete the last paragraph and insert –

‘We amended the *Standing Committee Ordinance 1897* and the *Regions Ordinance 1995* to provide a consistent definition of the term. See item 3.4.’

**Page 20 – After item 7.18 Ordinances for this session**

Delete “30 August 2018” and insert “26 September 2018”.

**Page 82 – Ordinances passed by the Standing Committee**

Add to the end –

‘Anglican Church Growth Corporation Ordinance No 23, 2018  
Mission Property Ordinance 2002 Amendment Ordinance No 24, 2018

Anglican Youth and Education Diocese of Sydney Ordinance 1919 Amendment Ordinance No 25, 2018  
Safe Ministry to Children Ordinance No 26, 2018  
Standing Committee Ordinance 1897 and Regions Ordinance 1995 Amendment Ordinance No 27, 2018'

Delete "30 August 2018" and insert "25 September 2018".

## **Anglican Church Property Trust Diocese of Sydney (ACPT)**

(Report to the 2<sup>nd</sup> ordinary session of the 51<sup>st</sup> Synod.)

As the Chair of the ACPT, and on behalf of the Board, I have pleasure in presenting the ACPT's 2018 annual report to the Synod.

As noted by the President and immediate past Chair of the ACPT in a previous annual report to Synod, the role of the ACPT from its constituent documents, an Act of the NSW parliament (1917) and an ordinance of the Synod (1965), has changed from a relatively passive trustee of church trust property to one responding to significantly more complex regulatory, legal, political and social environments. Board members may be exposed to potential personal liability under legislation such as that relating to heritage, construction and fire safety.

Complexity continues to increase for parishes and the ACPT. Examples include –

- obligations under the NSW Heritage Act (1977)
- ongoing compliance with ACNC legislation
- ongoing compliance with fire safety aspects of the Environmental Planning and Assessment Regulations (2000)
- operating in an increasingly litigious external operating environment and associated implications for insurance, reputation risk and personal liability
- changes to NSW planning instruments
- guidelines published by the Australian and New Zealand Governments Australian & New Zealand Counter-Terrorism Committee (ANZCTC) entitled *Australia's Strategy for Protecting Crowded Places from Terrorism*
- more complex administration of the various Local, NSW and Federal Government grant programs
- issues arising from the Royal Commission into Institutional Responses to Child Sexual Abuse.

Because parishes are unincorporated bodies there is a necessary interface with ACPT in parish church trust property matters. In passing ordinances concerning parish church trust property, the Standing Committee resolved in February 2014 –

*Standing Committee declares its view that the polity of this Diocese generally gives precedence to parishes over the affairs of the Diocese, including in relation to the management of property held for a parish and the benefit of income from such property.*

This intersection needs to be managed with consistency and having regard to the interests of parishes, the increased complexities noted above, the legal and fiduciary obligations of the ACPT and the potential personal liability that may be imposed upon its Board members.

Since Synod 2017, as in previous years, ACPT, as the corporate trustee of the Diocese, operated across the full spectrum of diocesan activities. Some notable outcomes include –

- *Exercising* oversight and/or providing guidance in relation to 20+ significant current and planned parish projects where the building costs for each project is anticipated to range from \$1m up to \$100m.
- Assistance with and management of over 40 parish projects supported by grants made by the NSW Government under its Community Building Partnership (CBP) 2016 program. All projects were delivered materially on time and within budget.
- Assistance with and management of some 60 CBP2017 grants supporting parish projects currently underway or about to commence shortly.
- *Concluding* the 2017 / 2018 diocesan insurance renewal at competitive rates which generally enhanced policy coverage, compared with the maturing policies and delivered cost economies to parishes and those diocesan organisations that participate in the Church Insurances Program through the use of long term agreements struck at very competitive historical premium rates accounting for 71% of the premium spend.
- *Approached* Ministers of the NSW Government to advance the cause of several parishes in relation to specific local parish matters.



- *Partnered* with the Mission Property Committee to complete a ministry centre at the Leppington Growth area and obtain development consent for new church buildings at Stanhope Gardens, Wilton and Riverstone.
- *Concluding* a review of the methodology on which the ACPT management fee is calculated that is being reviewed by the Standing Committee for consideration of a new methodology that would allocate the cost more equitably from 1 January 2019.
- *Negotiated* a \$220,000 transaction fee outside the terms of the formal transaction documentation from the outgoing head lessee of the 1 York Street, Sydney office tower, by agreeing to meet a very tight documentation and settlement deadline over the recent Christmas / New Year period that delivered material financial benefits to the parish of Church Hill and the Synod.
- *Managed* the refurbishment of and tenanting of a property given under the Will of a generous ex parishioner of St Andrew's Cathedral to be held beneficially for the Cathedral so that rental proceeds can be delivered to ameliorate the significant cost to the Cathedral associated with maintaining the fabric of an iconic NSW State Heritage Listed item.

I take this opportunity to thank parish councils, senior clergy and the SDS team that supports the Board, especially recognising the contribution made, often in the face of intensive workloads, to deliver lasting and meaningful ministry outcomes.

I also take this opportunity to acknowledge the contribution made to the efficient functioning of the Board through the critical skills provided by all members of the Board.

As at 31 December 2017 the Board comprised the following members –

<b>Name</b>	<b>Title, Description</b>	<b>Institution/ Industry</b>
Canon Christopher Allan	Sub Dean, St Andrew's Cathedral, ex project manager, Lend Lease Corporation.	Ministry
The Rev Andrew Schmidt	Rector, parish of Randwick and ex solicitor, Clayton Utz	Ministry
Mr Roger Collison	Investment Consultant	Finance/Investment
Mr Glynn Evans	Architect, retired partner, Allen Jack + Cottier	Building
Dr Glenn Davies	Archbishop of Sydney	Ministry
Mr Richard Neal	Partner, Teece Hodgson & Ward Solicitors	Law
Mr David Nelson	Registered Valuer, David Nelson & Partners	Property
The Rev David Ould	Rector, parish of Glenquarie and former Chartered Accountant	Ministry
Mr Peter Rusbourne	Partner, Watkins Tapsell, Solicitors	Law
Dr Robert Tong AM	Solicitor	Law
Mrs Melinda West	Manager, Pascoe Whittle, Accountants	Accountancy

The Board extends its appreciation to Mr Wayne Bramley (previously a senior executive at the specialist insurance broking firm, Marsh Pty Ltd) and Mr Ian Pike (a former Board member, and previous Head of Business Credit at BankWest) who both provide specialist advisory assistance to the ACPT's investment, insurance and finance sub committee (IIFC). Earlier this year, the Board also welcomed Ms Michelle Lim, (currently a director of KPMG with a banking and strategic advisory background) as a further advisor to the IIFC. Additionally, we thank the staff of SDS who faithfully and diligently serve the Board.

In closing, I would like also to acknowledge with gratitude, the enormous contribution that my immediate predecessor, Dr Robert Tong AM made to the ACPT during the term of his chairmanship of the ACPT over the previous 15 years. As the President has acknowledged, Dr Tong brought sage advice, wise counsel and where needed, gentle chastisement to the Board and we are delighted that Dr Tong continues as a Board member, so that his contribution as a trustee might continue for some time to come.

A summary of the year's work by ACPT from the Head of Parish Property, Mr Greg Ellem follows as Attachment 1. I commend this report to the Synod.

MR RICHARD NEAL  
Chair, Anglican Church Property Trust Diocese of Sydney

June 2018

## **Summary by the Head of the Parish Property, Mr Greg Ellem**

My colleagues, Judi Harrington, Penny Barletta, Scott Lincoln, Lyndon Tam, Sally Satya and Cindy Wong and I appreciate the assistance provided by the Board, Senior Clergy and critically, parish volunteers, as we partner parishes in a variety of property and insurance matters as they continue to undertake front line Christian ministry across the Diocese.

We serve the Board as its executive management team and relate to the Board in accordance with several service level standards that are annually negotiated with the Board and reviewed twice a year.

In this ACPT report to Synod you will find –

1. an Executive Summary
2. an explanation of how the ACPT is constituted / its purpose
3. details of major activities undertaken since Synod 2017 (some of the major activities of the ACPT in more detail)
4. contact details of the insurance and parish property services team.

### **1. Executive Summary**

During the period since Synod 2017 the ACPT (as trustee for parishes and some diocesan organisations) –

- *Received*, reviewed, signed and processed over 400 documents for parishes (including development applications, building contracts, leases, licence agreements, contracts of sale, applications for grant funding, insurance claims, etc.). This compares to 273 documents processed in the 12 months to Synod 2017.
- *Co-ordinated* the submission of NSW Government CBP grant applications that led to grants of \$1,148,827\$ for 62 parishes (taking the total grants by the NSW Government under the CBP program to \$11,309,663 (2010 - 2017 inclusive)).
- *Arranged* and placed insurance cover for a comprehensive suite of insurance products, for over 300 diocesan entities (parishes & numerous diocesan organisations) at competitive premium rates.
- *Prepared and issued* ten circulars to parishes about a range of policy/procedure matters such as the quarterly performance of ACPT's Long Term Poling Fund and the GAB Diocesan Cash Investment Fund, grant funding, NSW, Local and Federal, security training workshops, Client Alert CGU, using Anglican Halls as polling places for parishes, as well as the quarterly "About Your Invested Funds" circular to parishes and diocesan organisations on whose behalf the ACPT invests funds.
- *As noted by the Chair*, ACPT representatives met with the staff and elected members of the NSW Government and Local Councils, in relation to several specific parish building, sale and heritage projects.
- *Co-ordinated* meetings of the Christian Church Property Network (CCPN), comprising most Protestant Denominations and the Roman Catholic Church, to ensure a co-ordinated and cohesive approach on matters of mutual concern to the relevant government bodies. A highlight during the review period was to confirm that the ACPT approval process for major developments and ACPT building contingency policy is in accordance with best practice

### **2. Constitution and Purpose**

The ACPT is an incorporated body constituted by the *Anglican Church of Australia Trust Property Act 1917* (1917 Act). The *Anglican Church Property Trust Diocese of Sydney Ordinance 1965* regulates the functioning of ACPT. Pursuant to the 1917 Act, ACPT is the legal owner and trustee of church trust parish property within the Diocese of Sydney. As owner, ACPT is required to be involved in a wide range of parish property transactions, including but not limited to insurance, leases, licences, property sales / purchases, building contracts and administration of estates.

### 3. Major Activities – some of the major activities of the ACPT

#### a) *Strategic Land Acquisition and Construction on behalf of the Mission Property Committee (MPC)*

On behalf of the MPC, the ACPT –

- Concluded construction and fitout of the existing buildings at 30 Heath Road, Leppington to make them suitable for occupation as a worship space seating 100 persons with associated amenities and car parking areas.
- Undertook planning and design and obtained development consent for future ministry centres at Stanhope Gardens, Wilton and Riverstone greenfields sites that have been purchased via the parish acquisition levies. Development applications were also lodged for future ministry centres at Leppington in the south west growth corridor and Marsden Park in the north west growth corridor.

#### b) *Insurance*

Pursuant to the terms of the *Church Insurances Ordinance 1981* the ACPT effects insurance on behalf of parishes and some diocesan organisations under the Church Insurances Program (CIP).

The annual renewal date of the diocesan insurance policies is 31 August. There is an annual insurance premium of approximately \$2.8 million, to insure circa 1,100 parish buildings and property of many diocesan organisations under the church insurances program (CIP).

The ACPT Manager, Insurance Services begins the renewal process early each calendar year by collecting key insurance data from parishes and diocesan organisations to facilitate negotiations with various investment grade insurance counterparties for suitable insurance cover for parishes and many diocesan organisations. Significant time is invested in reviewing the adequacy and extent of existing cover for those diocesan organisations that participate in the CIP (Anglican Youthworks, Glebe Administration Board, Finance and Loans Board, Mothers Union, St Andrew's House Corporation Council and Sydney Diocesan Secretariat) as well as the diocesan insurance broker, Marsh Pty Ltd (Marsh).

With the assistance of Marsh, insurance policies are established for a suite of insurance products with a spectrum of insurance counterparties, all of whom are ascribed an "investment grade" external counterparty credit rating by the recognised international insurance Credit Rating Agencies.

Since 2007, the ACPT Board has contracted rolling fixed rate agreements with the buildings and contents (industrial special risk) insurer to "lock in" premium rates. This strategy was expanded to the Public Liability insurance policy during 2016.

Through effectively fixing the variable cost (premium rate) of two key insurance products, the budgeting for PCR cost is able to be streamlined. Following the fixing of the premiums rate of the Public Liability insurance policy in addition to the ISR to premium rate, 71% of the annual insurance premium component of PCR has been set in advance.

Insurance related enquiries are dealt with by the Manager, Insurance Services (Cindy Wong), who, with funding having been made available by the Board, is now assisted by Ms Sally Satya, Insurance Assistant. Sally's appointment brings the staff support for the CIP closer to the levels provided by other Protestant denominations in NSW. The enquiries handled by Cindy and Sally include day-to-day insurance enquiries and issuance of Certificates of Currency which enable parishes to conduct on site activities.

#### c) *Investment, Insurance and Finance Subcommittee of the ACPT Board (IIFC)*

In addition to the insurance responsibilities outlined previously, the IIFC, currently comprising the Subcommittee Chair, Mrs Melinda West (who is the deputy chair of the Board) along with board members Mr Richard Neal, Mr Roger Collison and the Rev David Ould. As noted by the chair, these members are supported by Mr Wayne Bramley, Ms Michelle Lim and Mr Ian Pike, who provide advice to the Board in respect to the oversight of the Long Term Pooling Fund (LTPF) as well as reviewing and developing policy and procedures for adoption by the full ACPT Board in relation to the 275+ investment funds that the ACPT manages as trustee on behalf of parishes and diocesan organisations.

The Investment Objective for the LTPF is to achieve a real rate of return of 4% pa over rolling 5 year periods (after external investment management fees and tax effects) subject to:

- i. preserving the real value of a unit in the LTPF over a rolling year period (commencing 1/7/2010); and
- ii. adopting a distribution policy that is consistent with the Investment Objective.

The real rate of investment return generated by the LTPF over the period 1/7/2010 to 31/12/2017 was 10.07% pa compared to an average inflation rate over the same period of 2.09% pa, thereby generating a real rate of return of 7.98%pa over the period. During 2017 distributions aggregating \$2.4 million were made to beneficiary parishes and diocesan organisations.

**d) NSW Community Building Partnership (CBP) Grant Programs**

Since the initial CBP grants were announced in 2009, the ACPT has promoted, facilitated and administered all CBP Grant Programs. The process includes –

- assisting parishes construct applications and liaising with local MPs
- reviewing documentation and grant conditions applicable to each successful parish
- responding to enquiries from parishes about various aspects of the CBP Grant Program
- responding to enquiries from the NSW CBP Office and NSW Government Members of Parliament about successful parish projects
- receiving and distributing grant funds to each successful parish
- reporting to the NSW State Government in accordance with grant funding criteria
- following up incomplete acquittal information from grantees to satisfy NSW Government CBP Grant Program audit procedures and ensure that parishes are given a fair opportunity to share in future CBP Grant Programs.

A summary follows of the extent to which parishes have successfully participated in the CBP Grant Programs –

<b>Year</b>	<b>No. of successful Parishes</b>	<b>\$ Grant amount (rounded)</b>
CBP 2009 (I)	33	900,000
CBP 2010 (II)	97	2,800,000
CBP 2011 (III)	68	1,600,000
CBP 2012 (IV)	61	1,250,000
CBP 2013 (V)	53	930,000
CBP 2014 (VI)	64	1,313,000
CBP 2015 (VII)	37	537,000
CBP 2016 (VIII)	42	830,836
CBP 2017 (IX)	62	\$1,148,827
<b>Total</b>	<b>517</b>	<b>\$11,309,663</b>

#### **4. Property and Insurance team**

The SDS parish and property services team (who support the ACPT) look forward to continuing to serve parishes and diocesan organisations. In last year's Synod report I mentioned that following the departure of a long serving member of the team in December 2016 we had appointed Ms Penny Barletta to provide interim support for parishes pending a permanent replacement being identified. I am pleased to report that over the course of 2017 the Board authorised the appointment of Mrs Barletta to a 3 day a week permanent part-time role and the recruitment and appointment of Mr Lyndon Tam to the vacant full-time position. As mentioned previously, Ms Barletta is well known to many parishes, particularly in the Northern and Western regions. Mr Tam joins us with a property and finance background, having worked most recently with Mirvac Ltd as a project manager.

The Parish Property Services team can be contacted as follows –

<b>Greg Ellem, Head of Parish Property</b>	<a href="mailto:gxe@sydney.anglican.asn.au">gxe@sydney.anglican.asn.au</a>	02 9265 1546
<b>Penny Barletta, Manager, Parish Property (Northern Region)</b>	<a href="mailto:pxb@sydney.anglican.asn.au">pxb@sydney.anglican.asn.au</a>	02 9265 1561

<b>Judi Harrington, Associate</b>	<a href="mailto:jxh@sydney.anglican.asn.au">jxh@sydney.anglican.asn.au</a>	02 9265 1578
<b>Scott Lincoln, Manager Parish Property (Western Region)</b>	<a href="mailto:sxl@sydney.anglican.asn.au">sxl@sydney.anglican.asn.au</a>	02 9265 1633
<b>Lyndon Tam, Manager, Parish Property (Georges River, South Sydney &amp; Wollongong Regions)</b>	<a href="mailto:lm@sydney.anglican.asn.au">lm@sydney.anglican.asn.au</a>	02 9265 1562
<b>Sally Satya, Insurance Assistant</b>	<a href="mailto:ssatya@sydney.anglican.asn.au">ssatya@sydney.anglican.asn.au</a>	02 9265 1557
<b>Cindy Wong, Manager, Insurance Services</b>	<a href="mailto:cpw@sydney.anglican.asn.au">cpw@sydney.anglican.asn.au</a>	02 9265 1679

GREGORY M ELLEM  
*Head of Parish Property*

31 August 2018

## **22/17 Appointment of Assistant Ministers and Stipendiary Lay Workers**

(A report from the Standing Committee.)

### **Purpose of the report**

1. The purpose of this report is respond to Synod resolution 22/17 in respect to the appropriate terms and conditions for the appointment of assistant ministers and employment of stipendiary lay workers.

### **Recommendations**

2. Synod receive this report.
3. Synod –
  - (a) encourage rectors to undertake training in staff management,
  - (b) request the Standing Committee to amend the *Assistant Ministers Ordinance 2017* by –
    - (i) omitting the words “where a genuine and recorded performance management program or similar has been unsuccessful in resolving the issue or issues” in clause 3(3)(b)(i),
    - (ii) inserting a new clause to state that if the Parish requires the Assistant Minister to live in a certain location, that the housing arrangements for the Assistant Minister must be approved as suitable by the Archbishop,
    - (iii) inserting a new clause to require rectors to consult with the Regional Bishop before making a communication to the parish about the termination of the appointment of an Assistant Minister licensed to the Parish, and
  - (c) request the Archbishop-in-Council to consider approving under clause 7 of the *Assistant Ministers Ordinance 2017*, the attached guidelines with respect to terminating the appointment of Assistant Ministers, and
  - (d) request rectors and wardens to use the standard-form letters issued by SDS for the employment of Lay Ministers and the appointment of Assistant Ministers.

### **Background**

4. At its session in 2017, the Synod passed resolution 22/17 in the following terms –

“Synod hereby resolves to request Standing Committee to appoint a committee to review and report to the next session of Synod on the appropriate terms and conditions for appointment of assistant ministers and stipendiary lay workers to parishes and other church organisations including, inter alia, the following matters –

  - (a) the applicability of a probationary period,
  - (b) circumstances where a fixed term contract may apply,
  - (c) appropriate review mechanisms for performance,
  - (d) appropriate mechanisms for transition from being a Deacon to a Presbyterian in the case of assistant ministers,
  - (e) terms and conditions for the appointment of assistant ministers and stipendiary lay workers,
  - (f) terms and conditions in relation to the termination of assistant ministers and stipendiary lay workers,
  - (g) appropriate dispute resolution mechanisms in the event of a breakdown in relationship between the Senior Minister and the Assistant Minister or the stipendiary lay worker,
  - (h) comparison of these matters with any relevant employment legislation, and

such other matters as the Committee may consider appropriate for consideration by Synod.”
5. At its meeting on 26 March 2018, the Standing Committee appointed a Committee (the Committee) to undertake the work requested in resolution 22/17. The Committee is comprised of Bishop Chris Edwards (Chair), the Rev Chris Holding, Mr Luke Scandrett, Mr Mark Streeter, Mrs Belinda Whitfield, the Rev Paul Grimmond, Ms Yvette McDonald, the Rev Raj Gupta, and the Rev Susan An. The Committee was also given power to co-opt additional members. None were co-opted.
6. The Committee met three times, on 5 June 2018, 2 August 2018 and 10 September 2018.

7. The Committee acknowledges the contributions to its work made by the Centre for Ministry Development at Moore College (CMD) and also Ministry Training and Development (MTD).
8. This report substantially follows the structure of Synod resolution 22/17.

### Context

9. Employment arrangements in Australia have undergone significant changes in the last two decades. In 2005, the *Workplace Relations Act 1996* (Cth) was significantly amended as a result of the "WorkChoices" policies of the Howard Government. In 2009, "WorkChoices" was replaced by the *Fair Work Act 2009* (Cth). In all this time the Assistant Ministers Ordinance remained unamended.
10. Changes to the various Acts have affected the employment terms and conditions for Lay Ministers and other church workers. Assistant Ministers (clergy), who are exempt from the *Fair Work Act 2009* by virtue of the fact that they are office holders, have had few changes.
11. This has resulted in something of a mixed-economy when it comes to staff arrangements in some of our parishes. For instance Lay Ministers, serving alongside Assistant Ministers, having similar responsibilities as their clergy colleagues, have had to serve under terms and conditions that are quite different from those provided to the clergy. These differences can appear inequitable. They have certainly caused angst when parishes have determined remuneration and benefits packages and they have been particularly unhelpful for some when positions have been terminated. Such differences are not only felt by the individual with the role. The nature of parish ministry means their family is often also affected.
12. Some situations have not been helped by the lack of clarity around the role the Assistant Minister or Lay Minister is required to perform. Clear role descriptions are not common in our parishes and performance reviews have been too irregular to be helpful. Often added to this is a lack of clarity around who has responsibility for role descriptions and for conducting a staff member's review. Is it the responsibility of the rector or the wardens?
13. Misunderstandings have often resulted. In some cases positions have been terminated. The lack of clarity around how a termination should be effected has resulted in some of these terminations causing severe distress to those involved.
14. All this has led us to the point where our policies and guidelines need to be reviewed and changes implemented so we can assist these relationships to be Christ honouring.

### Terminology

15. In this report the term "Assistant Minister" refers to a member of clergy licensed to the office of Assistant Minister or Senior Assistant Minister in a parish, and the term "Lay Minister" refers to a lay person employed as a member of staff in a parish and holding an authority under the *Authorisation of Lay Ministry Ordinance 2015*.
16. Synod resolution 22/17 refers to "other Church organisations" in addition to parishes. Assistant Ministers and Lay Ministers hold offices or positions within parishes. There may be clergy who are ordained as deacons who are appointed to "other Church organisations" (for example, as chaplains). They are not Assistant Ministers. This report therefore only deals with appointments in parishes.

### Assumptions

17. In undertaking its work, the Committee has operated on the basis of the traditional understanding that Assistant Ministers are officeholders under the law, and not employees. Notwithstanding this, some Assistant Ministers may also have contractual entitlements.
18. Lay Ministers perform duties as employees under a contract of service. The wardens of the principal or only church of a parish appoint and remove Lay Ministers with the concurrence of the rector. The typical arrangement in parishes is that the wardens are the employer and that under the terms of the employment contract, the rector directs the Lay Minister concerning their day to day duties.

### Vulnerabilities in the Assistant Ministers and Lay Ministers roles

19. Assistant Ministers and Lay Ministers experience certain vulnerabilities in their roles that should be recognised at the outset of this report. These include –
  - Appointments are not permanent and ongoing appointment may be dependent on factors that are not related to the performance of the Assistant Minister or the Lay Minister, such as ongoing funding being available and the strategic direction of the parish.
  - There is no one that an Assistant Minister or Lay Minister can appeal to who has any real authority over the rector, except in extreme cases where there is misconduct that can be dealt with under the *Ministry Standards Ordinance 2017*.

- Assistant Ministers (and often also Lay Ministers) are generally required to live in or near the parish, or if not required, the practical realities of the role make this necessary. An Assistant Minister moving to a new parish will often need to relocate to a new home and enrol their children in a new school, among other significant life changes.
- There is a limited pool of parish positions available, particularly if an Assistant Minister or Lay Minister has their appointment terminated mid-year.
- Rectors control the communication channels in a parish. A rector will often feel the need to justify their decision to terminate the appointment of an Assistant Minister or Lay Minister. This can affect the reputation and standing of Assistant Ministers.

20. These vulnerabilities give rise to a significant power imbalance between rectors, who have tenure, and Assistant Ministers, who do not.

21. Notwithstanding this, to some extent these factors are part of the inherent cost of parish ministry, and mission generally. To some extent, they are also factors that are common with people in many lines of work.

22. The Committee does consider that more regard should be given to these vulnerabilities when appointing Assistant Ministers and Lay Ministers, and when making decisions that may adversely affect them. The Committee has sought to take these vulnerabilities into account in making its recommendations.

### **Probationary Periods**

#### *Lay Minister*

23. Probation periods are designed to determine whether an employee is suitable for ongoing employment. The length of the probation period is determined by the employment contract. Typically, the period of notice to terminate the employment contract is shorter in the probation period for both the employer and employee.

24. Under the *Fair Work Act 2009*, a terminated employee is not able to make an application for unfair dismissal within the first 6 months of employment, or 12 months in the case of an employer with fewer than 15 employees (the qualifying period). However, potentially there are other avenues a terminated employee can pursue if they believe they have been treated improperly.

25. In view of the qualifying period for unfair dismissal, it is not strictly necessary to include a probationary period in the employment contract. However having an express period of probation can be helpful in setting expectations.

26. The standard employment contract for Lay Ministers recommended to parishes by SDS contains a probation period of 6 months.

27. Best practice Probation Management Programs include the opportunity for feedback, performance improvement and regular coaching before a termination decision is taken and communicated.

#### *Assistant Ministers*

28. An Assistant Minister is unable to seek a remedy in relation to termination of their appointment under the *Fair Work Act 2009*.

29. Currently, under the *Assistant Ministers Ordinance 2017*, an Assistant Minister can be terminated with 3 months' notice (or longer in the case of a Senior Assistant Minister), subject to the process set out in clause 3(3) of the Ordinance having been followed.

30. Given the notice period, and noting the significant investment of an Assistant Minister (and potentially their family), the Committee does not consider anything would be gained by introducing a probation period for an Assistant Minister by ordinance.

### **Recruitment processes**

31. Good recruitment processes reduce the need to rely on a probation period to determine if a person is unsuitable for ongoing employment. This should include prayer, and may include developing clear position descriptions prior to recruitment, appropriate advertising of positions, receiving of CVs, standardised, competency-based interviews, note taking during the interview, a panel of interviewers to gain multiple perspectives, reference checking, psychometric testing, making a formal offer and appropriate induction.

32. The Committee is aware that the Centre for Ministry Development has a training module on staff management in the parish context that includes a component on recruitment.



## Fixed Term Appointments

### Lay Ministers

33. The wardens and rector of a parish have flexibility to determine whether a Lay Minister position should be offered on a fixed term basis.
34. SDS has produced a fixed term letter of employment for Lay Ministers that can be used by parishes.
35. A Lay Minister cannot exercise the office of lay minister in a church unless authorised to do so by an authority issued by the Archbishop under the *Authorisation of Lay Ministry Ordinance 2015*. The authority does not confer any rights on the lay minister, but acts as a permission for the Lay Minister to perform certain functions in ministry, having subscribed to the doctrines of the Anglican Church and received a clearance from the Professional Standards Unit.
36. Fixed terms may be useful in the following circumstances –
- Where funding for an appointment may not be ongoing. This sets an appropriate expectation that the role is for a limited time only and there is no expectation of a notice period on termination as the notice is clear from the outset of the appointment.
  - To cover a period of parental leave after the birth or adoption of a child.
  - To cover a period of Long Service Leave.
  - To provide flexibility for the changing needs and strategy of a parish.
37. The use of successive fixed term contracts should be avoided. Generally, an employee is unable to challenge the expiry of a fixed term contract under unfair dismissal laws. However the totality of the employment relationship should be considered. If an employee has been engaged on successive fixed term contracts and the employer fails to renew the contract, in some cases this decision can be construed as a dismissal at the initiative of the employer.<sup>1</sup>

### Assistant Ministers

38. Presently, licences to the office of Assistant Minister are generally not subject to any time limit, other than for the term of the appointment. This means that Assistant Ministers remain in office unless they resign or the appointment is terminated under the *Assistant Ministers Ordinance 2017*.
39. The terms of an Assistant Minister's licence and whether it should be issued subject to a time-limit is a matter for the Archbishop to determine.

## Performance Review

40. Presently, there is no mandatory requirement for performance reviews in relation to either an Assistant Minister or a Lay Minister. The standard letter of appointment for Lay Ministers produced by SDS makes general provision for an annual review of performance.
41. Generally there are two types of performance review: an annual review of performance (that considers strategy, the fulfilment of objectives, skills development, and leadership), and ongoing review of performance in relation to day to day duties (which often occurs in the context of regular "coaching" type meetings).
42. Both MTD and CMD have developed complementary resources for performance review. The training from MTD focuses on annual reviews, whereas the CMD training provides a more comprehensive framework for the cycle of staffing.

## Transition from Deacon to Presbyter

43. The application process for ordination as a presbyter is managed by MTD on behalf of the Archbishop. MTD undertakes a discernment process which looks at whether the Assistant Minister has the convictions, character and competencies to serve as a rector, with a particular focus on leadership.
44. The process involves the following steps –
- (a) Completion of the MTD application forms, including the Lifestyle Questionnaire.
  - (b) An initial interview with the Director of MTD.
  - (c) A clearance from the Professional Standards Unit.
  - (d) An interview with the MTD Panel
  - (e) If accepted as a presbyter candidate – the Assistant Minister devises a 2-year Presbyter Ministry Development Plan with their rector. This focuses on leadership skills.

<sup>1</sup> *Saeid Khayam v Navitas English Pty Ltd* [2017] FWCFB 5162

- (f) Mid-way through the two year plan, the Assistant Minister and their rector will be required to complete evaluation forms. The Director of MTD will visit the Assistant Minister to discuss the evaluations.
- (g) At the end of the two years, the rector and three lay-leaders complete further evaluation forms. The Panel interviews the Assistant Minister and their spouse again.
- (h) The Panel makes a recommendation to the Archbishop about the Assistant Minister's suitability to be ordained as a presbyter. The Archbishop notifies the Assistant Minister of his decision.
- (i) The Assistant Minister is then eligible for appointment as a rector in a parish.

45. The Committee notes that these processes have been determined after considerable due diligence undertaken by MTD, among others, and does not consider it is equipped to review the processes.

### **Terms and Conditions for Appointment**

#### *Remuneration – stipend, allowances and benefits*

46. Parish Councils are responsible for fixing the stipend or salary and allowances and benefits of both Assistant Ministers and Lay Ministers (with the consent of the Minister).<sup>2</sup>

47. The Standing Committee issues annual “Guidelines for the Remuneration of Parish Ministry Staff”. The Guidelines are recommended by the Stipends and Allowances Committee of the Standing Committee. The Subcommittee is comprised of clergy and lay people, and must include at least one wife of a member of the clergy in its membership.

48. It is not mandatory that a parish council follow these Guidelines in setting the stipend, allowances and other benefits of Assistant Ministers and Lay Ministers. However it is understood that they are generally followed by parishes.

49. The remuneration paid or provided to Assistant Ministers and Lay Ministers normally includes the following elements –

- the payment of a stipend;
- contributions to a superannuation fund;
- the provision of housing or a housing benefit, or the payment of a housing allowance;
- the provision of a fully maintained motor vehicle, or the payment of a travelling allowance; and
- the payment of a proportion of the utilities such as gas, electricity and water, telephone (including mobiles) and internet charges, hospitality expenses, professional development costs, computer and office equipment, and other expenses.

50. SDS encourages parish councils to adopt a Remuneration Policy, and has made a template available through the SDS website for this purpose.

51. The Guidelines provide for materially the same level of stipend, allowances and benefits for Assistant Ministers and Lay Ministers who have equivalent levels of experience and theological education.

52. The two main areas of difference between Assistant Ministers and Lay Ministers are in relation to long service leave and insurance.

#### *Long service Leave*

53. Assistant Ministers are entitled to long service leave under the *Long Service Leave Canon 2010*. This provides for 10 weeks leave per 10 years' service (and pro rata each 5 years thereafter). The service may be non-continuous. Lay Ministers are entitled to long service leave under the *Long Service Leave Act 1955 NSW*. This provides for 2 months (8.67 weeks) leave per 10 years' service (and pro rata each 5 years thereafter). The service must be continuous. However service with different Anglican employers in the Diocese (including parishes) is strung together for the purposes of continuity under the *Long Service Leave Ordinance 1973*.

#### *Insurance*

54. Assistant Ministers are provided with stipend continuance insurance, which is a form of income protection insurance. Parishes pay for this insurance through the Parish Cost Recovery charge. The insurance provides for benefits to be paid to parishes if an Assistant Minister is totally or partially disabled and cannot perform their duties. Since Assistant Ministers hold an office and do not work set hours, they are entitled to continue to be paid their stipend, allowances and other benefits irrespective of whether or

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<sup>2</sup> Rule 3.4(1)(b) Schedule 1 and 3.3(b) Schedule 2 of the *Parish Administration Ordinance 2008*.

not they can perform their duties. The insurance payments are therefore made to the parish. Ultimately, if an Assistant Minister cannot return to their duties and agreement is usually reached with the insurer for a lump sum payment to be made to the Assistant Minister and the appointment is terminated.

55. Lay Ministers who are unable to perform their work duties on medical grounds can utilise their accumulated personal (or sick) leave entitlement. Thereafter they would cease to have an entitlement to be paid. However Lay Ministers are covered under the NSW workers compensation scheme and have entitlements under this scheme to the extent an injury or illness arises in the course of their employment.

56. The table in Attachment 2 provides a more comprehensive comparison between the terms and conditions of Assistant Ministers and Lay Ministers.

### *Housing*

57. The Committee is aware of instances where Assistant Ministers and Lay Ministers have been provided with inadequate housing arrangements.

58. Presently it is a requirement that the Archbishop (or Regional Bishop under delegation) approve the housing arrangements for the rector as being suitable.<sup>3</sup> There is no equivalent requirement in relation to Assistant Ministers or Lay Ministers.

59. The Committee recommends that it be a requirement that the housing arrangements for an Assistant Minister or Lay Minister be approved as suitable by the Archbishop (or Regional Bishop under delegation) if a Parish requires an Assistant Minister or Lay Minister to live in a certain location or region. This may require each Region to develop standards for the housing of Assistant Ministers and Lay Ministers so that parishes are clear about the housing they are expected to provide.

### **Terms and Conditions for Termination**

60. The appointment of an Assistant Minister is terminable in accordance with the *Assistant Ministers Ordinance 2017*. In summary this requires that –

- the decision be made by the rector, with the concurrence of the wardens,
- at least 3 months' notice of termination be given (or longer, up to 9 months in the case of a Senior Assistant Minister),<sup>4</sup>
- the termination be due to –
  - (i) unsatisfactory conduct, performance or capacity on the part of the assistant minister, or
  - (ii) the parish council determining that the office held by the assistant minister or senior assistant minister will no longer be funded, or
  - (iii) other reasons determined by the rector having regard to the ministry needs of the parish, and
- the Assistant Minister be given particulars of the reason for the proposed termination, given a reasonable opportunity to respond and have that response taken into account before the decision is made.

61. Clause 7 of the *Assistant Ministers Ordinance 2017* provides for the Archbishop-in-Council to issue guidelines for the termination of appointments under the Ordinance. The Committee considers that Guidelines should be issued to assist rectors and wardens by giving more detail on what is expected of them to ensure that a fair and proper process is undertaken. The Committee has prepared the draft Guidelines set out in Attachment 1 for consideration by the Archbishop-in-Council for approval.

62. The Committee considers that the Guidelines should be seen as setting out minimum standards that should be followed, and supplemented by staffing training and the resources available from SDS.

63. Termination of the employment of a Lay Minister is subject to the law of employment (principally the *Fair Work Act 2009*) and the employment contract. Generally a dismissal must not be "harsh, unjust or unreasonable" (unfair dismissal), there must be for a proper reason (not discriminatory or because the employee has exercised a workplace right) and the required amount of notice must be given before the termination takes effect (or there is payment in lieu thereof). However the notice required for an Assistant Minister is considerably longer than that for a Lay Minister.

<sup>3</sup> It is a requirement for parish status under the *Parishes Ordinance 1979* and to retain nomination rights under the *Nominations Ordinance 2006*.

<sup>4</sup> The period can be less, by agreement with the Assistant Minister in writing.

*Performance Management Program*

64. An amendment was made to the *Assistant Ministers Ordinance 2017* on the floor of Synod to insert the words “where a genuine and recorded performance management program or similar has been unsuccessful in resolving the issue or issues” at the end of clause 3(3)(b)(i). The amendment confuses the grounds for issuing the termination notice with the process to be followed in reaching a decision, which, in part, is set out in other provisions within the same clause.

65. The Committee considers that the amendment should be deleted, particularly if Guidelines are issued under clause 7 of the *Assistant Ministers Ordinance 2017* which are required to be considered as part of any termination process. Training and resources are also available from SDS, MTD and CMD to assist rectors in this area.

*Communications following the termination of an Assistant Minister*

66. As identified in paragraph 13, an Assistant Minister is vulnerable to announcements or other communications concerning the termination of their appointment. Rectors may be under pressure to explain and justify the termination to the parish.

67. The Committee considers that it would be beneficial if rectors were required to consult with their Regional Bishop before making a communication to the parish about the termination of the appointment of an Assistant Minister. The Regional Bishop will be in a position to consider the proposed communication from a neutral standpoint and determine its likely impact. The Regional Bishop can also facilitate advice from the SDS Legal Counsel if they have concerns about aspects of the proposed communication.

**The resolution of disputes between Assistant Ministers and rectors**

68. Disputes are most constructively resolved when significant investment has been made upfront to build good relationships within the staff team. As Christians, we should always seek to make our love and care for each other evident, and to resolve disputes through relational means. Usually disputes are best solved by issues being raised at an early point and being dealt with as close as possible to their source.<sup>5</sup>

69. Unfortunately, broken relationships and the power imbalance between the parties mean that direct resolution is sometimes not a feasible solution.

70. The Regional Bishop may be able to assist, by acting as an informal conciliator. The Diocesan policy for dealing with allegations of unacceptable behaviour sets out a procedure for local and diocesan resolution. The Policy is intended to deal with disputes in relation to allegations of unacceptable behaviour, and not general grievances or fractured relationships. However there will usually be allegations of unacceptable behaviour in most disputes.

71. At the more extreme end, there is the possibility of making a complaint under the *Ministry Standards Ordinance 2017*. This means is only available if there is an allegation that a church worker has engaged in conduct that may call their fitness for office or ministry into question (for example, bullying, harassment or abusive behaviour). There are protections in the Ordinance to prevent complaints about, what might be described as ‘reasonable management action’. For example, the definition of ‘misconduct’ in the Ordinance expressly excludes -

“refusing to appoint, correcting, disciplining, counselling, admonishing, transferring, demoting, suspending, retrenching or dismissing a person if done –

- (A) in good faith;
- (B) reasonably; and
- (C) in the normal and lawful discharge of the duties and functions”.

72. Similarly, the definition of “bullying” in the Ordinance expressly excludes lawful conduct carried out in a reasonable manner, such as –

- disagreeing with or criticising someone’s belief or opinions or actions in an honest and respectful way;
- giving information about inappropriate behaviour in an objective way to the person or persons concerned and to any other person with a proper reason for having that information;
- setting reasonable performance goals, standards or deadlines;
- giving information about unsatisfactory performance in an honest and constructive way;
- taking legitimate disciplinary action.

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<sup>5</sup> Policy Principles, *Diocesan policy for dealing with allegations of unacceptable behaviour*.

73. The Committee does not consider that the existing dispute resolution processes can be significantly improved without making fundamental changes to put rectors under higher levels of external accountability. This issue goes to the heart of tenure and church governance, and is not within the remit of the Committee.

74. Generally, the Committee considers that the place to start is through training and providing more guidance and resources to rectors, rather than through coercive means. This is already happening through the training initiatives of CMD. This will be strengthened through implementation of the other recommendations made in this report.

For and on behalf of the Standing Committee.

BISHOP CHRIS EDWARDS

*Chair of the Committee*

10 September 2018

## Guidelines proposed for adoption under clause 7 of the *Assistant Ministers Ordinance 2017*

*These Guidelines apply to the termination of appointments under the Assistant Ministers Ordinance 2017. Clause 3(3)(f) requires that the rector and wardens of a parish give due regard to these Guidelines before issuing a termination notice under the Ordinance.*

*These Guidelines address the termination of appointments on the basis of unsatisfactory conduct, performance or incapacity (**clause 3(3)(b)(i)**). These Guidelines do not apply in the case of serious misconduct.*

*The Ordinance also permits termination on the grounds that the position can no longer be funded or on the basis of other reasons determined by the rector having regard to the ministry needs of the parish (**clause 3(3)(b)(ii) and (iii)**). The stages set out below are not directly applicable to terminations on these grounds. However the principles of transparency and openness should be followed - in particular the Assistant Minister must be given an opportunity to understand the basis for the proposed decision, have a reasonable opportunity to provide a response and have that response taken into account before the decision is made.*

*Often termination scenarios can be avoided through well-developed practices in relation to recruitment, clarity around duties and goal setting, staff engagement, and training/development.*

*This information is a guide only and will not be an appropriate procedure to follow in all circumstances. If there is doubt, seek professional assistance.*

### Good communication is key

- Rectors should be openly communicating with their Assistant Ministers to provide continuous feedback and coaching. Don't delay, provide timely feedback.
- Feedback should be specific, fair and balanced. It should have the purpose of increasing the Assistant Minister's performance in their role.

### Improvement required

- If an Assistant Minister is demonstrating unsatisfactory conduct, underperformance or an incapacity to fulfil the duties of their office, the rector should organise a meeting with the Assistant Minister to formally put them on notice of their concerns.
- The matters should not come as a complete surprise at this stage. They should have been raised previously in an informal way during regular meetings.
- Be specific, give examples of the conduct or behaviour that needs modification. Explain how it impacts on the workplace/ministry of the parish, and why it is of concern. The Assistant Minister should not be left in any doubt about the problem and its impact. To this end, it may be helpful to put your concerns in writing to the Assistant Minister.
- At the meeting, identify the underlying reasons for the incapacity, underperformance or unsatisfactory conduct by asking questions. There may be reasons unrelated to the abilities of the Assistant Minister, for example:
  - Are the Assistant Minister's duties, goals and the required standards clear?
  - Is the expected workload reasonable?
  - Has appropriate coaching or training been provided?
  - Is the Assistant Minister experiencing any personal, health or family issues that are affecting their performance?
- Once the reasons are identified, devise a solution. This may include an improvement plan. If possible, do this together so that ownership is shared. Agree on timeframes, the resources required and the steps involved. Document the plan. Keep meeting to discuss the issues.
- Offer reasonable resources, training and coaching.
- Keep a confidential file note of the conversation.

- Note that if the Assistant Minister is experiencing personal, health or family issues, you should consider seeking professional assistance before initiating a process that may lead to termination.
- Generally, it would be inappropriate to invite the Assistant Minister to bring a support person to the first informal meeting at which concerns are raised since it escalates the seriousness of the matters too quickly. However if the Assistant Minister wishes to bring a support person, the rector should permit them to do so. The rector should consider having a support person of his own in such instance. A support person is there to be a support and witness. They are not an advocate and do not have an active role in the meeting. The rector should invite the Assistant Minister to bring a support person to the second and any subsequent meetings to discuss their conduct or performance.

### Ongoing incapacity, unsatisfactory conduct or underperformance

- If the incapacity, unsatisfactory conduct or underperformance is ongoing and the attempts to bring about improvement have been unsuccessful, the rector should brief the wardens and seek their views. It may be appropriate to involve one or more wardens at an earlier stage to act as a support person or to provide another perspective.
- If the wardens concur, notify the Assistant Minister that you are considering issuing a notice to terminate their appointment under the *Assistant Minister's Ordinance 2017*. Give the Assistant Minister a written statement containing particulars of the grounds or reasons for issuing the notice (**clause 3(3)(c)**).
- Invite the Assistant Minister to provide a written response to the statement of particulars (**clause 3(3)(d)**). Don't pre-judge the outcome. You should allow a reasonable period for a response. What is reasonable will depend on the circumstances. You should consider releasing the Assistant Minister from some or all of their responsibilities for this period of time.
- You should offer an opportunity for the Assistant Minister to meet to discuss the contents of the letter or clarify their understanding. You should invite them to bring a support person to any such meeting. At least one of the wardens should be present at the meeting in addition to the rector.
- The Assistant Minister's response must be carefully considered by the rector and the wardens in reaching a decision on whether to proceed to issue a notice to terminate the appointment (**clause 3(3)(e)**).
- The statement of particulars, the response from the Assistant Minister (if any) and any record of the rector's and wardens' consideration of the response should be provided to the Registrar (**clause 4**).

### Termination of the Appointment

- If you propose to issue a notice of termination, you must first notify the Regional Bishop (**clause 3(3)**).
- If a decision is made to terminate the appointment, this decision must be made by the rector with the concurrence of the wardens of the principal or only church of the parish (**clause 3(1)(b)**).
- A notice should be issued to the Assistant Minister confirming the decision and stating the period of notice that is given, which must not be less than 3 months after the date of the notice (or longer in the case of a Senior Assistant Minister – see clause 3(2)(b)(ii)). An Assistant Minister can agree to a lesser period of notice in writing (**clause 3(3)(2A)**).

### Finishing Well

- Generally an Assistant Minister should be farewelled in a positive way, publicly thanked for their service and prayed for. However there may be circumstances where this is not possible or appropriate or due to the previous conduct of the Assistant Minister.
- Any announcement about the termination should be factual in nature and not express negative opinions. The Regional Bishop should be consulted and consideration should be given to seeking legal advice.
- The rector and wardens should provide reasonable assistance to help the Assistant Minister to transition from their role in the parish.

## Comparison of terms and conditions between clergy (as officeholders) and lay ministers (as employees)

	Assistant Minister (clergy)	SLW (lay)
<b>Probationary periods</b>	Not applicable	Qualifying period for unfair dismissal: (Fair Work Act s 383) <ul style="list-style-type: none"> <li>• 12 mths - parish with less than 15 employees</li> <li>• 6 mths – parish with more than 15 employees.</li> </ul> Probationary periods are strictly no longer necessary post the FWA, but they can be helpful in establishing expectations. Probationary period would be set out in Letter of Appointment.
<b>Use of fixed term contracts</b>	Licensing is the prerogative of the Archbishop and is usually for the term of the appointment.  Appointments are terminable in accordance with the <i>Assistant Ministers Ordinance 2017</i> .	Fixed term option available.
<b>Performance review</b>	No requirement. MTD and CMD have recently developed training and resources.	The standard letter of appointment provides for an annual review of performance.  The MTD and CMD training and resources are equally applicable to Lay Ministers.
<b>Mechanism for transition from being a Deacon to a Presbyter</b>	Any deacon with a minimum of 12 months experience in pastoral ministry can apply via MTD to be a candidate for ordination as a presbyter.	Not applicable.
<b>Terms and conditions for appointment</b>	<p><i>Work Hours</i></p> <p>Not applicable. Clergy hold an office and do not have set work hours.</p> <p><i>Remuneration</i></p> <p>Annual Standing Committee <i>Guidelines for the Remuneration of Parish Ministry Staff</i>. Rates are generally equivalent with Lay Ministers.</p> <p>The Parish Council is responsible for fixing the stipend or salary and allowances and benefits of both clergy and lay ministers (with the consent of the minister): see rule 3.4(1)(b) Schedule 1 and 3.3(b) Schedule 2 of the <i>Parish Administration Ordinance 2008</i>.</p>	<p><i>Work Hours</i></p> <p>Maximum 38 hour week (avg), plus reasonable additional hours. (FWA s 62(1), also stated in Letter of Appointment)</p> <p><i>Remuneration</i></p> <p>Annual Standing Committee <i>Guidelines for the Remuneration of Parish Ministry Staff</i>. Rates are generally equivalent with AMs.</p> <p>The Parish Council is responsible for fixing the stipend or salary and allowances and benefits of both clergy and lay ministers (with the consent of the minister): see rule 3.4(1)(b) Schedule 1 and 3.3(b) Schedule 2 of the <i>Parish Administration Ordinance 2008</i>.</p>



	Assistant Minister (clergy)	SLW (lay)
	<p><b>Leave</b> Leave is strictly not a relevant concept for office holders.</p> <p>Annual leave: Provision is made by the <i>Annual Leave Ordinance 1983</i> as a protection against allegations of neglect of duty. The entitlement is: 4 weeks per year, plus additional leave if approved by wardens. Generally to be taken within 2 years of accrual.</p> <p>LSL: As per <i>Long Service Leave Canon 2010</i>. 10 weeks per 10 years' service (and pro rata each 5 years thereafter). Service may be non-continuous.</p> <p>Parental Leave: the <i>Parental Leave Ordinance 2016</i> sets out a model policy for adoption by parishes. The policy is not mandatory and can be amended if it is adopted. It provides for 52 weeks unpaid leave of women and up to 2 weeks paid leave for men.</p> <p>Generally will be eligible for up to 18 weeks concurrent Parental Leave Pay at the National Minimum Wage through Centrelink.</p> <p><b>Accommodation</b> Residence or housing allowance provided.</p> <p>If full-time member of ministry staff is not provided with a residence, parish should provide an accommodation benefit (as agreed between staff member and parish council): <i>Guidelines for the Remuneration of Parish Ministry Staff for 2018</i> (guideline 8.2)</p>	<p><b>Leave</b> Annual leave: 4 weeks. (FWA s 87) Accumulates.</p> <p>LSL: 2 months (8.67 weeks) every 10 years (and pro rata each 5 years thereafter). Must be continuous. Service with Anglican employers in the diocese is included for the purposes of continuity. (<i>Long Service Leave Act 1955</i> (NSW))</p> <p>Parental leave: 12 mths unpaid (potential for a further 12 mths). (FWA s 70, 76).</p> <p>Personal carers leave: 10 days paid leave per annum.</p> <p>Generally will be eligible for up to 18 weeks concurrent Parental Leave Pay at the National Minimum Wage through Centrelink.</p> <p><b>Accommodation</b> Residence or housing allowance provided.</p> <p>If full-time member of ministry staff is not provided with a residence, parish should provide an accommodation benefit (as agreed between staff member and parish council): <i>Guidelines for the Remuneration of Parish Ministry Staff for 2018</i> (guideline 8.2)</p>
<b>Termination</b>	<p>Protections – permitted grounds and required process is set out in clause 3(3) of the <i>Assistant Ministers Ordinance 2017</i>.</p> <p>Notice – 3 mths minimum (or longer for a Senior AM, can be up to 9 mths or as agreed) (clause 3(2)(b) of the <i>Assistant Ministers Ordinance 2017</i>)</p> <p>Termination procedures required by the <i>Assistant Ministers Ordinance 2017</i> in termination procedures (clause 3).</p>	<p>Protections – unfair dismissal, discrimination (subject to exemptions), general protections, breach of contract.</p> <p>Notice of termination or payment in lieu (for permanent position) – 1 week to 5 weeks depending on years of service and age (FWA s 117). May be longer if so provided in contract.</p> <p>Employment can be terminated summarily by ministers and wardens in a permanent or fixed term position for serious misconduct. Notice to be given. (Letter of Appointment)</p> <p>FWA s 387 – indicates steps that should be taken to ensure procedural fairness (e.g., notifying person of valid reason for dismissal, providing opportunity to respond).</p>

	Assistant Minister (clergy)	SLW (lay)
<b>Dispute resolution</b>	Limited. The <i>Diocesan policy for dealing with allegations of unacceptable behaviour</i> and/or the <i>Ministry Standards Ordinance 2017</i> may be relevant in some situations.  Work, health and safety laws relevant if dispute is giving rise to stress and mental health concerns and the parish is a “workplace” for the purposes of the Act.	Limited. The <i>Diocesan policy for dealing with allegations of unacceptable behaviour</i> and/or the <i>Ministry Standards Ordinance 2017</i> may be relevant in some situations.  Work, health and safety laws relevant if dispute is giving rise to stress and mental health concerns.  No explicit provision in letter of appointment, but implied duty of mutual trust and confidence would require efforts to be made at dispute resolution.
<b>Others</b>		
<b>Position Description</b>	Determined by the rector.  Duties of assisting rector can be set out in the Letter of Welcome for AM	Lay minister: Determined by rector. (see Note under rule 3.13A Schedule 1 and 3.12A Schedule 2 of the <i>Parish Administration Ordinance 2008</i> – minister retains control of the lay minister’s duties).  Main duties of the position listed in the Letter of Appointment
<b>Insurance</b>	Stipend Continuance – a form of income protection insurance.  Sickness and Accident Fund – covers some medical costs and the cost of a locum for the parish.	Workers compensation insurance.
<b>Remedies for Employee/ Officeholder for Employer breach of Terms and Conditions</b>	<i>Diocesan policy for dealing with allegations of unacceptable behaviour</i>  Non-binding, discretionary facilitation of the dispute.  Direct resolution; local resolution; diocesan resolution	<i>Diocesan policy for dealing with allegations of unacceptable behaviour</i>  Non-binding, discretionary facilitation of the dispute.  Direct resolution; local resolution; diocesan resolution  Redress for breach of contract with a breach of FWA: <ol style="list-style-type: none"> <li>1. Fair Work Commission</li> <li>2. Federal Circuit Court</li> <li>3. Federal Court</li> </ol> Orders available: <ol style="list-style-type: none"> <li>1. Compensation.</li> <li>2. Reinstatement.</li> <li>3. Penalties.</li> <li>4. Injunctions – orders which require the employer to do or stop doing certain conduct.</li> </ol> Redress for breach of contract in absence of FWA breach (such as underpayment of wages). <ol style="list-style-type: none"> <li>1. Local Court – up to \$100,000; or</li> <li>2. District Court</li> </ol>

## Consultation on Anglicare's delivery of welfare and support services

(A report from the Standing Committee.)

### Key Points

- Under clause 23A of the *Anglican Community Services Constitution Ordinance 1961* Anglicare is required to consult with the Standing Committee at least annually in respect to the pursuit of its object under clause 5(b), namely welfare and support services for the vulnerable, the marginalised, the disabled and those in necessitous circumstances
- The Ministry in Socially Disadvantaged Areas Committee (the MSDAC) has undertaken the 2018 consultation with Anglicare on behalf of Standing Committee
- Anglicare has continued to increase funding through its Community Services Division for its services towards socially disadvantaged people through its "own programs", with further increases in funding planned for following years
- Anglicare is beginning partner development work with Parishes that have high areas of social disadvantage
- Even with the sustained increased support of Anglicare, the need remains for Anglican Aid to continue to provide small amounts of grant money to ministries in socially disadvantaged areas

### Purpose

1. The purpose of this report is to provide Standing Committee with information on the consultation between the MSDAC and Anglicare pursuant to clause 23A of the *Anglican Community Services Constitution Ordinance 1961* (the Ordinance).

### Recommendations

2. Synod receive this report.

### Background

3. The MSDAC met with the Chief Executive Officer of Anglicare, Mr Grant Millard, and Anglicare's Chief Financial Officer, Mr Greg Muddle, to undertake the consultation required by clause 23A of the Ordinance. Clause 23A requires an annual consultation with Anglicare, concerning its pursuit of its object under clause 5(b) of the Ordinance which provides –

*The Body Corporate is established as a public benevolent institution to further the work of the Anglican Church of Australia, Diocese of Sydney by promoting and proclaiming the gospel of the Lord Jesus Christ while undertaking works of public benevolence that reflect the love of God as shown in Christ including –*

.....

- (b) *welfare and support services for the vulnerable, the marginalised, the disabled and those in necessitous circumstances;.....*

4. In undertaking this consultation, the MSDAC had regard to Synod resolution 2/16 by which the Synod approved of the merger between Anglican Retirement Villages and the old Anglicare. Paragraphs (b), (c) and (d) of resolution 2/16 specifically addressed the need for Anglicare to continue its work of public benevolence to those in necessitous circumstances following the merger. The terms of the resolution are –

Synod, noting the report of the Standing Committee in relation to the proposed merger of Anglican Retirement Villages Diocese of Sydney (ARV) and Sydney Anglican Home Mission Society (Anglicare) together with accompanying draft ordinances and other documents in relation to the proposed merger received at this session, approves in principle the merger of these two organisations on the basis that –

- (a) the indemnity provided by ARV to Anglicare is intended to ensure that survivors of child abuse have at least an equivalent level of recourse as if Anglicare had continued to operate in its own right,
- (b) the merged organisation will actively aim to continue to deliver services provided by Anglicare and ARV to socially disadvantaged people at an enhanced level,
- (c) the merged organisation will actively aim to continue the work undertaken by Anglicare with Aboriginal and Torres Strait Islander Peoples at an enhanced level,

- (d) the merged organisation will actively aim to continue to alleviate necessitous circumstances through the provision of education at an enhanced level,
- (e) the legal name of the merged organisation is “Anglican Community Services”,
- (f) consideration is given to making provision in both the Anglicare and ARV constituting ordinances for a gift fund for both entities,

and requests the Standing Committee to pass such ordinances and take such other action it considers necessary or desirable to give effect to the merger on this basis.

### Overview

5. Though Anglicare provides services to many in ‘necessitous circumstances’, such as its extensive Aged care Work, the focus of this report specifically relates to Anglicare’s work with disadvantaged and marginalised people (so called ‘welfare’ work).

6. Analysis of Anglicare’s proposed budget for the 2019 Financial Year demonstrates the commitment to continue to deliver services to socially disadvantaged people at an enhanced level.

### Process in Determining Funding

7. Anglicare has recently launched a new 10-year strategic plan that has three themes that will enable the organisation to grow and develop with purpose. They are – Christ Centred: honouring Jesus in all that is done; Customer experience: valuing every person; Community: enabling people to grow by belonging to community. These three themes will apply to socially disadvantaged people as Anglicare develops ministry at the margins of society, advocating for those in need and providing resources to serve and support those who are particularly vulnerable. Anglicare has a stated goal to ‘invest new services for vulnerable people, up to 5% of available capital”.

8. To enable Anglicare to have a greater flexibility in providing existing services as well as giving opportunity to deploy new services into the future, Anglicare aims to reduce dependency, over the next 10 years, on government contracts in the Community Services Division. Currently, in the 2018-19 financial year, Anglicare is budgeting \$28 million in government funding against a total budget of \$35 million.

9. The majority of Anglicare’s reach to socially disadvantaged people and areas is through the work of the Community Services division of Anglicare. As a matter of policy, Anglicare is aiming to increase expenditure in the ‘welfare’ area of Community Services work. The main priority is to direct resources to programs that have the capacity for self-funding. As an example the Mobile Community Pantry Program will in 2019 expand from three to four vans with an expectation that 40 churches across the Diocese will be involved.

### Distribution of Surplus Net Funds

10. The following table sets out the metrics Anglicare uses for delivering services to socially disadvantaged people. The surplus is the net surplus generated from all sources across Anglicare’s organisation.

Spending metrics	FY16	FY17	FY18B	FY19B
<b>Community Service resources</b>				
Amount spent (\$m)	4.3	5.4	7.0	<b>8.9</b>
Spending as a % of Net Surplus generated	18%	21%	31%	<b>36%</b>
Spending growth (3 year ave)				<b>27%</b>
<b>Pastoral Care &amp; Mission resources</b>				
Amount spent (\$m)	4.2	4.7	6.1	<b>6.9</b>
Spending as a % of Net Surplus generated	17%	18%	27%	<b>28%</b>
Spending growth (3 year ave)				<b>19%</b>

11. The additional budgeted \$1.9 million available in the next financial year will be allocated as follows: Food & Financial Assistance \$1.0 million; Transitional accommodation (‘SHIFT’) \$ 0.6 million; ESL \$0.1million; Syrian refugee \$0.1 million; NDIS expansion \$0.1million.

12. The 2017 Synod report indicated that Anglicare anticipated an additional \$1.6 million would be available in 2017 and 2018 to enable the delivery of effective and sustainable self-funded programs. It is pleasing to report that Anglicare is now able to commit \$3.5 million to these programs.

13. The key self-funded Anglicare programs are –

- Food and Financial Assistance ('FFA') which provides for both immediate and longer term needs of people in necessitous circumstances (food hampers, emergency relief vouchers, case work, electricity bill subsidies, financial counselling);
- Mobile Community Pantry program which supports churches in reaching out to those in need in our community with both affordable groceries and food as well as friendship and gospel opportunities;
- Annual Toys and Tucker program which brings together a network of volunteers and community groups and the Anglicare FFA team to share the love of Jesus to those in need at Christmas;
- English as a Second Language, or ESL, which support church ministry teams in providing much needed ESL classes, friendship and gospel sharing for people from the migrant, refugee and asylum seeker communities;
- Other refugee programs also working with local churches to care for both the Syrian and Iraqi refugee communities but also to extend ministry to the asylum seeker and refugee communities beyond ESL;
- Support work for churches in the areas of domestic violence and family skills to enable churches to better engage in these social challenges and build healthy ministries;
- The 'SHIFT' program, which provides support and housing for families in transition – particularly refugees and those fleeing domestic violence.

14. In addition to the programs above, Anglicare plans to continue the expansion of its Housing Assistance program, which provides affordable accommodation options and secure tenure to people at risk of homelessness. Anglicare will increase the number of dwellings from 82 in 2018-19 to 123 in 2019-20.

15. The other area that Anglicare is beginning is partner development work with Parishes that have high areas of social disadvantage. As a trial, in 2018 Anglicare is funding a Community Chaplain position in the Parish of Eagle Vale to work specifically in Claymore, the most disadvantaged area in Sydney Diocese. If the trial is successful, Anglicare will fund further Community Chaplains to work in other disadvantaged Parishes. Another example of the expansion of Parish Partnership is the 'Dementia Friendly Church' project aimed at resourcing, training and mentoring local churches to run dementia friendly services and to enable ministry to carers.

## Conclusion

16. Anglicare's work and ministry amongst the socially disadvantaged people and area of the Diocese continues to expand. The initial small increase in funding has continued to grow. MSDAC is confident that the financial benefits of the new Anglicare for this area will continue.

17. Anglicare have actively supported and helped facilitate the work of MSDAC in continuing and expanding, in a sustainable way, the ministry in Parishes and ENC churches that have a particular focus in disadvantaged areas. However, Anglicare remains convinced that it cannot participate as a grant funder to parishes or churches, due to the real risk that such funding will be seen (or could be construed) as distributions to members, prejudicing the legal status of the organisation.

18. MSDAC is convinced there remains a need for a small amount of annual funding to support ministry in disadvantaged areas. To this end, Anglican Aid's Community Care Program is imminently suited to provide this funding. Given the complexity of needs in highly disadvantaged areas across the Diocese there will continue to be a need for both Anglicare and Anglican Aid to be involved.

For and on behalf of the Standing Committee.

BISHOP PETER HAYWARD  
*Chair, Ministry in Socially Disadvantaged Areas Committee*

4 September 2018

## Ethical Investment Policy

(A report from the Glebe Administration Board and the Anglican Church Property Trust Diocese of Sydney.)

### Key Points

- The Glebe Administration Board (GAB) and the Anglican Church Property Trust Diocese of Sydney (ACPT) are to report to the Synod each year about compliance with the Ethical Investment policy (EIP).
- The GAB and ACPT are compliant with the EIP for the year ended 30 June 2018.

### Purpose

1. The purpose of this paper is to report about compliance with the EIP.

### Recommendations

2. Synod receive this report.

### Background

3. GAB as trustee of the Diocesan Endowment (DE) and the ACPT as trustee of the Long Term Pooling Fund (LTPF) adopted the EIP in May 2016. The Standing Committee of the Synod endorsed the EIP in May 2016.
4. Under the EIP, the GAB and ACPT are to report to the Synod each year about compliance with the EIP.

### Prohibited activities

5. Under the EIP, GAB and ACPT will not make an investment in an entity, being a managed fund, if –
  - (a) the fund holds securities (either directly or indirectly) in a *Prohibited Entity*, and
  - (b) the total value of the securities held in all *Prohibited Entities* exceeds 5% of the total value of all assets of the fund (the *Prescribed Percentage*).
6. For these purposes, a *Prohibited Entity* is a publicly listed entity which earns more than 10% of its revenue directly from one or more *Prohibited Activities*.
7. The following are *Prohibited Activities* –
  - (a) The manufacture or sale of abortifacient or abortifacient-like contraceptives, or alcohol, or armaments, or pornography or tobacco.
  - (b) Undertaking medical and/or surgical elective abortions.
  - (c) Undertaking stem cell research involving the destruction of embryos.
  - (d) Gambling.
8. As at the 30 June 2018 annual review date, all the funds for listed investment asset classes of the DE and the LTPF were below the 5% *Prescribed Percentage*.
9. Subsequent to the 30 June 2018 annual review date, the managers of the passive international shares asset class in the DE and LTPF portfolios divested exposures to any manufacturer of tobacco and armaments. This has further materially reduced exposures to *Prohibited Entities*.

### Carbon intensity

10. The EIP provides that where reasonably possible, GAB and ACPT will aim to achieve carbon intensity exposures below that of equivalent market benchmarks for their active managed funds that hold securities in listed companies.
11. For this purpose, the EIP requires GAB and ACPT to measure the overall carbon intensity of investments in all active managed funds that hold securities in listed companies, and work with their investment manager/s to reduce the carbon intensity of those investments compared to the carbon intensity of the relevant market benchmark for that asset class.
12. All listed active asset classes are below benchmark for carbon intensity, with the exception of Global Listed Property (GLP).
13. GLP is an approved asset class for the LTPF and has a current dynamic asset allocation weighting of 2%. The global listed property asset class by its nature has a low carbon intensity measure (for instance, 70%

lower than the carbon footprint of Australian shares). Nonetheless the ACPT has instructed Mercer to continue to engage with the underlying fund managers to implement strategies that will reduce its carbon footprint for GLP.

ROBERT WICKS

*Chief Executive Officer, Sydney Diocesan Secretariat*

18 September 2018

## 27/17 Gender representation on Diocesan boards and committees

(A report from the Standing Committee.)

### Key Points

- The current representation of women on Diocesan boards has increased in recent years. However, there is potential for, and benefit in, further increasing the representation of women.
- The use of terms 'quotas', 'targets' and 'goals' causes confusion and produces strong responses when discussing gender participation. Gender quotas are not recommended for the Diocese of Sydney since tying down membership of boards too tightly by way of any personal characteristic (i.e., gender, race or age) rather than qualification may stifle the ability of those with gifts to serve.
- The levers of change are on the nomination side of the process, rather than goals and targets in the electing side.
- Increasing the participation of women on Diocesan boards needs to address both issues of opportunity and supply, and demand. Various recommendations to address these issues are contained within the report.
- A permanent subcommittee of the Standing Committee is proposed to be established to monitor gender representation on boards and implementation of recommendations.

### Purpose

1. The purpose of this report is to provide the Synod with a response to the request of Synod resolution 27/17 regarding Gender representation on Diocesan boards, committees and councils.

### Recommendations

2. Synod receive this report.
3. Synod noting the report *27/17 Gender representation on Diocesan boards and committees*, request the Standing Committee consider implementing the recommendations contained in the report.

### Background

4. At its session in October 2017, the Synod passed resolution 27/17 in the following form –  

'Synod requests Standing Committee to bring a report to the next Synod which outlines the composition of the various Diocesan boards, committees and councils in so far as they reflect the gender participation of those groups.

Synod requests the report to include –

  - (a) the numbers and percentages of women and men on the Synod Diocesan boards, committees and councils,
  - (b) goals or targets that the Diocesan organisation could work towards to ensure greater balance of diverse representation of Diocesan boards, committees and councils,
  - (c) recommendations as to how to improve participation by women, and
  - (d) a summary of any theological considerations involved in reaching their decisions.'
  5. At its meeting on 12 February 2018, the Standing Committee constituted a committee (the Committee) comprising Mrs Gillian Davidson, the Rev Nigel Fortescue, Dr Claire Smith and the Rev Zac Veron to undertake the work requested in resolution 27/17 and report to a future meeting of the Standing Committee.

### Analysis of gender balance on Diocesan boards

6. The Committee began its work with an analysis of the current gender representation on Diocesan boards and committees (hereafter, board or boards). In response to Resolution 27/17(a), the attached table provides numbers and percentages of women and men on Diocesan boards where at least some members are elected by the Synod (Appendix 1). The table illustrates the complexity of both measuring and changing gender representation on Diocesan boards. Almost every board has a different composition and many involve quotas for certain kinds of people (e.g., indigenous, region, lay, clergy, or clergy with certain years' standing). The Committee recognised this data was a starting point in understanding the gender composition of Diocesan boards. The Committee considered that this data needed to be refined and maintained.



7. In analysing this data, the Committee was encouraged by the current representation of women on some boards, the overall participation of women on boards, and an observed, albeit slow, increase in recent years. However, the Committee also agreed there was potential for and benefit in increasing the representation of women, for theological and pragmatic reasons (see below). It was recognised that there are other demographics that could be considered to increase the diversity of board representation (e.g., age and cultural background) but determined that these were beyond the remit of the Committee.

8. The Committee recognised that the use of terms 'quotas', 'targets' and 'goals' causes confusion and produces strong responses when discussing gender participation. The Committee was unanimous that we were not discussing or recommending quotas in this context (a quota being a mandated result which must be achieved). The Committee used the terms 'goals' and 'targets' interchangeably and recognised that they were aspirational outcomes, and adopted that terminology and definition as expanded in paragraph 14 below in our discussion.

9. The Committee considered a significant obstacle to greater participation of women appears to be that not enough women are being nominated to fill positions. That is, the Committee believed that if electors (i.e., Synod, Standing Committee) were given the opportunity to elect more women they would do so. This means that the levers of change are on the nomination side of the process, rather than goals and targets in the electing side.

10. The Committee is very grateful for the excellent work of the staff from the Sydney Diocesan Secretariat (SDS) who compiled and analysed the data in Appendix 1 for the consideration of the Committee.

### Goals and targets

11. In beginning this work, the Committee gave attention to the matter of goals and targets and engaged briefly with various reports and information from corporate Australia. The Workplace Gender Equality Agency (WGEA) Report *'How to set gender diversity targets'* encourages gender diversity but stops short of nominating an exact goal or target that it deemed as "best practice". Rather the encouragement is to "improve the gender diversity" of the Australian workforce. The reasons given for improving gender diversity are –

- gender diversity improves business performance, innovative creativity and agility.
- gender diversity is the "right thing to do".
- gender diversity policies and reporting are increasingly common.

12. In our context, the Committee supports the first reason offered wholeheartedly. A more demographically diverse board usually produces more dynamic and innovative results because a variety of people bring a variety of perspectives and ideas to be considered. The second and third reasons provided in the WGEA Report are less persuasive, in the way they are stated. Reliance on the demand of rights or peer group pressure for improving gender balance or setting gender targets and goals runs contrary to the shape of the gospel. Moreover, the Diocese of Sydney, and the organisations within it, are fundamentally different from a for-profit company or government agency where women have often been systematically denied opportunities for advancement, equal remuneration and career progression. We are a family of churches and organisations, an association of disciples of Christ, with different dynamics and foci from the secular world. Those who serve on boards do so as volunteers as part of their service of Christ. This is not to say that gender diversity is unimportant but that the motivation for it and the method of pursuing it in the church will be different from that in the world.

13. The WGEA report defined targets as 'achievable, time-framed objectives which organisations can set on a regular basis to focus their efforts on achieving improved outcomes'. The importance of achievable and measurable targets was clear in the literature and it was noted that targets can often have a negative impact on organisations and reduce motivation when not achieved.

14. In considering the request to include in this report goals or targets that boards could work towards, the Committee recognised that it was not appropriate to nominate either a number or percentage at this point in time for a number of reasons including –

- the very different nature of our boards,
- the different nominating provisions within the foundation or governing documents of the boards,
- the difficulty in obtaining and maintaining reliable data as to the current composition of boards, and
- changing people's attitudes or openness to participation is more complicated than setting goals or targets.

15. With these things in mind, the Committee set itself to consider how to improve participation by women on Diocesan boards beginning with some theological reflection.

### **Theological considerations**

16. It is clear from the Scriptures that men and women are created equally in the image of God with equal dignity and capacity to serve in a multiplicity of ways both inside and outside the church (Genesis 1:27-30; Romans 12:3-8; 1 Thessalonians 4:11). Men and women are not identical, and have been created to work together with complementary differences given by God, for our good and for the good of those we serve.

17. Scripture does not directly address the composition of boards. Neither does it describe boards that might provide examples for consideration. However for our purposes, it is significant that women are seen in gospel support roles throughout the New Testament. There are many instances of the support women provide to the ministry of Jesus (Matthew 27:55; Luke 10:44; John 12:2). Acts 16 describes Lydia as a generous gospel host who supports Paul's work. Romans 16 describes a long list of men and women who were benefactors and contributors to Paul's ministry, but they were not members of a committee. We might say that in addition to the 'vine' work of promoting the gospel, both men and women were involved in the 'trellis work' in the New Testament period.

18. Boards generally are not occasions of public worship, teaching or pastoral discipline. For this reason, the New Testament instructions about church leadership do not *directly* apply to board membership (cf. 1 Timothy 2:11-3:13; Titus 1:5-9). Boards are hubs for discussion and debate on governance and policy. Although itself concerned with public worship, Colossians 3:16 probably comes closest to addressing the mutual participation and instruction that may occur on boards, as members teach 'one another' informally from the Scriptures. Accordingly, there is no reason why both men and women ought not generally be welcomed onto boards. However, the Committee did note there may be some boards which, because of their responsibilities, may require incumbents or people of a particular biological sex and that the specific tasks of a board should be taken into account in any plan to increase gender representation.

19. There is a variety of views on board leadership found within the complementarian framework broadly adopted throughout the Diocese. Some would deem it inappropriate for a woman to lead a board despite its purpose being governance and policy. At the same time, there are several women in leadership positions of boards (e.g., chair) in the Diocese. This matter is considered beyond the remit of this Committee.

20. Besides mature Christian character and conviction, suitability for Christian leadership is a matter of competency or 'gifts'. Broadly speaking, we are to serve according to the gifts we have been given, and those gifts create a beautiful diversity in the body of Christ (Romans 12:3-8). God gives gifts to the church so that it may function well as the body of Christ for the common good (1 Corinthians 12:7). Not everyone has all gifts and it ought not be assumed that everyone in the church has the gifts to serve on boards. Among the gifts mentioned in the New Testament are *antilempsis* (perform helpful deeds) and *kubernesis* (govern or guide, administration) (1 Corinthians 12:28), indicating that it is God's provision that we might expect to find able persons who can serve on our boards in the body.

21. The encouragement of the Scriptures is that if one has a gift, they ought to use it for the common good and gospel benefit. 1 Corinthians 12 challenges those who either look down on some gifts or assume every Christian can do everything (12:11, 29). Rather, Christian people ought to be encouraged to determine the gifts God has given them and to serve using those gifts (1 Corinthians 12:12-26). While this is to happen in an orderly fashion (1 Corinthians 14:26-35), the only justification for barring someone with gifts from service where a need exists appears to be lack of godliness (1 Corinthians 14:36-40; 1 Timothy 3:1-13) or considerations related to the specific context in which those gifts would be used (1 Timothy 2:11-15). There is also a warning against stifling the gifting of the Spirit (1 Thessalonians 5:19).

22. The Committee concluded there are no real theological arguments either for or against targets. This Committee decided against setting specific targets because it considered tying down membership of boards too tightly by way of any personal characteristic (i.e., gender, race or age) rather than qualification may stifle the ability of those with gifts to serve.

### **Recommendations for improving participation by women**

23. Increasing the participation of women on Diocesan boards needs to address both issues of opportunity and supply (paragraphs 25-34) and demand (paragraphs 35-41).

### **Equipping women to serve**

24. *Build confidence*: Many women cite felt lack of confidence as a reason for not joining boards. Confidence grows when people experience success, and so graduated pathways of recruitment and service are needed (e.g., Bible study leader, parish councillor, regional councils, Synod). As women grow in their

knowledge, skills, and experience, they will be more aware of and have more confidence in their ability to contribute to Diocesan life. They will also have more to contribute.

25. *Provide encouragement:* Rectors and mentors can encourage women to consider how they might contribute to boards and in other roles within the Diocese. This can be done generally as part of the preaching/teaching program of the church, or specifically in personal conversation. Anecdotally, rectors can be reluctant to 'lose good people' to ministry outside the parish, so encouraging women in this way may require some sacrifice on the part of rectors and the local church community. Often the demands of board membership will impact a whole family, not just the individual member, so the encouragement and support of family is also a factor.

26. *Provide vision:* Many lay people, in particular, are not aware of the strategic value of boards to the work of the gospel. This vision can be provided by the 'centre' (e.g., *Southern Cross* or Synod), or by individual organisations (e.g., school newsletters, Moore College prayer diary). However, it also touches more broadly on the place of volunteerism, and the need for believers to have a ministry-mindset, which are best addressed through the preaching/teaching and discipleship programs at the parish level.

27. *Provide information:* There is little contact between and awareness of the operations of 'the Diocese' (including organisations and school boards) and regular congregation members. Providing information sessions for those interested (and possibly invited) might increase understanding, buy-in, and participation of both lay women and men. It is possible existing Synod members would also benefit from such events. We recommend that SDS commission an Educator/consultant within the Diocese to write a program that may be run in conjunction with Synod information evenings each year. There may be a one-off cost, but SDS would own the Intellectual Property and could run the program each year.

28. *Provide training:* Training women (and men) for board membership, would both build confidence and competence. Such training could be provided by SDS, or other groups. The cost of attending such training might be subsidised or discounted for women not in full-time employment, if the cost is to be borne by attendees.

29. *Provide models:* The adage is that 'you cannot be what you cannot see'. To this end, we need to provide examples of women serving on boards, in addition to those examples of women serving that are currently available. This might be done through *Southern Cross*, and the participation of women at Synod in various capacities.

### **Enabling women to serve**

30. *Address logistical barriers:* Anecdotally, many women decline nomination to boards because they are unable to attend meetings at times and in locations that conflict with their family or employment responsibilities. Arguably this is also an issue for lay men. Boards might need to reconsider the location and time of meetings. One way of assessing this would be for SDS to survey all Synod members about their preferences and logistical obstacles to their availability and participation. This could then be compared with a corresponding survey of the meeting times and places of boards. One member of the Committee did not consider such a survey was necessary.

### **Addressing supply issues**

31. *Articulate biblical factors for consideration:* As a Diocese, Scripture is to be our rule in all aspects of our life together, including structures and governance practices. There are biblical reasons for ensuring and increasing the current participation of women on boards that arise from the God-given equality and complementarity of the sexes. These reasons have been articulated above.

32. *Address gate-keeper issues:* As noted above, many rectors are reluctant to 'lose good people' to responsibilities beyond the local church. This is understandable, and there is a proper priority that should be given to ministry in the local Christian community. However, in doing so, rectors can intentionally or unintentionally discourage women from roles beyond the local church. Ideally rectors will be facilitators for the broader involvement of women in the life of the Diocese. Striking the balance will depend on the needs of the parish, and the gifts and needs of individual women. Assisting rectors to be facilitating gatekeepers could be addressed through the Centre for Ministry Development, Ministry Training & Development, at regional conferences, senior clergy in discussion with rectors, at Synod, and in *Southern Cross*. The Committee believes the role of rectors as gatekeepers is key to increasing the participation of women in boards, as they are best placed to know the character, competency, and availability of members of their congregations.

33. *Identify suitable women:* Given the size of the Diocese and the number of boards within it, it is difficult to be aware of lay women who may be qualified and willing to fill vacancies. The same could be said about lay men. Two ways of addressing this would be to survey/audit Synod members, and formally ask rectors

to identify suitable women within their congregations. This could happen during Synod with a simple paper survey to be filled out and returned, or a survey of Synod members by electronic means.

### **Addressing demand issues**

34. *Articulate biblical guidelines:* It is the view of this Diocese that Scripture teaches that men and women have different responsibilities within the church in regard to doctrinal and pastoral oversight, and discipline. While boards are not 'church', some boards exercise roles and authority that significantly affect the doctrinal and pastoral oversight, and discipline of churches (e.g., nomination board). Accordingly, the appropriate gender-mix of boards should be decided on a case by case basis, to ensure it is aligned with the biblical teaching.

35. *Create awareness of need:* Boards and those electing their members need to be aware of the need to recruit and appoint women to vacancies. This will be an ongoing task that needs to be addressed at various levels. Possible measures include the following: it could be required on the Standing Committee agenda that, where appropriate, vacancy notices and election motions provide details of the current gender balance; tracking of board membership (annually); boards could be actively encouraged to increase representation of women; and the Archbishop could be encouraged to fill appropriate 'Archbishop's appointments' with women.

36. *Consider gender composition:* Boards are to be encouraged actively to consider their current and ideal gender composition, and any constraints or requirements of the composition of that board regarding gender (e.g., a single sex school council might be rightly weighted towards the biological sex of the student body; the biblical constraints noted in paragraph 35). Boards should consider if current positions requiring an 'incumbent' might be filled by a 'clergy person'. The Committee encourages boards to provide detailed information to electors about all the above within the board's skills matrix, with the understanding that all information provided is considered when an election is held.

37. *Review long-term membership:* The common practice of re-electing sitting members to boards has the unintended effect of slowing the appointment of women, and raises broader questions about board renewal. If fixed term appointments are not desirable, boards could be encouraged to consider active steps to ensure board renewal.

38. *Review 'ideal' qualifications:* The career pathways of many women do not always track identically to those of their male counterparts. This can be due to child-rearing, family responsibilities, decisions to work part-time, and decisions to be involved in ministry. From a worldly perspective, these might not seem impressive on a CV, but Scripture and experience remind us that they are valuable, and would contribute a distinctive competency and perspective to the skills matrix of some boards. Accordingly, boards might review their 'ideal' qualifications for new members to determine if a vacancy could be filled by a suitable woman with the desired formal qualifications (e.g., degrees, professional membership), but without the career pathway that might be found in their male counterparts.

39. *Track board membership:* The Committee recommends that the data compiled for this report reviewing the gender composition and requirements of Synod elected positions on Diocesan boards be maintained and periodically updated by SDS.

40. *Subcommittee for board composition:* The Committee responsible for this report recommends that a permanent subcommittee of Standing Committee, the *Gender Representation Oversight Committee*, consisting of four Standing Committee members (comprised of 1 lay woman, 1 lay man, 1 clergy woman and 1 clergy man) appointed by the Standing Committee triennially with review at the end of term, be established to oversee the composition of boards. This new subcommittee would review the membership of boards (annually), ensure information about the gender mix of boards accompanied notices of vacancies and election motions on the Standing Committee agenda, consider the merit of other suggestions in this report and if desirable, ensure appropriate organisations implement them (e.g., training sessions on board membership; encourage rectors as gate-keepers). The subcommittee would not be responsible for identifying or recruiting individual women for vacancies or ensuring they are elected to particular boards. It would only review progress and the implementation and effectiveness of initiatives.

For and on behalf of the Standing Committee.

THE REV ZAC VERON

*Chair, Gender Representation on Diocesan boards and committees Committee*

27 September 2018

Gender composition summary table (as at 5 May 2018)

Council / Board	Org. Type	Appointing Organisation	Gender comp. actual numbers (female)	Gender comp. actual numbers (male)	% Females elected by Synod (regardless of reqs) (a)	# female only positions	# male only positions (b)	Org w reqs precluding women (incumbency, male only) (c)	% Females on seats open to either sex (d)	% Females elected or appointed to non-clergy positions (e)	% ABP appts (f)	# clergy female appted by ABP	# ABP clergy female appt as proportion of total # clergy females
Anglican Church Property Trust Diocese of Sydney	Diocesan Org	Synod	1	9	10%	0	0	0	10%	14%	0 out of 1	0	0 of 0
Anglican Community Services (Anglicare)	Diocesan Org	Synod	3	5	33%	0	1	1	43%	40%	1 out of 3	0	0 of 1
Anglican Education Commission	Diocesan Org	Synod	2	5	33%	0	0	0	29%	29%	0 out of 2	0	0 of 0
Anglican Media Council	Diocesan Org	S-C	2	5	20%	0	0	0	29%	29%	1 out of 2	0	0 of 0
Anglican National Superannuation Board	Diocesan Org	Synod	1	6	14%	0	0	0	14%	14%	0 out of 1	0	0 of 0
Anglican Schools Corporation	Diocesan Org	Synod	3	8	33%	0	0	0	27%	22%	0 out of 3	0	0 of 1
Arden Anglican School Council	Diocesan School	Synod	2	8	11%	0	0	0	20%	25%	1 out of 2	0	0 of 0
Blue Mountains Grammar School	Anglican School	S-C	3	3	50%	0	0	0	50%	50%	0 out of 3	0	0 of 0
Camperdown Cemetery Trust	Other	S-C	2	2	50%	0	0	0	50%	50%	0 out of 2	0	0 of 0
Council of Anglican Youth and Education Diocese of Sydney (Youthworks)	Diocesan Org	Synod	1	6	17%	0	0	0	14%	25%	0 out of 1	0	0 of 0
Council of St Catherine's School, Waverley	Diocesan School	Synod	4	4	57%	0	0	0	50%	50%	0 out of 4	0	0 of 1
Council of Tara Anglican School for Girls	Diocesan School	Synod	5	5	44%	0	0	0	50%	63%	1 out of 5	0	0 of 0
Council of Trinity Grammar School	Diocesan School	Synod	1	11	8%	0	6	1	17%	17%	0 out of 1	0	0 of 0

Council / Board	Org. Type	Appointing Organisation	Gender comp. actual numbers (female)	Gender comp. actual numbers (male)	% Females elected by Synod (regardless of reqs) (a)	# female only positions	# male only positions (b)	Org w reqs precluding women (incumbency, male only) (c)	% Females on seats open to either sex (d)	% Females elected or appointed to non-clergy positions (e)	% ABP appts (f)	# clergy female appted by ABP	# ABP clergy female appt as proportion of total # clergy females
Diocesan Retirements Board	Diocesan Committee	S-C	2	7	22%	0	0	0	22%	50%	0 out of 2	0	0 of 0
Endowment of the See	Diocesan Committee	S-C	2	4	33%	0	0	0	33%	33%	1 out of 2	0	0 of 0
Evangelism and New Churches	Diocesan Org	Synod	1	6	17%	0	0	0	14%	25%	0 out of 1	0	0 of 0
Georges River Regional Council	Diocesan Org	Synod	3	4	43%	0	3	1	75%	50%	0 out of 3	0	0 of 1
Macarthur Anglican School Council	Diocesan School	Synod	4	3	50%	0	0	0	57%	50%	1 out of 4	1	1 of 1
Ministry in Socially Disadvantaged Areas	Diocesan Committee	S-C	1	2	33%	0	0	0	33%	33%	0 out of 1	0	0 of 0
Ministry Training and Development	Diocesan Org	Synod	1	8	13%	1	3	1	0%	20%	0 out of 1	0	0 of 0
Mission Property Committee	Diocesan Committee	S-C	2	6	33%	0	0	0	25%	25%	0 out of 2	0	0 of 0
Moore Theological College Council	Diocesan Org	Synod	1	7	13%	0	3	1	20%	25%	0 out of 1	0	0 of 0
New College Limited	Anglican Org	S-C	2	4	33%	0	0	0	33%	33%	0 out of 2	0	0 of 0
Nomination Board	Diocesan Committee	Synod	0	6	0%	0	0	0	0%	0%	0 out of 0	0	0 of 0
Northern Regional Council	Diocesan Org	Synod	1	5	17%	0	2	1	25%	25%	0 out of 1	0	0 of 0
Panel for the Professional Standards Board	Diocesan Committee	S-C	4	4	50%	0	0	0	50%	60%	0 out of 4	0	0 of 1
Professional Standards Committee	Diocesan Committee	S-C	2	3	40%	0	0	0	40%	50%	0 out of 2	0	0 of 0
Robert Menzies College	Anglican Org	S-C	3	5	38%	0	0	0	38%	38%	0 out of 3	0	0 of 0
Safe Ministry Board	Diocesan Committee	S-C	5	4	33%	0	0	0	56%	80%	3 out of 5	1	1 of 1
SCEGGS Redlands	Anglican School	S-C	2	2	50%	0	0	0	50%	50%	0 out of 2	0	0 of 0
SCEGGS Darlinghurst	Anglican School	S-C	3	1	75%	0	0	0	75%	75%	0 out of 3	0	0 of 0

Council / Board	Org. Type	Appointing Organisation	Gender comp. actual numbers (female)	Gender comp. actual numbers (male)	% Females elected by Synod (regardless of reqs) (a)	# female only positions	# male only positions (b)	Org w reqs precluding women (incumbency, male only) (c)	% Females on seats open to either sex (d)	% Females elected or appointed to non-clergy positions (e)	% ABP appts (f)	# clergy female appted by ABP	# ABP clergy female appt as proportion of total # clergy females
South Sydney Regional Council	Diocesan Org	Synod	1	4	20%	0	3	1	50%	50%	0 out of 1	0	0 of 0
St Andrew's Cathedral Chapter	Diocesan Org	Synod	2	6	33%	0	0	0	25%	33%	0 out of 2	0	0 of 1
St Andrew's House Corporation	Diocesan Org	Synod	1	6	14%	0	0	0	14%	14%	0 out of 1	0	0 of 0
St John's Parramatta Endowment Fund	Diocesan Committee	Synod	1	4	20%	0	0	0	20%	20%	0 out of 1	0	0 of 0
St John's Regional Cathedral Parramatta Chapter	Diocesan Org	Synod	1	2	33%	0	0	0	33%	50%	0 out of 1	0	0 of 0
St Michael's Regional Cathedral Wollongong Chapter	Diocesan Org	Synod	1	3	25%	0	0	0	25%	50%	0 out of 1	0	0 of 0
Sydney Anglican Indigenous Peoples' Ministry Committee	Diocesan Committee	S-C	2	8	20%	0	0	0	20%	20%	0 out of 2	0	0 of 0
Sydney Anglican Loans Board	Diocesan Org	Synod	2	7	22%	0	0	0	22%	33%	0 out of 2	0	0 of 0
Sydney Church of England Grammar School Council (SHORE)	Diocesan School	Synod	3	9	25%	0	6	1	50%	50%	0 out of 3	0	0 of 0
Sydney Diocesan Secretariat	Diocesan Org	S-C	2	6	14%	0	0	0	25%	33%	1 out of 2	0	0 of 0
Tertiary Education Ministry Oversight Committee	Diocesan Committee	Synod	2	7	22%	0	0	0	22%	22%	0 out of 2	0	0 of 0
The Archbishop of Sydney's Anglican Aid	Diocesan Org	Synod	2	7	33%	0	0	0	22%	29%	0 out of 2	0	0 of 0
The Council of Abbotsleigh	Diocesan School	Synod	3	5	38%	3	5	1		43%	0 out of 3	0	0 of 0
The Council of Barker College	Diocesan School	Synod	3	5	38%	0	0	0	38%	25%	0 out of 3	0	0 of 2
The Council of the Illawarra Grammar School	Diocesan School	Synod	3	8	27%	0	4	1	43%	43%	0 out of 3	0	0 of 0

Council / Board	Org. Type	Appointing Organisation	Gender comp. actual numbers (female)	Gender comp. actual numbers (male)	% Females elected by Synod (regardless of reqs) (a)	# female only positions	# male only positions (b)	Org w reqs precluding women (incumbency, male only) (c)	% Females on seats open to either sex (d)	% Females elected or appointed to non-clergy positions (e)	% ABP appts (f)	# clergy female appted by ABP	# ABP clergy female appt as proportion of total # clergy females
The Council of the King's School	Diocesan School	Synod	1	9	10%	0	5	1	20%	20%	0 out of 1	0	0 of 0
The Mission to Seafarers, Sydney Port Committee	Diocesan Committee	Synod	0	3	0%	0	0	0	0%	0%	0 out of 0	0	0 of 0
Western Sydney Regional Council	Diocesan Org	Synod	1	5	17%	0	2	1	25%	25%	0 out of 1	0	0 of 0
William Branwhite Clarke College Council	Diocesan School	Synod	2	5	40%	0	0	0	29%	25%	0 out of 2	0	0 of 1
Wollongong Regional Council	Diocesan Org	Synod	2	9	18%	0	5	1	33%	33%	0 out of 2	0	0 of 0
					28%				31%	35%		2	2 of 11

#### Comments -

Summary table above of all current Synod/Standing Committee elected positions on Diocesan boards, committees and councils. The data, as at 5 May 2018, excludes appointments by the board itself and ex officio positions however does include Archbishop appointments.

(a) - total women elected by Synod (excl. Archbishop appointments).

(b) - men only positions across elections and appointments (eg incumbency).

(c) - "1" indicates that the organisation has any position which is effectively for men only (ie incumbents or "a man" or "clergy man").

(d) - the number of women in positions open to either sex (i.e. excludes positions only for women, and only for men).

(e) - any females appointed or elected to non-clergy positions, divided by total number of non clergy positions.

(f) - the number of Archbishop-appointed women out of the total number of women on the committee.

Actual number of female clergy elected or appointed to any committee (and # men for comparison): 11 female clergy across 13 appointments (2 women appointed to more than one committee); 98 male clergy across 123 positions.

*The Registrar's Department notes the complexity in calculating "total" number of female clergy rather than under a list of different categories.*



# Human Sexuality Pastoral Guidelines

## 34/15 Diocesan Doctrine Commission report on Human Sexuality

(A report from the Standing Committee.)

### Key Points

- At its session in 2015, the Synod requested guidelines to be developed that would help people to care pastorally for those who are same sex attracted as well as for their family members and friends
- Guidelines developed in response to Synod's request are attached to the report
- Synod will be asked to encourage Rectors to share the guidelines to people involved in pastoral care in their parishes

### Purpose of the report

1. The purpose of this report is to respond to Synod resolution 34/15 in respect to pastoral guidelines for pastors as they minister to Christians (and their family and friends) experiencing same-sex attraction.

### Recommendations

2. Synod receive this report.
3. Synod, noting the report *Human Sexuality Pastoral Guidelines* –
  - (a) encourage rectors to provide the guidelines, *Same-Sex Attraction: A pastoral guide*, to people who are involved in pastoral care in their parishes, and
  - (b) request the Standing Committee to consider how the guidelines might be published in a form that would be helpful to a wider audience.

### Background

4. At its session in 2015, the Synod passed resolution 34/15 in the following terms –  
 'Synod thanks the Sydney Diocesan Doctrine Commission for its recent publication *Human Sexuality & the Same-Sex Marriage Debate* and commends it to the churches of the Diocese for the clarification and confirmation of the biblical theology of human sexuality and commits to pray for those in our community who identify as lesbian, gay, bisexual, trans or intersex (LGBTI).  
 Synod requests Standing Committee to continue its work of developing pastoral guidelines for pastors as they minister to Christians experiencing same-sex attraction, their family and friends, and their churches; and that a committee be formed of sufficient size, breadth of experience, and expertise to accomplish this, to report to Synod in 2017.'
5. In order to address the request of the resolution, the Standing Committee formed a committee chaired by Bishop Chris Edwards to develop the guidelines. The committee has met 15 times.
6. Developing guidelines that are helpful across the Diocese proved to be a difficult task. The committee reviewed similar guidelines from other organisations around the world, which often ran over 100 pages in length. While some of these had helpful ideas, most failed to provide succinct, simple suggestions for ways to provide pastoral care. Instead they presented theological opinions on the issue of same-sex attraction, oftentimes unhelpfully.
7. A first draft which ran to 50 pages was presented to the Standing Committee in 2017, but was returned to the committee for further work. It was considered that theological issues within the draft were not beneficial in the guidelines, and the document should be shorter and in a form that would be easy for use in a parish context.
8. The committee returned to the task, and among other things, considered the format of guidelines addressing pastoral care for people in other circumstances. The committee settled on the presentation in the schedule to this report. Its brevity and format are considered by the committee to be a helpful way of highlighting pertinent issues in a succinct manner.
9. The committee does not consider the format to be attractive in a visual sense but hopes the Standing Committee might consider how the guidelines might be published in a form that would be helpful to a wider audience.

For and on behalf of the Standing Committee.

BISHOP CHRIS EDWARDS  
*Chair of the committee*

14 September 2018

## **Same-Sex Attraction: A pastoral guide**

### **Theology**

- Know the key biblical texts that speak of homosexual sexual activity and develop a robust biblical theology of sex, gender and marriage, based on the wide sweep of biblical teaching and not just 'proof texts'.
- Know the arguments around the interpretations about the specific passages that refer to homosexual sexual activity.
- Differentiate theologically between same-sex orientation/attraction and same-sex sexual activity.
- How do you think theologically about same-sex 'orientation'? Are you consistent in the way you consider what is and isn't sin in this area compared to others?

### **Maturity**

- Be patient with each person as you listen to their struggles and gently guide towards maturity in Christ.
- Remember sexual attraction is only one facet of a person's life. Don't treat same-sex attracted (SSA) people as 'single issue Christians', encourage holistic maturity and sanctification.
- Each SSA person will approach their struggle differently. We need to help people think through God's guidance, singleness and marriage, celibacy, loneliness and more.
- Remind the SSA person that the gospel holds out both the hope of future glory, and the joys of life in Christ now.
- Many SSA Christians will have previously encountered "affirming theology" and may have found it emotionally engaging. How can you equip yourself well to respond to theologies like this?

### **History**

- The pastoral needs of a person who has grown up as a Christian and hasn't engaged in regular sexual activity, are very different to that of a person who has turned to Christ from previous sinful practice.
- A person's cultural background will likely affect how these issues are seen by their primary support network. For example, eastern and western cultures often view same-sex attraction differently.
- Where family dysfunction, abuse in formative years, or mental health struggles are present, there will need to be extra pastoral support.
- Be aware of the way SSA Christians have been treated in the past, and how that affects their perception of the present. This may mean some topics are of particular sensitivity, and understandably so. When might it be appropriate to apologise for past hurts the church has caused people?

### **Emphasis**

- Remember same-sex attraction and same-sex sexual activity are different. Struggling with a temptation towards a certain sin is not the same as engaging in the sin.
- Bear in mind in today's cultural climate SSA Christians (and those close to them) may feel a higher level of guilt and shame when compared with other Christians.
- Treat an SSA person and their issues of temptation and sin as you would a heterosexual person who is tempted to sin sexually or in other areas. For example some pastoral responses can feel heavy handed even if they are wise and well meant.
- When might you consider seeking advice or referring people to others?

### **Holiness**

- The key to holiness is pursuing identity, joy and satisfaction in Christ, along with the other benefits of the Christian life including church family and Christian friendships.

- Like all Christians, the fight for holiness is real. The SSA Christian ought to be encouraged to resist sin and temptation. Many SSA Christians will often have a deep awareness of these issues.
- Create a culture of strong friendships within the church, especially ones where people can be open, accountable and vulnerable about temptation struggles.
- While acknowledging that sexual orientation can be fluid for some, don't endorse so-called 'conversion therapies'. Holiness is the goal of the Christian life, not heterosexuality.
- Pornography is deeply unhelpful for any progress in Christian holiness. Accountability structures can be extremely helpful. Don't allow awkwardness to prevent you from recommending good practice. Computer software that restricts or reports pornographic material strengthens defences further. What other steps might someone take to help them guard against seeking satisfaction in anything or anyone other than Christ?

## Sin

- When a person sins, every attempt should be made to restore them gently, holding out that the Christian life is one of repentance and faith.
- Be aware of the greater level of shame the person caught in same-sex sin may feel.
- Facing up to sin is an opportunity for spiritual growth but which also involves complexity and pain. This is particularly the case if the sin involves a romantic/emotional relationship.
- Going through church discipline and restoration is potentially a time when someone will be most vulnerable to falling away. Make sure the person is linked with another Christian (perhaps yourself) for help and support.
- When would it be appropriate to withdraw someone from serving or leadership in ministry? Where have you seen pastoral responses to sin modelled well?

## Language

- Be quick to listen and slow to speak. Never use language that you know could be offensive.
- Assume and speak as though SSA people are in the room (church, Bible study, youth group etc). Be especially aware of your use of personal pronouns like 'they' and 'them.'
- Be careful in your use of terminology, because some terms in this area mean different things to different people.
- Make sure that you don't speak as if the goal of the Christian life is marriage. Consider the impact this way of speaking has on the celibate Christian.
- What words can helpfully be used to describe large church events, services? Would the SSA Christian who is committed to a life of singleness and celibacy feel included?

## Culture

- Make it clear that being same-sex attracted in itself is not an impediment to leadership within the church.
- Highlight illustrations, testimonies and examples of celibate SSA Christians active in church life. Their stories can be powerful examples of living for Christ. Foster a culture of listening to one another's stories, particularly to those who feel least heard.
- Promote hospitality, where life is lived and shared with others outside the modern western notion of a nuclear family.
- Think through the life of a celibate SSA person from age 20 to 80. What pastoral, relational and spiritual help would that person need at different points for which you could possibly establish structures in your church?
- Does your church have a written policy on leadership? Does it include a note on the need for holiness among leaders – and what holiness is like?

## 33/17 Licensing of Incumbents – Final Report

(A report from the Standing Committee.)

### Key Points

- In response to Synod's request in resolution 33/17 to 'develop and distribute resources to assist nominators who are involved in interviewing prospective rectors, that includes recommendations to discuss the prospective rector's future professional development', suggested questions have been developed for nominators aimed at encouraging a discussion about continuing professional development as part of the nomination process.
- Resolution 33/17 also envisaged a review of the draft *Healthy Parish Relationships Guidelines* noted at Synod in 2017. The Healthy Parish Relationship Guidelines have been developed to assist clergy, ministry staff and parish councils to understand their respective roles and responsibilities relating to their appointment or employment, in order to clarify expectations and assist in maintaining healthy parish relationships.

### Purpose

1. This report presents the Healthy Parish Relationships Guidelines and the suggested questions for nominators, and commends their use in the Diocese.

### Recommendation

2. Synod note this report, and –
  - (a) approve *Healthy Parish Relationships Guidelines* included as Attachment 1 to this report, and ask that these Guidelines be made available on a suitable website and promoted through –
    - (i) the Developing Rector's course,
    - (ii) a post-AGM circular to wardens (utilizing the contact details in Salesforce), and
    - (iii) online training delivered by agencies such as the Centre for Ministry Development and Ministry Training & Development, and
  - (b) ask the Registrar to include in the Guidelines for Nominators provided to parish nominators in accordance with clause 41 of the *Nominations Ordinance 2006* some possible questions about the matters raised in this report.

### Background

3. By resolution 33/17 Synod noted the Second Interim Report of the Licensing of Incumbents Review Committee and –
  - (a) by paragraph (b) of that resolution, "requested Ministry Training & Development to develop and distribute resources to assist nominators who are involved in interviewing prospective rectors, that includes recommendations to discuss the prospective rector's future professional development", and
  - (b) by paragraph (e) of that resolution, "noted the draft Healthy Parish Relationships guidelines, invited members to provide feedback to the Committee and endorsed the Committee's attention to this area".
4. By resolution 41/17 Synod noted the report Lifelong Ministry Development Guidelines and by paragraph (f) of that resolution "asked the Diocesan members of the Nomination Board, when considering a prospective rector, to discuss with the parish nominators the prospective rector's involvement in professional development".
5. The Licensing of Incumbents Review Committee (the Committee) comprised the Rev Andrew Bruce, Archdeacon Kara Hartley, Bishop Peter Hayward, Mr Peter Mayrick, the Rev Gary O'Brien, the Rev Gavin Poole, Dr Robert Tong and the Rev Phil Wheeler (Chair). The Committee met on 9 August 2018 to approve this further report of the work undertaken since the Synod last year to progress the matters identified in paragraphs (b) and (e) of resolution 33/17 and paragraph (f) of resolution 41/17.

## Discussion

6. A draft of the Healthy Parish Relationships Guidelines was included as Appendix 2 to the Second Interim Report of the Licensing of Incumbents Review Committee which was noted by Synod resolution 33/17.

7. One member of Synod provided quite detailed feedback on the Healthy Parish Relationships Guidelines and the Committee considered this feedback along with other suggestions from a number of senior clergy before settling on the revised form of the Healthy Parish Relationships Guidelines included as Attachment 1 to this report.

8. The Committee also considered the following suggestions for activities that would help promote culture change by referencing the Healthy Parish Relationships Guidelines in –

- (a) the Developing Rector's course,
- (b) a post-AGM circular to wardens (utilizing the contact details in Salesforce), and
- (c) online training delivered by agencies such as the Centre for Ministry Development and Ministry Training & Development.

9. A report responding to a separate resolution of Synod, *22/17 Appointment of Assistant Ministers and Stipendiary lay Workers*, has been promoted to Synod this year which includes recommended guidelines for the termination of appointments of Assistant Ministers. Accordingly the section in the attached guidelines regarding Termination of employment refers to the separate document, in anticipation of its adoption by the Archbishop-in-Council in some form.

10. A draft of the suggested questions for nominators was prepared by Ministry Training & Development and forwarded in April 2018 to Dr Robert Tong in his capacity as one of the lay persons elected by Synod to the Nomination Board.

11. The Committee has reviewed the draft suggested questions for nominators and a revised form of the suggested questions is included as Attachment 2 to this report.

For and on behalf of the Standing Committee.

THE REV PHIL WHEELER

*Chair, Licensing of Incumbents Review Committee*

26 September 2018

## **Healthy Parish Relationships Guidelines**

### **1. Preamble**

Church leadership is an indispensable part of Christ's body. Men and women are gifts to the church to "prepare God's people for works of service so that the body of Christ may be built up until we reach unity in the faith and in the knowledge of the son of God" (Ephesians 4:12-13).

When the church's leadership and people work together, under the authority of Christ, the church flourishes and provides the best environment for gospel growth.

On the one hand, the people are to "respect those who work hard among you, who are over you in the Lord and who admonish you" (1 Thessalonians 5:12). On the other hand, leaders are not to lord it over them and, "whoever wants to become great among you must be your servant" (Mark 10:43). Servant leadership is the way of the Son of Man who "did not come to be served, but to serve, and to give his life as a ransom for many" (Mark 10:45).

In all our relationships, grace and love must prevail but particularly when it comes to ministers' relationships with each other and the church.

A proper understanding of expectations goes a long way toward healthy parish relationships. This document is designed to assist churches and ministers to work together. It focuses on the relationships of a) the Rector to the church and b) the Rector to staff members.

The Parish Council of each parish could consider moving something like the following motion at the beginning of each ministry appointment.

'The Rector, wardens and Parish Council –

- (a) give thanks for God's gifts to the church and strive to live at peace for the sake of the gospel;
- (b) agree to the Diocesan, "Healthy Parish Relationship Guidelines" and;
- (c) agree to pray for those whom the Lord has given to provide leadership, teaching and pastoral care.'

### **2. Other relevant documentation**

We strive to relate to each other by grace and not by law. That said, the law is often based on good principles and knowing the law can actually lead to mutual understanding and hence better relationships.

These guidelines act as an omnibus document to help church workers through the maze of diocesan legislation. It is intended to work alongside existing legislation.

Listed here are some of the relevant documents that govern the way we relate in the church.

#### **2.1. Anglican Diocese of Sydney, Employment Relations Guidelines for Parishes**

A very useful document which provides guidelines for all parish workers including employees, independent contractors, voluntary workers and Assistant Ministers. While Assistant Ministers are not technically 'employees' these guidelines provide some broad principles for healthy work place relationships.

#### **2.2 Remuneration guidelines**

Remuneration Guidelines for Parish Ministry Staff are published by SDS on the SDS website on an annual basis.

#### **2.3 Ordinances & Acts of Parliament**

##### **2.3.1 Anglican Church of Australia Constitutions Act 1902, Clause 3(4) of the Schedule**

An Act of the New South Wales Parliament which allows the Synod of each diocese in NSW to determine by ordinance the circumstances in which a clergy licence may be suspended or revoked.

**2.3.2 Parish Administration Ordinance 2008**

This Ordinance requires any person who preaches and conducts services to be licensed or authorised by the Archbishop or Regional Bishop respectively.

**2.3.3 Nomination Ordinance 2006**

This Ordinance outlines the procedure for forming a nomination board and making recommendations to the Archbishop.

**2.3.4 Parental Leave Ordinance 2016**

This Ordinance outlines parental leave entitlements for clergy.

**2.3.5 Assistant Ministers Ordinance 2017**

This Ordinance outlines the procedures for appointing an Assistant Minister and how that arrangement may be terminated.

**2.3.6 Parish Disputes Ordinance 1999**

This Ordinance can be used by Parish Council in cases of dispute involving a church worker, which may involve mediation.

**2.3.7 Parish Relationships Ordinance 2001**

If a 65% majority of a Parish General Meeting determines that there is a relationship breakdown between the Rector and parishioners, in certain circumstances, a licence review process may be invoked.

**2.4 Statutory law**

Stipendiary lay workers will be subject to various Commonwealth and New South Wales employment laws. Although these do not usually directly apply to licensed clergy, they provide helpful information for reference.

**2.5 The Ordinal and Solemn Promises Ordinance 2011**

Clergy make important promises at their ordination. Anglicans take these very seriously and in some jurisdictions may even be legally binding.

**3. Church relationship with staff****3.1 Rector****3.1.1 Employment status**

The Rector is considered an officeholder, not an employee. He is licensed to a parish by the Archbishop of Sydney.

This is an unusual “employment” status and doesn’t directly correspond with other secular employment arrangements. Clergy licensing is governed by the Constitution and various ordinances of the Synod.

Since the ordained ministers (Rectors and Assistant Ministers) are regarded as officeholders, the Sydney Diocese Employment Relations Guidelines recommends that care be taken not to enter into an employment contract.

**3.1.2 Nomination process**

The nomination process is governed by the *Nomination Ordinance 2006*. The process can be onerous for the parish representatives and can take many months, but it is an essential exercise to find the right candidate for nomination to the Archbishop.

Once a Rector is nominated and appointed by Archbishop, there is no going back. It can be difficult to remove a Rector, therefore choose wisely.

The parish elects five nominators at the annual general meeting. These people should be godly, prayerful, mature Christians, well known and committed to act in the parish's interest to see the gospel advance in the parish and beyond. In most years the nominators will be inactive however, careful thought and prayer should be applied every year as though they will become active.

Nominators should have a clear idea of the type of Rector that the parish needs. They should have ongoing discussions with the wardens. They should prepare a parish profile, in consultation with the Parish Council, and leaders across the church, outlining the ethos of the parish. The wardens prepare a parish vacancy form covering property and finances.

An important question is whether the parish needs a culture change for the sake of the gospel or ongoing improvement to the current culture. Nominators should seek a candidate who will lead such change or improvement.

Before the first meeting of the Nomination Board the regional bishop meets with the nominators to explain the process and offer advice as he will chair the Nomination Board (though does not have a vote). Parish nominators in consultation with the other members of the Nomination Board will commonly filter all available clergy to come up with a preferred list.

Narrowing down the preferred list of candidates will involve speaking to referees, relevant people (like their regional bishop) listening to recorded sermons and attending the candidate's current church (bearing in mind the sensitivity involved for that church).

The nominators must interview short listed candidates more than once. They should work hard to explain the uniqueness of their church and understand the candidates' strengths, weaknesses and characteristics, to determine a good fit. It is important to get beyond initial niceties. The nominators should consider the candidates they are pursuing and imagine any potential areas of conflict. This may direct their discussion with the candidates.

The candidates should make a careful study of the parish profile along with other research. They should communicate clearly to the nominators any significant cultural change that they believe may need to take place. It is disingenuous to surprise the nominators once in the position, as it is disingenuous to surprise the candidate as to the true nature of the health of the parish.

Seeking God's wisdom in prayer should undergird the nomination process at every step and the parish likewise should be encouraged to be regularly in prayer for an outcome that will honour God. Resources to assist nominators are available through the regional bishop, Ministry Training & Development and the diocesan Nomination Board members.

### **3.1.3 Rector's responsibilities**

Rather than a "job description" it would be appropriate to come to an advance agreement of the expectations the nominators (and parish) have for the Rector. The various responsibilities and expectations of the Rector are set out in the Ordinal. These should be phrased in terms of ministry outcomes, rather than specific duties. For example, it is better to state, "The Rector will be responsible for training volunteers for SRE ministry" rather than "The Rector will visit each SRE class on a frequent basis".

The Schedules to the *Parish Administration Ordinance 2008* state, "The minister has general responsibility for the spiritual welfare of the parish and each church in the parish and for this purpose has powers, rights and duties in accordance with his licence and authority from the Archbishop."

The agreement should not contradict or repeat that already stated in the *Parish Administration Ordinance 2008*. However, it may include agreement as to how this is practised within the uniqueness of a particular parish.

According to the Schedules to the *Parish Administration Ordinance 2008*, the main financial function of the wardens are, "to ensure the proper management, security and financial administration of all money and other property of the church (except money or other property for which the wardens are excluded from exercising this function by the trusts on which such money or other property is held)". They may also appoint certain paid workers, with the concurrence of the Rector and the parish council. While the Rector determines the duties performed by ministry staff, the wisdom of the wardens and other lay leaders will invariably be helpful in setting out responsibilities and duties of staff as they serve the congregations.



Wardens are also responsible to keep order in each church property and its grounds.

Put simply, the Rector is responsible for the “spiritual welfare” of the parish and the wardens and parish council for “temporal matters”. In reality it is not quite that simple. The temporal matters can be managed in a way that facilitates the spiritual welfare of the church, so it is important for the Rector and wardens to work closely together. The Rector should consult the wardens and parish council on matters regarding spiritual welfare and vice versa. If the two do not work well together, disagreement and discord can easily result. The Rector should meet with wardens at least monthly, in addition to a monthly parish council meeting.

### **3.1.4 Rector’s entitlements**

A Rector should have access to normal entitlements, however, given the uniqueness of his position, flexibility is required. For example, a Rector may need to perform ministry duties during public holidays. He is responsible for his own time management, ensuring that he has sufficient rest with minimal disruption to the parish. It is not appropriate for a Rector to accrue leave in lieu of unused public holidays.

A parish should encourage professional development by budgeting for it. Such a budget may include locum payments during study leave.

A Rector should give ample notice for leave. He may negotiate with the wardens additional study leave when it is considered to benefit the ministry of Rector to the parish.

Any arrangements made between the Rector and wardens should be documented for the sake of clarity (e.g., minutes of wardens’ or parish council meetings, email confirmation, etc). It is important that current wardens understand and respect agreements made between the Rector and previous wardens. Wardens often change and it can be frustrating for the Rector to have to remind, educate and sometimes renegotiate agreements made in the past. If conditions have changed, wardens may want to renegotiate an agreement with the Rector. It is not acceptable simply to ignore a previous agreement. For example, 10 years ago the Rector negotiated with wardens that a housing allowance would be indexed in line with rental prices in the local area. This agreement was ignored by subsequent wardens and parish councils who failed to budget for an increase in his housing allowance.

Where possible, the wardens should ensure that benefits and entitlements are provided so that the Rector can personally flourish and grow, for the sake of the gospel. In cases of uncertainty, it is better to err on the side of reasonable generosity.

### **3.1.5 Professional Development**

It is important for the Rector to be involved in ongoing Professional Development (PD). Ministry Training & Development administer a program to help ministers in the types of PD they should undertake and gives accreditation.

The Lifelong Ministry Development (LMD) guidelines requires (a) A ministry development plan, (b) A minimum of 30 hours LMD activities per year and (c) Journal entry for each hour of LMD activity. The LMD approved PD activities allow much scope for the Rector to develop a PD plan suited to his and the parish’s needs.

### **3.1.6 Regular review**

It is recommended that a review be conducted with the wardens on a regular basis. This should include an open and honest discussion about the things the Rector is doing well and the areas in which he could improve, preferably based on a previously agreed set of objectives.

It should be two way and the Rector may make certain requests of the wardens in order to facilitate and encourage the ministry.

Resources are available through the Centre for Ministry Development and Ministry Training & Development to assist with such reviews.

### **3.1.7 Disagreements**

It is expected that most disagreements will be dealt with personally and directly within the church following biblical principles. The Schedules to the *Parish Administration Ordinance 2008* state, 'The policy of the Anglican Church of Australia in the Diocese is that any dispute between the Rector and any of the members of this Church should be solved in a prayerful and pastoral manner, having regard to the rights and duties of those persons, rather than by legal decision.'

Occasionally a disagreement may escalate to a formal dispute requiring the Bishop or action pursuant to an ordinance. If this is the case the parties should refer to the *Ministry Standards Ordinance 2017*. In the case of personal disputes, it may be necessary to use a mediator that both parties approve.

Conflict resolution can be time consuming and sometimes feels like a distraction to ministry. Conflict resolution requires careful communication and patience. If done properly, it may consume much time but will ensure that ministry flourishes. Many disputes escalate because they were not addressed early and bitterness, misunderstandings and hurt take root. Application of the biblical virtues of courage, humility, repentance, forgiveness and forbearance must constantly be practiced by all leaders and members.

The *Diocesan policy for dealing with allegations of unacceptable behaviour* provides helpful guidelines when a disagreement involves a church worker.

## **3.2 Rector and Staff**

### **3.2.1 Purpose**

Paul writes to the Philippians *"I thank my God every time I remember you. In all my prayers for all of you, I always pray with joy because of your partnership in the gospel from the first day until now, being confident of this, that he who began a good work in you will carry it on to completion until the day of Christ Jesus."* Phil 1.3-6

This section of the guidelines is designed to help staff teams of paid and voluntary workers serve together in a healthy gospel partnership that brings joy to each other and advances the work that God is doing in each parish of our Diocese.

They should be discussed in each parish and applied to the circumstances of each staff team and the context where they serve. Resources are available through the Centre for Ministry Development and Ministry Training & Development to assist staff teams work well together.

### **3.2.2 Appointment**

The appointment of any staff member is a long and complex matter and needs considerable care to ensure that there is real clarity on the ministry partnership that is being entered into. It is important to understand the fundamental difference between a lay staff member (who will be an employee and therefore subject to certain provisions of the Fair Work legislation) and an Assistant Minister (who will be an office holder licensed to the parish). The Employment Relations Guidelines available on the secure SDS website is designed to assist in this process and cover many important areas for the Rector (with the wardens and parish council) and staff member to discuss, agree on and document.

### **3.2.3 Clear role description**

A written role description outlining the primary and secondary responsibilities of each team member brings clarity for each member of the team. It allows each member to be focused in their work, avoids confusion and potential conflict, and provides a basis for being able to assess how each member is performing. It is also a good place to document expectations around flexible working arrangements, location, hours and any special conditions. This role description should be negotiated and agreed on before a position is offered and accepted. It is helpful for a discussion to take place every year in the review process (below) about how the role description matches the reality of what is being done. Changes in the functioning of the staff member or the role description can be discussed and agreed on at this point. (See Appendix A for a pro-forma).

### 3.2.4 Regular review

It is expected that the Rector should meet regularly one-on-one with all staff to coach, disciple and review.

It is also recommended that a more significant annual review for each staff member involving their “review team” be used to set goals for each year and then assess how they are going in achieving those goals, what additional resources or help might be needed or what changes need to be made to the goals. A review team could consist of the team member (and their spouse where appropriate), the Rector, a warden and one or two members of the church selected by the staff member.

Ministry Training and Development offer a workshop explaining a Pastoral Review Process. The Centre for Ministry Development also offer a workshop on People Management

### 3.2.5 Termination

The formal procedures that need to be followed in the termination of a clergy person is the *Assistant Minister Ordinance 2017*, and in the case of a layperson, the *Fair Work Act 2009*.

There may be a whole range of factors that lead a Rector to decide to terminate a staff member’s appointment or employment in the parish. Sometimes the role may become redundant due to the changing financial situation or needs of the parish. In the case of a redundancy the Rector needs to be mindful of the minimum community expectations applicable to employees (particularly to the Fair Work calculator). At other times the need for a termination may be performance related or result from the unsuitability of the staff member to carry out the ministry needed. With a performance related termination the Rector should be aware of wider community expectations relating to reviews, goal setting, warnings and the importance of proper process, including the opportunity for appeal. Whether the proposed termination is a redundancy or performance related it would be wise for the Rector to seek legal advice from the SDS legal team to ensure that all the appropriate steps have been taken and the action planned satisfies both secular law and diocesan ordinances.

All our relationships as Christian co-workers should be marked by love, openness and honesty. A regular review process should provide the mechanism for open discussion on how a staff member is fulfilling their role in the parish. If a Rector is not happy with a staff member’s conduct, performance or capacity in the ministry it is essential that this is discussed openly with a view to addressing those concerns. This is best formally documented and confirmed by both Rector and staff member so there is an objective record of what reviews and discussions have occurred. It should not come as a “surprise” to the assistant minister if the Rector has issues with their performance and a termination is discussed. The staff member needs to understand the Rector’s concerns and be able to share their perspective with a view to agreeing on a way forward.

Under clause 7 of the *Assistant Ministers Ordinance 2017* the Archbishop-in-Council may issue guidelines with respect to the termination of appointments made under that ordinance. It is anticipated that for this purpose, Synod may request the Archbishop-in-Council to consider approving guidelines which accompany the report, *22/17 Appointment of Assistant Ministers and Stipendiary lay Workers*, promoted to Synod this year.

### 3.2.6 Task and relationships

Ministry is not done in isolation - there are many tasks to be done. However, as we see in the passage above, ministry is also a partnership. Care must be taken to develop loving relationships within the staff team. This takes time and will involve opportunities to share, pray and read the Scriptures together.

### 3.2.7 Regular meetings

1. Staff team – Organised parish ministry requires weekly team meetings to coordinate and plan. These meetings also provide an opportunity to develop relationships within the staff team as you meet over a meal, read Scripture, share and pray for each other.
2. Days away – Sometimes the pressing matters of each week can dominate the weekly staff meeting and there is little time to discuss new ideas. Going away once or twice a year, as a staff team, for two or three days allows opportunity for a more extended time to discuss the ‘big picture’, new ideas of how ministry might be done as well as providing time to relax together.

3. One to one with Rector – a regular meeting (monthly – six weekly) one to one, between the Rector and each staff member, provides an opportunity to discuss matters in the team member's areas of responsibility and to provide feedback on how they are going personally and in their role.

### **3.2.8 Team covenant (how we work together)**

Developing a team covenant or agreement on how the team functions together can contribute significantly to team harmony. An agreement can cover things like how the staff team meet, how they function when members' responsibilities overlap, how to respond to other staff members' children or spouse if they serve in another staff member's ministry area, how to appoint leaders and how to resolve conflicts. Regarding team communication, it helps to clarify what things can be communicated via email and what would be better discussed in face to face conversations. An example of the sort of questions to be considered is attached as Appendix B. Further, if there is a church office which provides working space, clarify expectations for the proportion of time spent working in that space and time spent working at home.

### **3.2.9 Professional development**

Each staff member needs to continue to develop their convictions, character and competencies to enable them to continue to be fruitful in their ministry. The Rector and parish council need to agree on how much time each staff team member can devote to professional development and what financial support is available. This would cover conferences, courses of study, books and fees for mentors/courses and pastoral supervision.

Ministry Training & Development has established a professional development process called Lifelong Ministry Development (LMD) to provide an intentional, self-directed and accountable approach to help ministers maintain their zeal and fervour in serving the Lord (Rom 12:11). This provides a very helpful structure for professional development and provides accreditation. More details are available on the Ministry Training & Development website.

### **3.2.10 Outside ministry**

Each staff member needs to be committed to serve in ministry in their local church and is also encouraged to make a contribution to the wider church, through participation in diocesan boards and committees, beach missions, camps or missions. Staff members may have much to contribute here and in turn find encouragement and source new ideas from serving in other places. Furthermore, they may be able to take and train church members. The Rector and parish council need to agree on a policy.

### **3.2.11 Holidays, days off and time in lieu**

Annual leave is an entitlement to both lay-workers and clergy but public holidays are for lay workers only. Rectors with parish councils need to determine their own policy around public holidays for clergy staff. It is also important to agree on what the expectations are on days off for each staff member and how many nights are staff expected to be doing parish ministry. Also, following particularly busy periods provision should be made for time-off in lieu.

### **3.2.12 Stipend, allowances and other benefits**

The Guidelines for the Remuneration of Parish Ministry Staff are produced annually and are available on the SDS website. These guidelines provide detailed information on many different areas, however many of the provisions are guidelines only and need to be negotiated between the Rector (with the approval of the parish council) and staff member. This needs to be negotiated before an appointment is made, included in the letter of appointment and discussed in the annual review each year.

### **3.2.13 Socials**

Some opportunities for staff team members to socialise together, as well as with their spouse and children, can contribute significantly to building healthy relationships and team harmony.

#### 4. Concluding Remarks

The guidelines outlined in this document do not have legal force and cannot contravene State or Commonwealth legislation or diocesan ordinances.

It is expected that in most situations there will be gospel unity and peace involving church workers.

“Make every effort to live in peace with all men and to be holy; without holiness no one will see the Lord. See to it that no one misses the grace of God and that no bitter root grows up to cause trouble and defile many.” Hebrews 12:14

## Sample Position Description

# Position Description

Title	
Name	

## RELATIONSHIPS

Key Internal Relationships	Key External Relationships

## PRIMARY PURPOSE

In one or two paragraphs, state the main purpose of the role – use action words to define WHAT is done and WHY it is done.

## SCOPE & AUTHORITY

<i>Financial</i>	<i>Technical</i>	<i>People</i>

## KEY RESULT AREAS / KEY RESPONSIBILITIES

**KRA's** Clearly describes the major area of responsibility or activity, which is the focus of performance in this role.

**KR's** Are the key accountabilities / functions performed under each KRA. They describe what is to be achieved for each KRA (are not necessarily written as individual tasks)

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**CAPABILITY PROFILE**

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•

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**AUTHORISATION – Position Description****Minister and Wardens**

[insert names]

**Signature**

Date:

**Employee**

[insert name]

**Signature**

Date:

## **A Ministry Team Covenant – How we serve together**

Having clarity on how a team functions together can help reduce misunderstandings and promote good working relationships. Below are some areas to talk about and document in a 'Team Covenant'.

### **Meetings**

- When do we meet?
- What is the purpose of our meetings?
- What is the format?

### **What types of meetings do we have?**

- Weekly staff?
- One to one?
- Quarterly / vision / planning?
- Staff retreats?
- Socials?

### **Responsibility to make changes**

- What authority does each staff member have to make changes in their ministry area?
- Who needs to be consulted? How?

### **Appointing ministry leaders**

- What is the process of appointing ministry leaders?
- Who is consulted?

### **Leading other staff members spouse or children**

- How do team members relate to other staff member's family members who serve in their area of ministry?
- What is there is a difficult conversation needed?

### **Difficult conversations and conflicts**

- How are differences on the staff team to be resolved?
- Who needs to be consulted?
- When is the rector to be involved?
- What if the issue is with the rector?

### **Communication**

- What is the agreed way to communicate with each other?
- With other ministry leaders?



## Suggested Ministry Development Questions for Parish Nominators

### Introduction

There are many areas that need to be explored as nominators interview a prospective Rector. One suggested area is the ministry development of the candidate.

All Rectors or potential Rectors have undergone rigorous theological training at College. However, what have they done since then? How have they stayed fresh and what are they doing to continue to develop personally and in their abilities to lead a congregation well? Their responses to the four questions below will give you a helpful insight into the mindset and potential of the candidate you are interviewing.

### Questions

1. We are obviously interested in how our Rector is developing and growing personally and in their ministry abilities. What have been the big lessons you have learned over the last couple of years?
2. Are you involved in the Lifelong Ministry Development (LMD) process offered by the Diocese through Ministry Training & Development? What are your current development areas?
  - ☐ If they are not involved you might ask them what is their ministry development practice
  - ☐ Are they reflecting on their life and ministry and intentionally seeking to develop?
3. What are your current “focus areas” that you are seeking to develop in?
4. Where do you think you would like to develop in the future?

## Mission Property Committee

(A progress report from the Mission Property Committee.)

### Key Points

- Development applications (DAs) have been approved for three new church buildings
- Construction is to commence on the Stanhope Gardens church building in December 2018.
- Construction is underway to deliver a relocatable church building at Wilton and ministry residences at Riverstone by December 2018.

### DAs approved for new church buildings

1. The Mission Property Committee (MPC) obtained DA's for new church buildings at Stanhope Gardens, Leppington and Riverstone. Each building will comprise a 250 seat church auditorium and associated hall facilities and car parking areas. Approval has also been obtained to allow future expansion for up to 500 seats in the coming decades.
2. In February 2018 a DA was also lodged for a new church building at Marsden Park with approval anticipated by December 2018.
3. These new church facilities are required to provide for the growth of church plants in these high growth areas which each are to serve a forecast population of over 50,000. Stanhope and Marsden Park congregations currently rent facilities, with the Leppington and Riverstone congregations rapidly out growing current church facilities.
4. Stanhope Gardens is the first of these four new churches to be constructed. The detailed design has been completed and tenders are being sought from builders to allow commencement of construction in December 2018.



### New church construction to commence in December 2018

*MPC Stanhope Gardens site*

5. The construction of the Stanhope Gardens building is being funded by the Archbishop's New Church for New Communities (NCNC) in partnership with the MPC. The provision of these church sites was materially funded by all parishes across the Diocese through the Synod approved greenfields Land acquisition levy ordinance (the Ordinance). The MPC supports a proposal for Synod to continue this levy to allow acquisition of lands in areas of rapid population growth across the Diocese. New churches are required to meet population growth at Wilton Junction, Box Hill/Oakville, West Dapto and St Marys ADI.

6. A relocatable church building with capacity for 150 seats and 4 Sunday school rooms and associated amenities and car parking is under construction for location at the Wilton church site. With new families moving into the Wilton Junction area, the congregation has outgrown the existing heritage church building with a capacity of 40 seats. It is anticipated that the building will be completed by December 2018. The MPC will also continue the search for a new church site to be acquired to meet the long term growth of the Wilton Junction area. The relocatable building will accommodate growth over the next 5+ years after which it is planned to relocate to an alternative greenfields growth corridor.

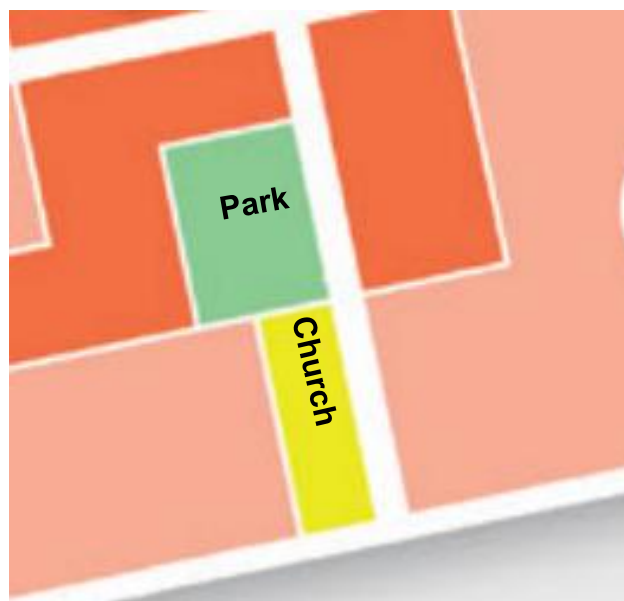


**Wilton Relocatable church building**

7. The MPC has commenced construction of ministry residences in partnership with Riverstone parish. These are to facilitate growth of the congregation while awaiting the construction of a new church building.

8. The MPC has partnered with the parish of Huskisson with Sanctuary Point to acquire a strategic greenfield site at Vincentia. This will facilitate the parish masterplan to sell the Huskisson and Sanctuary Point church sites and construct a new church building on the more centrally located Vincentia site.

9. The strategic location of a number of our future church sites has been recognised by the NSW Government in the release of its most recent planning controls. The lands at Bringelly and Rossmore are located within the Badgerys Creek Airport Aerotropolis and population growth corridors. The Marsden Park site is proposed to be located next to a new park and on a high profile corner location of two collector roadways.



**Strategic location - Infrastructure and future town centre:**  
MPC Marsden Park site

10. MPC continues to address priority property issues in support of the *Diocesan Mission 2020* and our 5 strategic objectives –



For and on behalf of the Mission Property Committee

TREVOR RATCLIFF

*Chair*

12 September 2018

## Proposal to financially support the Diocese of Bathurst

(A report from the Standing Committee.)

### Purpose

1. The purpose of this report is to outline a proposal to provide financial support to the Diocese of Bathurst to enable gospel ministry in its Anglican formation to continue in Western NSW.

### Recommendations

2. Synod receive this report.
3. Synod pass the following motion –  

“Synod, noting the report Proposal to financially support the Diocese of Bathurst, agrees in principle to provide financial support of \$250,000 per year towards the costs of a Bishop and his registrar for the Anglican Diocese of Bathurst for a period of six years, subject to the Bishop of Bathurst during that time having the written support of the Archbishop of Sydney.”
4. Synod include in its Synod Appropriations and Allocations Ordinance a line item of \$250,000 for the purposes outlined below.

### Discussion

5. Australia's first bishop was William Broughton, whose title 'Bishop of Australia' was changed in 1847 to become 'Bishop of Sydney and Metropolitan of Australasia'. In that year the mainland was divided up into four separate dioceses, namely Adelaide, Melbourne, Newcastle and Sydney (Tasmania had become a separate diocese in 1842). In 1870, the Diocese of Bathurst was formed, after the Bishop of Sydney considered the reach of Western NSW was too far for effective episcopal oversight. For the past 130 years this diocese has sought to grow Anglican churches across its vast geographic area through gospel proclamation under the leadership of its bishop.

6. In recent years, Bathurst has fallen on hard times. This has been in part due to the flow of people from the bush to the city, especially among young people, and the lack of employment opportunities in many parts of the State. Drought and bushfire have added to the woes of rural NSW. However, the poor administration of the diocese this century through its ill-advised spending beyond its means, most notably highlighted by its mounting debt with the Commonwealth Bank, plus the scandal of historical cases of child sexual abuse by church workers in the diocese, has brought the diocese to its knees, both spiritually and financially. The diocese is no longer able to pay for its Bishop or its Registrar from central funds, nor can it call upon its parishes to increase the significant contribution they currently make to fund these central services.

7. In February 2018 Bishop Ian Palmer met with the Archbishop and the Diocesan Registrar to talk frankly about the situation, knowing that the Diocese of Bathurst would be unable to fund his successor. From these frank discussions a level of trust developed, which enabled a plan to be developed. The overriding concern of the Archbishop and Registrar, endorsed by the Standing Committee, is that we do not want to see the demise of Anglican ministry in Western NSW. Bishop Barker's vision was to see the gospel expand and grow, with churches committed to Christ and proclaiming Christ in fellowship with their bishop. However, for this to take place, it is necessary that a bishop has the leadership skills and evangelistic passion suitable to foster the spiritual health of each and every parish, which in turn would restore the financial health of the diocese. To this end, it was suggested and agreed that if the Diocese of Bathurst were willing to elect a new bishop, with the approval of the Metropolitan, then this would be a tangible expression of partnership between our two dioceses, breaking down the symbolic 'Great Dividing Range', whereby we would reciprocate by investing in the funding of the Bishop of Bathurst and Registrar for a period of six years.

8. This arrangement requires the approval of both Diocesan Synods. The Sydney Standing Committee has indicated its in principle support of the proposal; and the Synod of the Diocese of Bathurst has enthusiastically expressed its support by resolution and ordinance at its recent session. It is an expensive proposal for the Diocese of Sydney. However, it is a proposal worthy of consideration, as it is probably the only proposal that will enable gospel ministry in its Anglican formation to continue in Western NSW. We have an obligation to our brothers and sisters in the Diocese of Bathurst, and indeed to those who live in rural NSW who are yet to hear the claims of Christ. There are many ways to spend money, but not all are strategic uses of such money. For the sake of the gospel, this proposal comes to the Synod.

### Proposed arrangement

9. The proposed arrangement is as follows –
  - (a) the Diocese of Sydney will provide \$250,000 pa to fund the episcopal and registry functions of the Bathurst Diocese or a period of 6 years, starting 1 January 2019,



- (b) the Diocese of Bathurst has amended its Bishop Election Ordinance 2006 to require that a person may only be elected Bishop if that person has the written support of the Metropolitan (the Archbishop of Sydney) and that the Metropolitan is able to nominate candidates for the position (along with several other related and consequential amendments).

10. The Diocese of Bathurst will continue as an autonomous diocese, retaining its existing structures and hence will continue to be solely liable for claims for redress and/or damages in legal proceedings, which will be met from the assets of the Diocese of Bathurst.

#### **Endorsement of the proposal at the Bathurst Synod**

11. Archbishop Davies was invited to attend the Bathurst Synod, held 14-16 September 2018, but was unable to attend due to prior commitments. Bishop Stead attended the Bathurst Synod on Saturday 15 September at the invitation of the Bishop of Bathurst, and participated in the Synod discussion in relation to the support proposal. Another member of Standing Committee, Mr Malcolm Purvis, attended as an observer but did not participate in the discussion.

12. On Saturday 15 September, the Synod of the Diocese of Bathurst unanimously passed (with no abstentions) the following motion –

‘This Synod –

- (a) Commits to proclaiming Jesus Christ as Saviour and Lord and through the Anglican Church in Central and Western NSW.
- (b) Recognises that sustainable Gospel ministry in our Diocese cannot continue without outside financial help.
- (c) Signals its willingness to accept the proposed financial support from the Diocese of Sydney, for the office of the Bishop and Registrar, of \$250,000 per year for six years to help revitalise Gospel Ministry in the Diocese.
- (d) Understands that this financial support is contingent on the Bishop Election Ordinance being amended so that nominees for the position of Bishop of Bathurst must have the support of the Metropolitan, but also understands that the Diocese of Bathurst will retain its independence, identity and integrity.’

13. Following the passing of this resolution, the Bathurst Synod then passed the Bishop Election Ordinance 2006 (Diocese of Bathurst) Amending Ordinance 2018. This was also passed unanimously with no abstentions. Specifically, clause 17 of the ordinance now allows the Metropolitan to nominate one or more candidates for consideration and clause 22(1) ensures that only those nominees who have the written support of the Metropolitan can become the Bishop of Bathurst. Clause 22(1) states –

‘22(1) The names of any persons nominated as candidates shall only proceed to a vote with the written support of the Metropolitan, provided that there must be at least 2 candidates who have the written support of the Metropolitan in order for voting to proceed.’

14. It is worth noting that the mechanism to elect a Bishop in Bathurst is quite different to that in Sydney. Whereas in Sydney, nominations are brought to the Synod and voted upon until an Archbishop is elected by the Synod, in Bathurst, a Bishop’s Nomination Board (consisting of 12 people elected by the Synod and one ex-officio member) elect the bishop.

15. On the final day of the Synod, Bishop Ian Palmer announced his intention to resign as Bishop of Bathurst on 27 April 2019. This will mean that an election for the next Bishop of Bathurst will take place during 2019.

#### **Commitment from the Diocese of Sydney**

16. The Synod of the Diocese of Sydney is being asked to consider a motion intended for the first night of Synod, which if passed would express support for the proposed arrangement. The Bill for the Synod Appropriations and Allocations Ordinance 2018 (the Budget Bill) includes a provision of \$250,000 for the purposes of –

‘funding the costs of the Bishop of Bathurst and his Registrar, provided that the Standing Committee is not authorised to apply such an amount unless the person who holds office from time to time as Bishop of Bathurst does so with the written support of the Archbishop of Sydney acting in his capacity as Metropolitan.’

17. The Budget Bill is intended to be considered on the second night of Synod, with the expectation that it be passed in a form consistent with the resolution from the first night.

## The Rationale for Sydney to make this commitment

### Ministry in Bathurst

18. The Diocese of Bathurst covers approximately 1/3<sup>rd</sup> of NSW, having 33 parishes, served currently by 17 full time (4 days per week or more) and approximately 8 part-time clergy, led by the Bishop.

19. The Diocese has a population of over 275,000 people, 67.3% (185,000) of whom identify as Christian, with 23.3% (64,000) identifying as Anglican and 16.2% (44,550) identifying as another Protestant denomination.

20. The percentage of “Census Anglicans” (23.3%) for Bathurst Diocese is almost double the percentage of Census Anglican in Sydney Diocese (12.1%). It is more than three times the percentage of Melbourne Census Anglicans (7.7%).



21. The NSW geographical region of “Central West & Orana District” more-or-less corresponds with the region of Bathurst Diocese, and is projected to grow from 285,500 people in 2016 to 308,950 people in 2036.<sup>1</sup>

### Ministry opportunities

22. The average population per parish in Sydney Diocese is 18,100. This means that the population of the Bathurst Diocese is approximately equivalent to the population of 15 Sydney parishes. This is an opportunity to invest for 6 years in gospel ministry that (we pray) will bear fruit for the Kingdom for decades to come.

23. As a Diocese, we invest \$2,000,000 pa towards the purchase of “greenfields” sites for future parishes in expanding areas of Sydney. For each new parish, we are prepared to spend in excess of \$5,000,000 in order to buy and build just one new church site. In contrast, an annual investment of \$250,000 for 6 years in Bathurst gospel ministry is a fraction of this amount, which has the potential to reach a far greater number of people. The multiplier effect occurs because Bathurst Diocese already owns its land and church buildings.

24. As a Diocese, we have supported the Diocese of Armidale. The Bathurst Diocese has a population 37% larger than Armidale Diocese, and has comparable percentages of “Christians” and Non-religious persons, and a slightly lower proportion of census Anglicans. If it makes sense to support Anglican gospel ministry in Armidale, then it makes sense to support Anglican gospel ministry in Bathurst.

	<u>Bathurst</u>	<u>Armidale</u>
Population	275,690	201,007
Census Christians	67.30%	66.70%
Census No Religion	20.50%	20.70%
Census Anglicans	23.30%	28.70%

25. There is already a precedent for providing financial support to other dioceses. Through our Work Outside the Diocese (WOD) committee, Sydney Diocese currently provides almost \$100,000 annually to support evangelical ministry in the Diocese of Armidale, the Diocese of the Northern Territory, the Diocese of North West WA and the Diocese of Tasmania.

26. The numbers and statistics quoted here are intended to provide a greater sense of the size, need and opportunity of the Bathurst Diocese. But of course, the key reason why Sydney should be prepared to provide financial support to Bathurst Diocese is for the sake of the hundreds of thousands of people who live in this region, and their continuing need to hear the saving message of Jesus. If we do not provide this support, it is likely that Anglican gospel ministry will contract and ultimately collapse in Bathurst – one third of the State of NSW.

“Nineveh has more than a 120,000 people who cannot tell their right hand from their left, and many cattle as well. Should I not be concerned about that great city?” – Jonah 4:11

<sup>1</sup> Source: NSW Government Central West and Orana Regional Plan, <https://www.planning.nsw.gov.au/plans-for-your-area/regional-plans/~media/9C3DD0CC6D1F4E27A7A6B76AB47092C5.ashx>, p.5. The largest growth will be in the Regional Centres (Bathurst, Orange, Dubbo etc).

**The implications if Sydney does not provide financial support**

27. A recurring objection to the provision of this financial support is that \$250,000 could be spent on mission initiatives, either in Sydney or elsewhere. There is no doubt that there are other ministry opportunities which could be advanced. However, one compelling rationale for providing this funding to Bathurst is found in the long-term implications of not providing this funding. These implications are outlined below.

28. In order to properly consider this matter, the Standing Committee in July 2018 requested the Sydney Diocesan Secretariat (SDS) to undertake a detailed financial review the financial status of the Diocese of Bathurst. The results of that review concluded *inter alia*, that –

- (a) if Bathurst's annual income and expenses continue in the quantum it has reported over the last three years, it is likely to operate at a moderate deficit,
- (b) with an annual injection of \$250,000 from the Sydney Diocese, Bathurst should cover its costs and also have the ability to –
  - (i) sustain a reduction in contributions from its parishes, and
  - (ii) fund a modest increase in its administration support that its Bishop regards as necessary to assist in operation of the Diocese.

29. The financial review also highlighted a potential shortfall in the ability of the Bathurst Diocese to meet ongoing professional standards claims. It is clear that meeting these claims will continue to be a financial burden upon the Bathurst Diocese. As a result of the expected quantum of claims, it is anticipated that all of the remaining income-producing property in the diocese will need to be sold over time, and some churches and rectories will also need to be sold.

30. Without a significant injection of funds from Sydney or elsewhere, the Diocese of Bathurst will not be able to afford to pay the stipend and other costs of a Bishop as its operational funds will be required for redress claims. Bathurst therefore will not be able to appoint a stipendiary Bishop after the retirement of Bishop Palmer. Thereafter, there are three scenarios for the Diocese of Bathurst –

(a) *Long Term Administrator*

Upon the retirement of the Bishop, the Regional Archdeacon automatically becomes the Administrator of the diocese. The Administrator has the responsibility of convening the Nomination Board to elect the next Bishop, but if they are unable to pay the stipend, then they are precluded from being able to elect a bishop. In this scenario, the diocese will remain in long-term administration.

The Administrator in this scenario will still have the responsibility for running his own parish, and so will have competing claims on his time to provide leadership to the ministry strategy of the diocese as a whole. Given the particular pressures relating to claims for professional standards matters, the already struggling diocese is in particular need of strong leadership over many years. Its absence will likely lead to the slow collapse of the diocese, with a paralysis of ministry and a diminution of assets, without any rethinking and reshaping of gospel ministry. It will also require the regular assistance of bishops from other dioceses to perform episcopal functions in the diocese (ordinations, confirmations, consecrations etc).

Sydney Diocese may still need to step in 'ten years' down the track, but with far fewer resources remaining in Bathurst to be able to do anything constructive.

(b) *Unfunded Part-time Bishop*

If, after a period of time, the Nomination Board is unable to elect a Bishop because of funding constraints, it may be necessary to convene a special synod to change the Bishop Election Ordinance so that a Rector in the diocese can be appointed as an unfunded part-time bishop.

Similar to option (a), the focus of such a bishop will be split between parish and the diocese, and is not likely to lead to the kind of strategic leadership and direction that the diocese desperately needs. This is also likely to lead to a paralysis of ministry and a diminution assets, and may still require Sydney's assistance 'ten years' down the track.

(c) *Bathurst "Surrenders" its property to Sydney (or another Diocese)*

Section 45 of the Constitution provides for a mechanism for a diocese to surrender its territorial jurisdiction to its 'mother' diocese (or another diocese). In the case of Bathurst, the Bathurst Synod



would need to pass an ordinance authorising the territorial surrender, and the Sydney Synod would need to pass an ordinance to accept the territorial expansion.

According to the Constitution, Bathurst would not automatically revert into Sydney Diocese if it becomes bankrupt, and the Sydney Synod would have the legal capacity to resist assuming responsibility for Bathurst's territory. However, in the event of the collapse of Bathurst (and assuming the likely scenario that no other Diocese was willing to take on Bathurst's territory), Sydney may feel strong moral pressure to prevent the collapse of the diocese, because that would leave survivors of sexual abuse with no avenue for redress.

Because of the historic mother-daughter relationship between Sydney and Bathurst, Sydney may feel particular responsibility for Bathurst, rather than being able to share the responsibility with the other 21 dioceses. This is especially so because Section 45 of the Constitution is the mechanism included in the Constitution for dealing with an unviable diocese, and envisages such a diocese surrendering its territory back to the mother diocese.

In the event that Sydney Diocese did accept the surrender of territory, the parishes of Bathurst would be incorporated into Sydney Diocese, its incumbents and lay representatives would become members of our Synod.

31. These three scenarios indicate that there is no expectation of a good outcome for gospel ministry in the Diocese of Bathurst without support from Sydney. Moreover, these three alternatives all illustrate the likely detrimental impact on the Sydney Diocese in the future if we do not act now, while there is still capacity in the diocese to rejuvenate ministry.

For and on behalf of the Standing Committee.

MICHAEL STEAD  
*Bishop of South Sydney*

18 September 2018

## Proposal to reclassify the status of the provisional parish of Rouse Hill to a parish

(A report of the Western Sydney Regional Council.)

### Proposal

1. The Proposal is to change the Provisional Parish of Rouse Hill to the Parish of Rouse Hill.

### Details of Meeting

2. A meeting of the Western Sydney Regional Council held on Thursday 14 June 2018 considered the proposal under clause 5 of the *Parishes Ordinance 1979*.
3. The Western Sydney Regional Council certifies that all procedural requirements under clauses 4 and 6 of the *Parishes Ordinance* have been complied with, and recommends that Synod raise the status of the provisional parish to parish.

### Parish Information

4. Anglicans have been meeting in Rouse Hill since 1862. Christ Church Rouse Hill was consecrated on the current church site in 1863. In the 1980's attendance dropped to the point of non-viability, and the assets of the Parish were transferred to the Parish of Kellyville. In 2004, in response to the significant growth of population in North West Sydney, Bishop Ivan Lee deaconed church planter Martin Morgan for the purpose of planting a new Anglican congregation in Rouse Hill. Assisted by the Rev Stephen Covetz, the then Assistant Minister of Kellyville Anglican, a new congregation was planted in the Rouse Hill Anglican College.
5. In 2008, with the assistance of the Mission Property Committee and the Vincent Fairfax Foundation, a new Ministry Centre was opened on the Corner of Windsor & Mile End Rds Rouse Hill, on the site of Christ Church Rouse Hill (the original church building).
6. Since its inception in 2004 the new congregation has continued to grow.
7. In 2008 an evening congregation was begun, and in the same year a new church plant was sent out from Rouse Hill Anglican to Stanhope Gardens, under the leadership of the Rev Stephen Reimer.
8. The Provisional Parish of Rouse Hill is a healthy, growing, sending church.

### Attendance and Activities

9. In 2018 the Provisional Parish has a weekly attendance of 173 adults and 79 Children and Youth (across the two congregations).

Congregation	Adults	Children (under 18's)
10am	111	70
5pm	62	9

10. Initially (2004-2007) Sunday Children's ministry was supported by Northmead Anglican church who generously supplied Children's leaders. In 2018 our Children's and Youth Ministry leaders are all members of RHAC.
11. In 2012, with the assistance of a grant from the Mother's Union, a weekly Kids Club was begun by our Families Outreach Worker, Natalie Walker. In 2018 the Kids Club leaders are all "home grown"; many having come through the Kids Club themselves. There is on average 40 Youth and 25 Primary Aged Children attending the weekly Youth Group and Kids Club on Fridays.
12. In 2016 the church began running School Holiday Kids Clubs, and many local families have been contacted through these. Scripture is taught in 3 local schools.
13. At present there are 14 Growth Groups meeting weekly. Since 2015 a consecutive string of able Student Ministers from Moore College have focused on discipling our Young Adults, and in that time they have grown our Young Adults from 1 – 3 Growth Groups. These Student ministers have also co-led our Christianity Explored courses with the Senior Minister. Over the past 2 years we have seen 7 people turn to Christ through this and the Welcoming follow-up ministry.
14. In 2012 the Parish began offering ESL once a week. In 2015 this increased to twice weekly. In 2016 we had students from ESL start attending church and a few a now active members.
15. In 2017 Parish Council made the decision to increase our staff team by appointing a Full-time Assistant for the specific purpose of leading, equipping and training our congregations in Outreach and local Mission.

16. In 2018 the Provisional Parish employs –
- (a) a Rector,
  - (b) a Full-time Assistant (Mission/Outreach) (begun 2018),
  - (c) a Part-time Youth Minister (this position increased from 3 to 5 days pw in 2014)
  - (d) a Student Minister.
17. Additionally, the Church is blessed with two further voluntary/honorary Staff members: a Families Ministry Worker (since 2012) and Office Administration worker (since 2016).

### **Summary of receipts and payments**

18. A summary of the financial position over the past three years.

<b>Receipts</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
Offertories	280,546	338,654	340,815
Rental income	11,990	12,685	20,703
Other receipts (incl. grants & interest)	30,784	26,496	30,159
<b>Total Income</b>	<b>323,320</b>	<b>377,835</b>	<b>391,677</b>
Expenses			
Stipends/Salaries	188,130	197,447	214,392
PCR	39,118	41,466	45,275
Property / Maintenance	49,616	46,790	37,902
Parish Admin	5,237	7,062	7,088
Ministry Expenditure	2,543	5,628	7,736
Other (equipment professional services, etc)	18,583	21,739	909
<b>Total Expenses</b>	<b>303,227</b>	<b>320,132</b>	<b>313,302</b>

### **Particulars of Church Property Held in Trust:**

19. The main church building was completed in 2008.
20. In 2016 with the assistance of the Mission Property Committee the Provisional Parish was enabled to acquire a rectory.
21. The Current property of the Provisional Parish:  
Church Complex, Church Hall & Contents, Rectory
22. Total Assets, including land: \$1,882,541.
23. There are loans totaling \$873,918 to the Mission Property Trust, relating to the Church Complex and Rectory. The repayments are fully serviced by congregational offertories, as per the arrangements with the MPC.
24. The Provisional Parish also has responsibility for a cemetery attached to the original/previous Parish of Rouse Hill. This responsibility is presently maintained by workers supplied by the Corrective Services Department.

### **Recommendation**

25. The Western Sydney Regional Council recommends that the Provisional Parish of Rouse Hill become a Parish from 1 January 2019.

For and on behalf of the Western Sydney Regional Council.

THE REV CANON MARK WILLIAMSON

5 September 2018

## 2/15 Tertiary Education Ministry Oversight Committee

(A report from the Tertiary Education Ministry Oversight Committee.)

1. The Tertiary Education Ministry Oversight Committee (TEMOC) was formed in 2009 and is responsible for the distribution of funds allocated by Synod to ministries operating in Universities and Vocational Education and Training (VET) institutions. The Committee is committed to supporting the development of evangelical tertiary ministries within the Diocese in accordance with the statement of vision, strategic priorities and core principles detailed in its report to the Synod in 2010 (refer to Synod Book 2010). A short video illustrating examples of work supported by TEMOC is available at <https://m.youtube.com/watch?feature=youtu.be&v=kZT43tVDveQ>.

2. The priorities and principles of TEMOC are summarised below –

- (a) Vision (paragraph 9, Synod Book 2010): Our vision is to grow Bible-based ministries on each university and Vocational and Education and Training (VET) campus in the Diocese that are –
  - (i) evangelistic
  - (ii) preparing students for a life-time of Christian service
  - (iii) particularly concerned to raise up future generations of vocational Christian ministers.
- (b) Core Principles (paragraph 10, Synod Book 2010): In addition to the values in the vision above, we want these university and VET campus ministries to –
  - (i) serve churches in partnership through training and equipping their members
  - (ii) as far as possible, work as a single united team on campus
  - (iii) develop effective ministry across the whole campus, including segments such as commuters, international students, postgraduates, staff and residents
  - (iv) have (Anglican) chaplains who will serve in these ministries, be recognised by the campus administration and advocate for the ministry.
- (c) Funding Model (Paragraph 11, Synod Book 2010): TEMOC funds are –
  - (i) to help initiate new work on tertiary education campuses
  - (ii) to help resource campus based ministry traineeships to encourage the raising up of vocational Christian workers
  - (iii) not to be the sole funding source for any campus ministry.

Funds are available under two schemes (with the quantum of each grant declining over a 2 to 4 year trajectory) –

  - (i) theologically trained workers
  - (ii) ministry traineeships

3. The members of the Committee are Professor Christopher Bellenger (Chair), the Rev Patrick Benn, the Rev Richard Blight, the Rev Robert Copland, the Rev Stephen Gooch, Mrs Catherine Miers (Secretary), Associate Professor Boyo Ockinga, the Rev Lisa Thompson and Canon Mark Williamson. Three members retire at each session of Synod.

4. TEMOC arranged a meeting of all Anglican University Chaplains with Archbishop Davies on 21 September. The agenda allowed for discussion of a range of tertiary student ministry related matters. The Archbishop encouraged the chaplains in their work in secular tertiary institutions with insight from the Bible's use of Hebrews and Babylonian names for Daniel and his three friends. Hospitality was kindly provided by Robert Menzies College. TEMOC would like to repeat this meeting on a biennial basis.

5. Following the 2017 Synod, the Committee (having met on four occasions) has –

- (i) reviewed reports from 2016 and 2017 grant recipients,
- (ii) confirmed funding allocations for 2018,
- (iii) called for and provisionally assessed grant applications for 2019.

6. The Committee was responsible for overseeing the distribution of the Synod allocation of \$100,000 to support Tertiary ministry in 2018. As in previous years grant applications were received for projects valued at more than twice the funds made available by the Synod. The committee considered each of the applications in accordance with the statement of vision, strategic priorities and core principles.

7. For 2018 a total of 10 grants were distributed. All projects were initiated by Anglican ministries in consultation with evangelical student groups on campus. Continuing grants are assisting in the CVET ministry at Meadowbank TAFE, ministry trainees at 3 universities and trained male and female workers at

2 universities. New grants support ministry trainees at 2 universities, international and cross-cultural outreach workers and an expanded chaplaincy ministry.

8. Funds for 2018 were distributed as follows –

Tertiary Focus	Organisation	Project Contact	Scheme	Ministry Focus	Grant 2018
Macquarie University	Robert Menzies College	Rev Tim Mildenhall	Theologically Trained	Women's Chaplaincy	\$5,000
Meadowbank TAFE	West Ryde Anglican	Rev Mal York	Theologically Trained	Outreach to International Students	\$5,000
UNSW	Unichurch	Rev Carl Matthei	Theologically Trained	Commuter Ministry	\$20,000
UNSW	Campus Bible Study	Rev Carl Matthei	Ministry Trainees	Ministry Trainees	\$18,000
UNSW	Campus Bible Study	Rev Carl Matthei	New Ministry Trainees	Ministry Trainees	\$18,000
USyd	AFES	Rev Patrick Benn	Theologically Trained	Cross Cultural Outreach	\$10,000
UOW	AFES - Wollongong	Rev Rob Copland	New Ministry Trainees	Ministry Trainees	\$6,000
UOW	AFES - Wollongong	Rev Rob Copland	Ministry Trainees	Ministry Trainees	\$4,000
WSU Campbelltown	Campbelltown	Adam Richards	Ministry Trainees	Ministry Trainees	\$4,000
WSU Parramatta	Dundas Anglican and CBM Parramatta (AFES)	Rev Alistair Seabrook	Ministry Apprentice	Long Term Ministry Apprentice	\$10,000
TOTAL FUNDS					\$100,000

9. Several members of the Committee have direct involvement in student ministries on campus which from time to time are grant applicants and - on occasion and after due process - may also become grant recipients. The Committee maintains a Conflict of Interest Register and any member with a conflict of interest does not advocate for their application in committee or vote on its approval.

10. The Committee considered reports on all the projects funded in 2017. The reports confirmed the application of funds to the specified project and provided details of outcomes achieved from grant funding.

11. Reports from 2017 Grants also reinforced the impact these grants are making in expanding ministry to tertiary students and raising up a new generation of gospel workers.

12. Some quotations from our grant holders –

"Next year I am planning to go to bible college, to continue training in ministry and then possibly head towards mission. The skills I have learnt through my apprenticeship in student ministry will be beneficial in any area of ministry in which I work in the future."

"The TAFE students we are reaching are from a variety of cultural and religious backgrounds, often mature-aged, and most have been in Australia less than 5 years. Many have had no prior contact with Christians or evangelical churches."

"One of the highlights has been seeing an international student became a Christian after a long time counting the cost"

"I am hoping to go into further ministry working as a chaplain or support worker in schools"

"We recruited two new and capable trainees to work in the residential students ministry"

"I am interested in serving at university campuses after graduating from Moore Theological College – whether in Australia or overseas."

"One of the highlights was seeing students grow in their understanding of the Bible and their desire to reach their friends and their campus to share this understanding with them."

13. TEMOC continues to encourage new initiatives in TAFE and CVET ministry and members are available to consult with any parishes considering outreach in this underdeveloped field.

14. The committee has called for applications for new and continuing projects in 2019. A total of 11 applications requesting over \$392,000 have been received. Final decisions on grants will be made following the October meeting of Synod. In 2019 TEMOC has been asked to help fund as many as 36 young graduate ministry trainees. We would appreciate the prayers of members of our churches that these trainees will continue the wonderful work of our previous recipients and fruitfully serve the Lord Jesus either in vocational ministry or as life-long gospel partners in church, family and work here in Sydney and around the world.

For and on behalf of the Tertiary Education Ministry Oversight Committee.

PROFESSOR CHRISTOPHER BELLENGER  
*Chairman*

5 September 2018