



## **Diocese of Waiapu**

# **Responsibilities of Vestry Members & Parish Wardens**

- from Canon I of Parishes
- Commonly asked questions

As at June 2015

**A Selection of Clauses taken from Canon 1 of Parishes - (Amended Synod September 2010).**

**DEFINITION OF A PARISH**

A viable parish needs to meet and maintain the following benchmarks:

- Eucharistic gathering at least monthly.
- An adequate contribution (determined by Standing Committee) to Diocesan Funds.
- A minimum of 12 committed people to form a vestry and a ministry team.
- Some form of communication with the whole parish roll (newsletter, phone tree, website etc).
- An ability to offer regular hospitality to parishioners and others, including access to a kitchen and toilet facilities.
- A living relationship with Anglican or ecumenical social service providers.
- Commitment to fostering bi-cultural partnership locally or regionally.
- Commitment to be represented at regional and diocesan gatherings and training events.
- Commitment to ministry with young people and families, both within and outside the regular worshippers, subject to constant review and renewal.
- Actively shared, trained and updated pastoral care programme.
- Regular opportunities for teaching, renewing and discovering faith.

**RESPONSIBILITIES OF VESTRY MEMBERS**

“**Vestry**” means the body elected at the Annual General Meeting of the parish to order the financial business and management of property and the ongoing life of the parish. In the case of Co-operating Ventures, this may be a Parish Council.

Vestry shall consist of;

- a) Not less than three nor more than ten baptised parishioners, clergy or lay, whose names are on the Electoral Roll, together with;
- b) The Church Wardens.
- c) The Lay Synod Representative.
- d) The Employed Lay Staff Advocate.
- e) Sub-district representative
- f) Vicar and other stipendiary clergy or local shared ministry clergy representative.
- g) Other licensed clergy are entitled to attend as are all parishioners and have the right to speak but not to vote. (4.5)

In each parish there shall be no more than two church wardens and one vestry, but in any parish in which there are one or more sub-districts, each such sub-district having a place of regular worship, may have a committee consisting of all clergy licensed for work in the parish and of not more than six persons elected from and by the parishioners of such sub-district of whom one shall be a member of the vestry, elected to so act by the annual meeting of such sub-district. The persons so elected shall have the same powers as those members of Vestry elected at the Annual Meeting of parishioners, provided that in the event of there being more than four such sub-districts in a parish the maximum membership of vestry as provided in Clause 3.4 may be increased by the election at the annual meeting to a number equivalent to those elected by the sub-districts in excess of four. (4.10)

The church wardens, vestry and auditors shall continue in office until their successors are appointed. (4.11)

In the event of the Annual Meeting of parishioners failing to elect a people's church warden, auditor or the minimum complement of vestry members, the meeting may delegate to the elected vestry members the power to fill any such vacancies. This is subject to the chairperson of vestry having advised the Standing Committee of such failure to elect and the resolution of delegation having been agreed to by that committee. (4.12)

The vestry shall have the power to fill casual vacancies for the ensuing year, unless vacancies shall have so reduced the number on Vestry that a quorum cannot be convened. (4.14)

**Vestries will:**

(7.1 is the descriptor which can be given to prospective vestry members prior to an Annual General Meeting which provides a clear job description for the role they are to undertake).

- Ensure that clear and achievable goals with realistic strategies, are set and reviewed annually, building on the strengths of the Parish community.(7.1.1)
- Ensure the provision of ministry, which provides for accountability, regular review and support for the work of the ministry leadership offered by the vicar and/or ministry leadership team as delegated and licensed by the Bishop. (7.1.2)
- Work within the rules of governance set by the Diocesan Synod and Bishop as delegated to the regional executive and vestries. (7.1.3)
- Ensure good communication is maintained between all members of the parish community. (7.1.4)
- Maintain effective networks of information and shared purpose between the parish and the sub-region, region, the appropriate Regional Deans, Diocese and Anglican Care Waiapu. (7.1.5)
- Support the work of Anglican Care Waiapu through partnership in the delivery of social services and where appropriate representation on local service management committees. (7.1.6)
- Be good employers of parish lay staff on behalf of the Diocese, and to monitor professional boundaries and behaviour following the Diocesan 'Best Practice Guidelines.' (7.1.7)
- Provide consistent, mission focused and future oriented planning of finances, property maintenance, and leadership succession. (7.1.8)
- Ensure effective administrative systems are transparent, assessable and consistent. (7.1.9)

- Monitor the workload of the parish to ensure it is appropriately delegated and widely shared. (7.1.10)

Regular meetings shall be held at least four times a year, and Special Meetings may be convened at such other times as the vicar, chairperson or church wardens shall think fit, or at the request of a majority of the vestry. (7.2)

No business shall be transacted at any meeting of a vestry unless a majority of the lay members are present, nor without the presence of the vicar, the clergy representative in a local shared ministry parish or one of the church wardens. (7.3)

Minutes of the proceedings and resolutions of every meeting of parishioners or of vestry shall be correctly entered in a minute book and signed as a true record. (7.4)

All contracts and undertakings, lawfully entered into by the Diocese, the Waiapu Board of Diocesan Trustees or the Waiapu Anglican Social Services Trust Board (WASSTB) on behalf of the vestry, shall be binding upon their successors in office from year to year, until such contracts and undertakings are fully complete. (7.5)

All income received by or on behalf of the parish, subject to the regulations of Diocesan Synod, shall be under the control of the vestry and no expenditure shall be made without the sanction of the vestry. (7.6)

Vestry may appropriate a portion of the parish funds to the relief of the poor or to other charitable objects, such portion to be disbursed at the discretion of the vicar, if there is one, or by the church wardens. (7.7)

The management and use of church land and buildings shall be determined by vestry in partnership with the vicar, if there is one.

The keys to all church buildings shall be held by the Vicar in a vicar-led parish and wardens in other forms of parish. (7.10)

In the event of the vestry failing or refusing to allow, approve or sanction the use of parish land or buildings by any person, that person shall have the right to appeal to Standing Committee against such failure or refusal. Standing Committee may in its discretion either refuse or allow the proposed use of the property and the decision of Standing Committee shall be final. (7.11)

In the event of any disagreement between the vicar or church wardens and the vestry or the parishioners or between members of the vestry with regard to any matter subject to this Canon an appeal may be made to Standing Committee, whose decision shall be final. (7.12)

Vestries should budget responsibly for the upkeep and operations of all parish buildings and invest funds for the long term maintenance of those buildings. (7.13)

Each parish shall maintain as Archives such of its records and registers as the diocesan synod may determine from time to time having due regard for such guidelines as have been or may be issued by the General Synod Archives Committee. (8.1)

The formation and management of the music ministry and the choir, including the selection of church music shall be subject to the control and direction of the vicar in the case of a vicar led parish and the vestry in other forms of parish. (8.2)

(In a Vicar-led Parish)

In accordance with Clause 7 of this Canon, vestry meetings will ex officio be chaired by the vicar or co-vicars; but where the vicar/co-vicars so desire, they may delegate this responsibility. (10.3)

The appointment of any person to a paid lay staff position in a parish, shall be made by the vestry subject to the approval of the vicar. Such employees are deemed to be employees of the Diocese and will have a contract and job description. (10.4)

## **Local Shared Ministry Parishes**

Local clergy shall require election by parishioners on the electoral roll at the annual meeting to become a vestry member/council member. (11.6)

One of the clerical members of the ministry team shall be chosen annually by the clerical members of the ministry team to be the clergy representative on vestry. (11.7)

General parish meetings and meetings of the vestry shall be convened and chaired by an elected chairperson who shall have a substantive as well as a casting vote. (11.8)

Vestry shall elect one or more of their number to chair vestry meetings for all or part of the vestry's term of office. (11.9)

Responsibility for promoting and resourcing the ministry and mission of the parish is delegated by vestry to a Ministry Leadership Team, formed from a balance of lay ministers and locally ordained clergy (no less than 2). Where that balance cannot be achieved, vestries of neighbouring parishes in a region can form a regional Ministry Leadership Team. Partnerships with Tikanga Maori can also be involved in such sharing of ministry arrangements. (11.10)

## ***RESPONSIBILITIES OF CHURCHWARDENS***

### **Appointment & Election of Wardens:**

At the conclusion of the financial year an Annual General Meeting shall be held to receive reports on the life of the parish, from the Vicar or Clergy representative, **churchwardens** and Treasurer and to hold elections for the ensuing year. (4.1)

The Annual Meeting of the parish will also conduct the following business:

- a) Hear the announcement of the name of the Church **Warden** appointed by the Vicar or Bishop.
- b) Elect the **People's Church Warden**. (4.2)

In every parish there shall be no more than two **church wardens**, being baptised parishioners, who have been registered for a period of not less than four months on the parish electoral roll. (4.3)

The **church wardens**, vestry and auditors shall continue in office until their successors are appointed. (4.11)

In the event of the Annual Meeting of parishioners failing to elect a **church warden**...the meeting may delegate to the elected vestry members the power to fill the vacancy. This is subject to the chairperson of vestry having advised the Standing Committee of such failure to elect and the resolution of delegation having been agreed to by that committee. (4.12)

If the **people's church warden** is unable to continue in office because of death, resignation or any other cause, a special general meeting shall be called as soon as is convenient to elect a replacement. (4.13)

If the office of **vicar's church warden** shall at any time become vacant by death, resignation or otherwise it shall be the duty of the vicar to appoint some other fit person to fill the vacant office and give notice in writing of such appointment to the vestry. (10.2)

### **Responsibilities of the two churchwardens**

(9.1) The duties and responsibilities of the **church wardens** are the same and include the following:

- a) Each parish may have two people who shall be known as the **church wardens**. One is elected annually by the parishioners entered on the Electoral Roll. The other warden is appointed by the vicar or the Bishop on the recommendation of the Ministry Team where there is no vicar.
- b) Financial oversight as listed in 5.1 to 5.7:
- c) Maintenance of the Parish Electoral Roll.

- d) Special responsibilities in the time of ministry transition including providing satisfactory evidence of means when the Parish is considering a new appointment.

The **church wardens** shall ensure that a report is made to the vestry at least quarterly. This would include a statement of Income and Expenditure, matched against budget, and a Statement of Financial Position. (5.1)

The **church wardens** shall prepare, or cause to be prepared, Financial Statements, including a Statement of Financial Position, of the assets and liabilities of the parish, together with a Statement of Financial Commitments for presentation to the Annual Meeting These Financial Statements shall be audited by a member of the Institute of Chartered Accountants of New Zealand, (or by any other person duly authorised by the Standing Committee) (5.2)

The Financial Statements to be submitted by the **church wardens** at the Annual Meeting of parishioners shall consist of:

- I Statement of Financial Performance
- II Statement of Financial Position
- III Statement of Financial Commitments
- IV Auditor's Report.

An Annual Budget shall be prepared by the **church wardens** and approved by vestry before submission to the Annual Meeting of parishioners for adoption. (5.3)

The **church wardens** shall request from the auditor a written report upon the following matters:-

- I. The examination of the Financial Statements conducted in accordance with generally accepted auditing standards.
- II. Whether all the information and explanations considered necessary were obtained to provide sufficient evidence to give reasonable assurance that

the Financial Statements are free from material misstatements.

- III. Any other matter deemed by the auditor to be within the scope of the audit. (5.4)

The **church wardens** shall provide the auditors with a Letter of Representation in the format required by the Auditors, to enable them to form an opinion as to whether the Financial Statements give a true and fair view of the financial position of the parish. (5.5)

A copy of the Financial Statements together with the Auditor's Report, both in the form prescribed by the Standing Committee, shall be sent by the **church wardens** to the Diocesan Registrar not later than the 15<sup>th</sup> June in each year. (5.6)

**Other duties of wardens** see 7.2, 7.3, 7.7, 7.10, 7.12 on pages 5 and 6

### **Electoral Roll**

In each parish, there shall be kept an electoral roll. This roll is to be maintained by **the wardens** for the purposes of enrolment by parishioners for voting purposes. Every baptised person, who has for the last four months participated in the worship and the life of the parish, may enrol on the parish electoral roll.

The person seeking enrolment should have **either** signed the declaration in the following form, **or** they should be known to the **wardens** and vicar (if there is one) to be qualified for enrolment.

### **Vacancy in a Vicar-led Parish:**

If any parish is vacant at the time fixed for the appointment and election of the **church wardens**, vestry and auditors, the people's warden shall be elected by the parishioners on the electoral roll and the other warden shall be appointed by the Bishop. The convening and chairing of the annual meeting during a vacancy shall be in the hands of the church wardens until such time as new church wardens are elected or appointed. (10.7)

The vestry shall meet as soon as convenient after the declaration of a vacancy, with one of the **church wardens** as chairperson, and with the Diocesan Registrar or a deputy in attendance, to consider the ability of the parish to fund the stipend, allowances, pension and other payments associated with a possible new appointment and the provision of adequate housing, and shall provide satisfactory evidence to the Diocesan Registrar, who shall then inform the Bishop, in writing of the outcome of the meeting. (10.8)

The Bishop will initiate the process of making a new appointment (usually by delegating arrangements to one of the Bishop's Chaplains and will include a Consultation with the parish). This may include the announcement of the vacancy through Bishop's newsletters, to allow expressions of interest, and the taking of advice on the need for a transitional ministry. (10.9)

The Bishop may appoint a Transitional Minister (who may be either lay or ordained) who shall have responsibility for guiding the parish through the process to a new stage of ministry. (10.10)

The Transitional Minister may not be considered for appointment to the vacancy, except at the discretion of the licensing Bishop. (10.11)

At the Consultation the facilitator will ensure that parishioners on the electoral roll elect three qualified persons, who together with the **people's warden**, will serve as parish nominators on the Board of Nomination, as detailed in Canon 7 "Of Ordained Ministry Appointments", section 4: *Parish Nominators*. (10.13)

#### **Appointment of clergy other than vicars, or assistant curates**

When a parish wishes to appoint an Assistant or Associate Priest/Deacon, or make any licensed clergy appointment other than a vicar or assistant curate, the vestry shall appoint three suitably qualified persons, who together with the **people's warden**, will serve as parish nominators, for the purpose of that appointment only. (10.16)

### **Local Shared Ministry Parishes**

Each parish shall have a **church warden**, to be elected annually by the parishioners on the Electoral Roll and the Bishop may biennially appoint a second **church warden**, lay or ordained on the recommendation of the Ministry Team. (11.4)

If the office of **church warden** appointed by the Bishop shall at any time become vacant by death, resignation or otherwise it shall be the duty of the Bishop to appoint some other appropriate person on the recommendation of the Ministry Team to fill the vacancy.

## Commonly asked Questions in a Parish

### **Q1. Can lay people attend vestry, and do they have the power to speak?**

Any parishioner can attend a meeting and they can speak but cannot vote. Vestry may decide to go "into committee" to discuss sensitive matters and will then ask non members to leave. (4.5g)

### **Q2. What is the power/authority of a parish general meeting?**

The Annual General meeting has the purpose of electing officers and receiving reports. (4.4) The AGM elects the vestry to act on its behalf. (1.3) Because a vestry carries the ultimate responsibility in a parish an Anglican general meeting is unlike a Presbyterian or Baptist meeting where the final say lies with the general meeting. [The Anglican polity regarding decision-making on behalf of a parish is by delegation, not representation. While parish delegates (vestry members, wardens, synodsperson or any other role to which a person has been elected) are always wise to ascertain the views of parishioners, they are not bound by these views, but rather are encouraged to listen to the debate when attending Vestry/Parish Council, Synod etc and vote according to their wisdom in the light of (a) what they have heard and (b) aware of parish feelings. But in the end the vote of a delegate is theirs, the parish body electing them to the role having "put their trust" in the person.]

When the parish is faced with a significant decision such as sale of land or building a church, the vestry would be wise to call a general meeting to ascertain support for such a project. However the general meeting can only recommend to the vestry what action it should take.

### **Q3. What authority does a vestry have?**

Vestry orders the financial business and management of property and the ongoing life of the parish, (1.3). In a vicar-led parish there is a partnership between vestry and vicar. The tasks of a vicar are to order the preaching and the worship of a parish as well as guiding the life of the community, (c.f. licence of vicar)

In the event of a disagreement between vestry and parishioners, an appeal may be made to Standing Committee. (7.12)

**Q4. What exactly does the "declaration of submission" mean?**

When we declare our submission to General Synod (or to the bishop) we are accepting the oversight and authority of General Synod (or the bishop). It does not mean that we are giving the bishop permission to tell us what to do, or what to believe. It does mean that if we go astray from recognized and agreed guidelines we are subject to discipline.

**Q5. Can people serve on Vestry as representatives of a sub-district or "daughter church" when they are not living in the area of the sub-district or "daughter church"?**

There is no reason why not, provided that at the annual meeting of the sub-district the person is elected from and by the parishioners of the sub-district. (4.10) A feature of today's world is that people attend a church that is far from their residence and they may cross more than one parish boundary to attend.

**Q6. To whom are the clergy & lay stipendiary ministers answerable?**

The vicar and assistant clergy are not responsible to the vestry but to the bishop to whom they are licensed. (So a vestry can't sack a priest). (7.1.2)

Licensed lay ministers (youth workers etc) are employed by the Diocese and responsible to the bishop (through the vicar) by licence.

**Q7. Do licensed lay ministers receive a stipend, or are they regarded as employees of the Diocese?**

Licensed lay ministers are employed by the diocese, even though they are hired by the local vestry. (10.4) Employment agreements are available from the Diocesan Registrar and once the agreement has been personalised to the particular position the new employee and the Diocesan Registrar sign the copies – not the vicar, chair of vestry/parish council etc.

### **Q8. Do the wardens and vicar together form an executive?**

They may do so, though there is no direct guidance in the canons. However Canon 1 gives wardens and vicar particular responsibilities over and above the rest of the vestry, and it would make sense for them to act together.

### **Q9. What are the lines of accountability for the various kinds of social services as they relate to a vestry? How does one go about establishing a parish-based social service?**

1. For small pastoral services e.g. food bank, toy library or meals for the street people where most of the labour is voluntary and no government funds are involved the Vestry should be in sole charge, The Diocese will hold liability for any accidents, incidents or other insurable risk, the Diocese will also act as the employer of staff and volunteers under its HR policies. Management and oversight is with the Parish. Anglican Care Waiapu may be asked to offer advice and policy assistance. (See WASSTB Management Manual)
2. For social services such as an early childhood centre, community care or day care for older people, community development and or community focused social services which involve contracts with government funding agencies, where programmes are monitored by external agencies, or where there is a high level of risk as in a counselling centre dealing with violence, sexual abuse and where paid staff are involved Anglican Care Waiapu shall manage the risk, sign all contracts, provide professional support and oversight, be the designated employer and have authority to oversee all financial transactions. Where the service is located within a Parish owned property, Anglican Care Waiapu will enter into a Memorandum of Understanding regarding the rental and maintenance of the property.
3. In the case of a Parish becoming a partner with a community group to provide a service, Anglican Care Waiapu will be the employer and hold liability as set out for Parish Based services. A Memorandum of Understanding shall set out the agreement between the parties on matters of accountability, reporting and

service management, etc. The policies of Anglican Care Waiapu shall apply.

4. To establish a social service, guidelines are available in the WASSTB Management Manual available from the Chief Executive of Anglican Care Waiapu at the Diocesan office.

**Q10. What is the difference between ‘governance’ and ‘management’ at vestry?**

Governance involves setting goals, formulating strategies, developing policies and plans, and being accountable for outcomes. Management is the implementation of the goals, strategies, policies and plans. It involves the day-to-day “nuts and bolts” of making a parish run usually carried out by the vicar, staff and laity.

**Q11. How many people are there on vestry?**

Canon (I) 4.5 reads: Vestry shall consist of:

- h) Not less than three nor more than ten baptised parishioners, clergy or lay, whose names are on the Electoral Roll, together with;
- i) The Church Wardens.
- j) The Lay Synod Representative.
- k) The Employed Lay Staff Advocate.
- l) Sub-district representative
- m) Vicar and other stipendiary clergy or local shared ministry clergy representative.
- n) Other licensed clergy are entitled to attend as are all parishioners and have the right to speak but not to vote.

This means that in a parish with one sub-district nominee, one associate priest and one Employed Lay Staff Advocate it would be possible to have a maximum of 17 vestry members. The average vicar-led parish will have 10 members plus vicar, 2 wardens and a synod representative making 14.

**Q12. Is the Treasurer on vestry?**

Only if elected to vestry at the Annual General Meeting. It is good practice for the vestry to appoint a finance sub-committee with one of its members as the chairperson. A treasurer should be a member of this

sub-committee and may be invited to attend vestry meetings if not already a member.

**Q13. How does the vestry appoint a vestry secretary?**

A vestry may appoint one of its members as a minute secretary, or it may ask a parishioner to act in this role. A non-elected secretary has the right to speak but not vote.

**Q14. Is it permissible for a husband and wife to be vestry members?**

It is legally possible but not wise practice. Similarly, the spouse of the vicar may be elected to vestry but again this may not be wise practice as it raises the possibility of boundary crossing.

**Q15. Can lay parish staff be on vestry?**

It is legally possible but not practical. The appointment of lay staff is made by the vestry subject to the approval of the vicar (and they become employees of the Diocese of Waiapu). (10.4) In order to keep boundaries clear it is not good practice to make an employee a member of the employing body.

**Q16. What does a Licensed Lay Staff Advocate do?**

People employed in lay ministry may appoint an Advocate (who shall be on vestry 4.4). The Advocate will be concerned with employment conditions and the general well-being of any employed lay ministers, and it is suggested this also include lay clerical staff (though the canons do not say so).