



**ANGLICAN DIOCESE OF WAIAPU**

**A GUIDE FOR  
VESTRIES AND  
WARDENS**

July 2017

# INTRODUCTION

## A. THE MISSION OF THE CHURCH

1. The Church is the body of which Christ is the head and all baptised are members, believing that God is one and yet revealed as Father, Son and Holy Spirit - a Holy Trinity, recognising God as Creator, Redeemer and Sustainer, and
  - (a) lives to be the agent and sign of the Reign of God
  - (b) is called to offer worship and service to God in the power of the Holy Spirit
  - (c) as the community of faith, provides for all God's people, the
  - (d) turangawaewae - the common ground

### 2. The Church

- (a) is ONE, because it is one body under one head, Jesus Christ
- (b) is HOLY, because the Holy Spirit dwells in its members and guides it in mission
- (c) is CATHOLIC, because it seeks to proclaim the whole faith to all the people to the end of time
- (d) is APOSTOLIC, because it presents the faith of the Apostles and is sent to carry Christ's mission to all the world:

### 3. The Mission of the Church includes:

- (a) proclaiming the Good News of God's Reign
- (b) teaching, baptising and nurturing the new believers within eucharistic communities of faith
- (c) responding to human needs by loving service
- (d) seeking to transform unjust structures of society
- (e) striving to safeguard the integrity of creation, sustaining and renewing the earth

## B. MEMBERSHIP OF THE ANGLICAN CHURCH IN AOTEAROA, NEW ZEALAND AND POLYNESIA

### 1. The Anglican Communion

The Anglican Church in Aotearoa, New Zealand and Polynesia is part of and belongs to the Anglican Communion, which is a fellowship of duly constituted Dioceses, Provinces or Regional Churches in communion with the See of Canterbury, sharing with one another their life and mission in the spirit of mutual responsibility and inter-dependence.

### 2. Ecumenical Commitment

This Church entered into an Act of Commitment in 1967 with the Presbyterian Church of New Zealand, the Methodist Church of New Zealand, the Associated Churches of Christ and the Congregational Union in New Zealand; in 1986 accepted the principle of Unity by Stages; and, continues to pray and work for the unity which Christ builds.

### **3. Bicultural Development and Partnership**

On the basis of the Gospel and by the Treaty of Waitangi signed in 1840, as the agreed basis for future Government and settlement of New Zealand, this Church is committed to the principles of partnership and bicultural development which require it to:

- (a) advance its mission, safeguard and develop its doctrine and, order its affairs, within its own tikanga (Pākehā)
- (b) be diligent in prescribing and keeping all avenues open leading to the common ground (with tikanga Māori)
- (c) maintain the right of every person to choose any particular cultural expression of the faith.

### **4. The Constitution/Te Pouhere**

Te Runanga o Te Pihopatanga o Aotearoa and the General Synod of this Church meeting together in general conference in November 1990, covenanted with each other and agreed to certain amendments and revisions of the Constitution to implement and entrench the principles of partnership between Maori and Pākehā and bicultural development, and to incorporate and extend the principal provisions of the Church of England Empowering Act 1928; following on this, the General Synod/te Hīnota Whānui of the Church in Hamilton in 1992, adopted the Constitution of the Anglican Church in Aotearoa, New Zealand and Polynesia - Te Pouhere o Te Hahi Mihinare ki Aotearoa, ki Niu Tireni, ki nga Moutere o Te Moana Nui a Kiwa - which is the basis of the Constitution under which the Anglican Diocese of Waiapu operates.

## **C. THE ANGLICAN DIOCESE OF WAIAPU**

### **1. Maori Origins**

The message of the Gospel of Jesus Christ was first brought to Māori in the Regions of the Anglican Diocese of Waiapu through fellow Māori who were brought to the Christian faith through their contact with Christian Māori among the Nga Puhi.

Thus a northern Māori named Pita, married to an Arawa girl, carried the new faith, in which they had been baptised when they first came to visit their relatives at Rotorua in the 1820s.

Similarly it was the labours of a Waiapu Māori, Piripi Taumata a Kura who had previously been captured by the Nga Puhi and instructed in the Christian faith in Northland, who returned to bring the Gospel to the Ngati Porou. A Waikato chief Ngakuku, the father of the murdered little girl, Tarore, on his baptism in 1839, took the name William Marsh, and became one of the early missionaries in the Ōpōtiki Region.

In the Taupō District in 1847, two Maori evangelists, Manihira and Kereopa, converts in the Wanganui District, lost their lives preaching the Gospel.

Matenga Tukareaho is reputed to have been the first preacher of Christianity in the Wairoa District.

The first ordination of a Māori, Rota Waitoa of the Ngati Raukawa of Otaki, took place in 1853. Rota Waitoa was stationed at Te Araroa where he laboured till his death in 1866.

## **2. Missionary Expansion**

From the times of Samuel Marsden in the early 1820s, the early Church Missionary Society missionaries made significant journeys to Tauranga and Rotorua, Maketu and later to the East Coast to establish mission stations. The Reverend Henry Williams had made five journeys to Tauranga by 1831. Mr W.T. Fairburn, one of the Church Missionary Society lay catechists, recorded a voyage to Tauranga in 1827. Mission Stations were established in Tauranga and Rotorua in 1834, and 1835, in Ōpōtiki at the end of 1839, and at Turanga (Gisborne) in 1840.

## **3. Diocesan Beginnings**

With the arrival of Bishop Selwyn in 1842, the Reverend William Williams was appointed the first Archdeacon of the Eastern District (all country East of the 176th parallel of East longitude - which includes all the present borders of a territory of the Anglican Diocese of Waiapu plus much of the Wairarapa).

In 1843, the Reverend A.N. Brown became the first Archdeacon of Tauranga which was subdivided off from the Archdeaconry of Waiapu.

On 27 September 1858, the Anglican Diocese of Waiapu was founded, and on 3 April 1859 the first consecration of a Bishop in New Zealand took place in Wellington - the consecration of Bishop William Williams, the first Bishop of Waiapu. Initially, Waiapu was a Māori Mission Diocese and certainly the first Synods were conducted in the Māori language.

The first Synod of the Diocese was held in Waerenga-a-hika in December, 1861.

After the sacking of Waerenga-a-hika, Bishop Williams moved his headquarters to Napier in January 1867. The Province of Hawke's Bay, which until then had been part of the Diocese of Wellington, was formally added to the Anglican Diocese of Waiapu on 14 June 1869. Subsequently Napier became the Cathedral city.

## **4. Evolving Partnership**

From this early Māori and Missionary evangelism, and with the growth of the settler church, there developed a network of pastorates, rohe, parishes and archdeaconries, united under the episcopal care of the Bishop of Waiapu, and the decision-making and fellowship of the Annual Synod.

Partnership was enhanced from 1928 by the hosting of the Māori Bishop of Aotearoa as Suffragan Bishop of Waiapu. This continued until the formation of Te Pihopatanga o Aotearoa in 1978.

Since the adoption of the new Constitution in 1992, the two Eastern regions of the Diocese, Eastland and Hawke's Bay, largely coincide with the work in partnership with the Pihopatanga o te Tairāwhiti. The Bay of Plenty region relates to te Pihopatanga o te Manawa o te Wheke.

Subsequent to the adoption of the new Constitution the Diocese and its Trust Boards entered with the Pihopatanga partners into a Resource Sharing exercise by which lands and

buildings, money and trusts, held by Waiapu for Māori work were transferred to their Trust Boards, and those held jointly were re-distributed on an agreed basis. In addition, there are some Trusts from which income is shared on a year to year basis, and an annual meeting of all three partners makes the appropriate decisions.

#### **D. REGIONALISATION OF THE DIOCESE**

On 16 April 1988, a Special Synod of the Diocese, the third session of the 47th Synod, was held in Napier for the purpose of establishing within the Anglican Diocese of Waiapu for the purposes of Mission and Ministry, the Archdeaconry of Tairāwhiti, which covered the Māori work throughout the whole Diocese, and three geographical regions, the Hawke's Bay Region comprising the parishes of the former Hawke's Bay Archdeaconry, the Eastland Region comprising the parishes of the former Waiapu Archdeaconry, and the Bay of Plenty Region comprising the parishes of the former Tauranga Archdeaconry.

In each of these geographical Regions was established a Regional Conference to meet at least annually, and a Bishop appointed with primary episcopal care for each Region.

The passing of the Constitution/Te Pouhere released the Archdeaconry of Tairāwhiti from its constitutional ties with Waiapu.

The Synod held in Napier on 17/18 July 1992 set in place the Canons and Regulations that, in terms of the Church's Constitution/Te Pouhere formally established Regional Bishops and the Regional Structure of the Diocese.

Subsequent reviews have strongly affirmed the regional structures.

*From the Canons as revised November 2016*

## IN A NUTSHELL ... WHAT IS VESTRY?

“**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 members**” means those people elected to the vestry.

*Canon 1 of Parishes*

### So Vestry ...

#### IS

A group of individuals who are ...

- ✓ United in the Holy Spirit
- ✓ Supportive encouragers and co-workers with the clergy
- ✓ Responsible for oversight of the parish’s operations
- ✓ The spiritual leadership of the parish
- ✓ Informed about the parish and life of the wider church

#### ISN’T

A group of individuals who are ...

- ✓ Each seeking to push their own views
- ✓ An extension of the personalities of the clergy
- ✓ Just another secular business management system

#### DOES

- ✓ Spend time in prayer
- ✓ Listen to each other and to parishioners
- ✓ Inform the whole parish of its business and decisions
- ✓ Arrive at unified decisions while aiming for consensus
- ✓ Delegate in order to use the gifts of all

#### DOESN’T

- ✓ Make decisions which they individually will not support themselves
- ✓ Disregard the wisdom of scripture, tradition and reason
- ✓ Ignore the insights of various cultures as represented on Vestry

## **RESPONSIBILITIES OF VESTRY**

### **Vestry shall consist of:**

- ✓ Not less than three nor more than ten baptised parishioners, clergy or lay, whose names are on the Electoral Roll, together with;
- ✓ The Church Wardens.
- ✓ The Lay Synod Representative.
- ✓ The appointed advocate for Employed Licensed Lay Staff
- ✓ Any Sub-district representative
- ✓ Vicar, stipendiary clergy or local shared ministry clergy representative.
- ✓ Other licensed clergy are entitled to attend as are all parishioners and have the right to speak but not to vote.

*Canon 1.4.5*

### **Role of Vestries**

- ✓ To model discipleship to the congregation as wardens and vestries/parish councils
- ✓ To assist the work of governance held by the Diocesan Synod and Bishop and delegated to regional conferences and vestries.
- ✓ To ensure good communication is maintained between all sectors of the parish community
- ✓ To maintain effective networks of information and shared purpose between parish, sub region, region and diocese through the regular meetings and the office of the Regional Dean
- ✓ To provide consistent, mission focused and future oriented planning of finances, property maintenance and leadership succession within the parish
- ✓ To ensure effective administrative systems and processes are transparent, accessible and consistent
- ✓ To monitor the work load of the parish to ensure it is appropriately delegated and widely shared
- ✓ To ensure all health & safety matters are monitored regularly minimising risk

### **Vestries will:**

- ✓ Ensure that clear and achievable goals with realistic strategies are set and reviewed annually, building on the strengths of the Parish community.
- ✓ Ensure the provision of ministry by providing 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.
- ✓ To work within the rules of governance set by the Diocesan Synod and Bishop as delegated to the regional executive and vestries.

- ✓ Ensure good communication is maintained between all members of the parish community.
- ✓ Maintain effective networks of information and shared purpose between the parish and the sub-region, region, the appropriate Regional Deans, Diocese and Waiapu Anglican Social Services.
- ✓ Support the work of the Waiapu Anglican Social Services Trust Board through partnership in the delivery of social services and where appropriate representation on local service management committees.
- ✓ Be good employers of parish lay staff on behalf of the Diocese, and to monitor professional boundaries and behavior following the Diocesan 'Best Practice Guidelines' (Employment Guidelines - People Matter – He Taura Tangata ).
- ✓ Provide consistent, mission focused and future oriented planning of finances, property maintenance, and leadership succession.
- ✓ Ensure effective administrative systems are transparent, assessable and consistent.
- ✓ Monitor the workload of the parish to ensure it is appropriately delegated and widely shared.

*Canon 1.7.1.1 to 1.7.1.10*

## **Who is eligible to be on Vestry and how are they chosen?**

Any lay person on the electoral roll (except someone who is a paid member of the parish staff for more than 9 hours per week) may be appointed to Vestry or hold other office in the parish. To be on the parish roll you need to be baptized. You also need to have taken part in the worship and life of the church for at least four months, or be known to be eligible by the Vicar and wardens (Canon 1.6.2)

If you are not seeking election as a Warden or Synod representative, you will need to be elected separately to Vestry by parishioners at the AGM. You must be nominated for Vestry and your nomination seconded by someone else on the parish roll, and you must give your consent to have your name put forward (Canon 1.4.6)

Once elected to Vestry, you must sign a declaration acknowledging the authority of General Synod (the governing body of the Anglican Church in New Zealand) (Canon 1.4.2)

## **How many people are required for Vestry?**

The Canon gives a broad range of three to ten elected Vestry members (Canon 1.4.5). The AGM usually decides the actual number needed in each parish.

## **How long is my term on Vestry?**

Vestry members are elected for one year. Vestry members continue in office until their successors are appointed. (Canon 1.4.11)

If a vacancy arises on Vestry the position may remain vacant or Vestry may appoint someone to fill the vacancy (Canon 1.4.12).



## **Who chairs Vestry meetings?**

Usually the Vicar chairs Vestry. However, if the Vicar is unable to attend or for some reason there is no Vicar, the Vicar's warden acts as Chair. Similarly, if the Vicar's warden is unable to attend or for some reason there is no Vicar's warden the people's warden acts as Chair.

If the Vicar wishes, Vestry may elect one of its members to chair Vestry meetings (Canon 1.7.8)

## **What quorum is needed for a Vestry meeting?**

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. (Canon 1.7.3)

## **Does notice need to be given of what will be discussed at Vestry meetings?**

Although not expressly required by the Canon, it is good meeting practice to have an agenda. Certainly there is a requirement for Vestry to keep full minutes (Canon 1.7.4.1)

## **How much detail should we get into at Vestry meetings?**

There is no simple answer to this. The smaller the parish and fewer the parish staff, the greater the chance is that Vestry will need to engage in detail. The larger the parish and greater the parish staff, the more important it becomes that Vestry does not engage in detail unless required to for a specific reason. Remember that Vestry is the parish governance body and needs to keep its eye on the big picture. It should not get involved in the management responsibilities of others unless specifically called for. Please see the comments Vestry's Governance Role in Appendix A for seven guiding questions to influence vestry discussion.

## **What is Vestry's responsibility to provide a vicarage?**

Vestry must provide a vicarage rent free in the parish for use by the Vicar and his/her family. The same applies to accommodation for other full time assistant clergy. If for any reason there is no vicarage, or the vicarage for some reason is unsuitable, a housing allowance approved by the Diocese must be paid instead. Currently the housing allowance is paid in accordance with Guide D11 – Clergy Home Ownership Regulations.

To make sure that clergy housing is suitable for use, the Diocese has a set of requirements for vicarages. These can be found in Guide D8-D10 – Clergy Housing Guidelines.

## **What responsibility does Vestry have for maintaining the church, hall and vicarage?**

Vestry must care for and maintain all these buildings and take responsibility for any alterations and improvements. To ensure proper repair and maintenance, Vestry must arrange for all buildings to be inspected at least once a year (Guide D14 – Inspection of Parish Property)

Each parish is expected to draw up a 10 year maintenance plan for parish properties. The plan should be accompanied by appropriate budget provision.

## **Is Vestry responsible for appointing the Vicar?**

The appointment of a Vicar is an appointment to an ecclesiastical office made by the Bishop in consultation with the parish. At the conclusion of the consultation process, and at a special meeting of parishioners called for the purpose, there shall be an election held to select three baptised parishioners who together with the parishioners' warden shall be known as the Parish Nominators and who shall represent the parish in all matters connected with the selection of a vicar for their parish.

No other ordained staff (other than the Vicar) shall be engaged in the parish without Vestry's approval.

## **What responsibility does Vestry have for the Vicar's well-being?**

The suggestion has already been made that Vestry members each take responsibility for the care and support of parish leaders and office bearers. Responsibility for the Vicar's well-being is the specific responsibility of the church wardens.

## **What is the responsibility of Vestry for health and safety?**

This is another instance where the general laws of New Zealand apply. As the governance body of the parish, vestry has a collective responsibility to ensure that health and safety is taken seriously in the parish and that legal requirements are met. Members of vestry also have an individual duty as 'officers' of the parish to exercise due diligence to ensure they educate themselves on the requirements of the law and that health and safety matters are appropriately dealt with.

To comply with the first part of this duty, vestry members must know about the Health and Safety at Work Act 2015.

## EXTRA RESPONSIBILITIES OF WARDENS

The Churchwardens are members of Vestry who have additional leadership responsibility in the parish. They should have full involvement in church life, wide knowledge of how the parish works, be willing to step in to help when needed and have good sense and judgement.

In particular, their role is to:

- ✓ Be lay leaders of the parish.
- ✓ Together with the Vicar, act in an executive management role.
- ✓ Liaise with vestry, parishioners and the Vicar.
- ✓ Be responsible for the parish during an interregnum, or if the Vicar is ill.
- ✓ Look out for the physical wellbeing of the Vicar and staff, and make sure they take their leave.
- ✓ Encourage and support the Vicar and his/her family.
- ✓ Ensure the decisions of Vestry are carried out.
- ✓ Let the Bishop know if the Vicar is unable to take Sunday services because of illness.
- ✓ Together with the Vicar, keep the parish roll.
- ✓ Chair parish and vestry meetings as needed.
- ✓ Apply for a faculty, together with the Vicar, for any change to church buildings.
- ✓ Financial oversight: *Note: The requirements of the Canon are out of date with current practice.*
  - 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.
  - 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 authorized by the Standing Committee.
  - 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.
  - 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.
  - 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.
  - 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.
  - The provisions of this Statute are applicable to all parishes.

*Canon 1.5.1 – 1.5.7*

To help wardens get to know parishioners and to be known by them, it can be helpful for wardens to:

- ✓ Welcome people to Sunday services.
- ✓ Act in a supervisory role, along with the sides-people, at any services with large congregations.
- ✓ Be 'generally available' so parishioners and others may speak to them about any concerns.

As lay leaders, wardens will often hear confidential information or be asked to handle sensitive situations. This may involve disputes between parishioners, or between a parishioner and the Vicar or other staff. Scripture advises those with a dispute to try and resolve matters themselves in the first instance. Wardens can encourage those with a complaint to pray about whether they can respectfully, safely and calmly resolve the matter with the other person, one to one.

If a matter cannot be resolved one to one, mediation may help. Wardens might offer to do this or choose someone recommended by the Diocese. Strict rules of confidentiality apply and no details may be disclosed to others unless all parties agree (unless a matter of immediately safety is involved).

If the matter is a serious ethical complaint, mediation is not appropriate and strict procedures must be followed. The Registrar must be told straight away.

## **What is the difference between a Vicar's Warden and a People's Warden?**

The Vicar's Warden is appointed by the Vicar before the election of office holders at the parish AGM; the People's Warden is elected by parishioners at the AGM (Canon 1.9.1) While coming into the role by different means, the duties and responsibilities of wardens under the diocesan canons are the same.

For example, both wardens are responsible for the Vicar's physical wellbeing, as well as that of staff. Traditionally, however, the Vicar's Warden has had a particular role in standing alongside and supporting the Vicar. Similarly, the People's Warden has traditionally had a role in standing alongside parishioners, hearing their concerns, and where appropriate, voicing them to the Vicar. Although not required, this may be a useful division of responsibility between the wardens.

## **How long is my term of office as Warden?**

Like other vestry members, the People's Warden holds office for one year until the following AGM, unless he or she resigns earlier by giving written notice to the Vicar or is re-elected for a further term. Likewise, appointment of the Vicar's Warden lasts for one year unless he or she resigns by giving written notice to the Vicar, or is re-elected for a further term.

If there is a vacancy for any reason in the office of Vicar's Warden, the Vicar must appoint a replacement as soon as possible and give the required notice of that appointment. If the office of People's Warden becomes vacant, a special general meeting of parishioners must be held as soon as practicable to elect someone else to that office (Canon 1.4.13).

## **What can I do to ensure the Vicar's well-being?**

As well as being available to talk things through and provide general support, you are specifically required to have concern for the physical well-being of the Vicar and other staff. This includes making sure that he or she takes regular leave.

In addition the Registrar will write to the Vicar and wardens reminding them of any excessive untaken leave by the Vicar, and about any excessive untaken leave by lay staff. Appendix B to this Guide contains useful information on *Leave Taking and Recording*.

## VESTRY MEETINGS

Some suggestions for your Vestry Meeting:

- ✓ Should be held at least quarterly (once a month is usual) on a set day and time.
- ✓ Remember vestry is a governance body, so don't get bogged down in unnecessary detail.
- ✓ If held monthly, consider alternating business meetings with an opportunity for 'big picture' thinking about the church's mission.
- ✓ Make good use of sub committees, especially if the parish is large.
- ✓ Start with a Bible study or other devotion led by a different person each meeting.
- ✓ The Vicar usually chairs the meeting but, if the Vicar wants, Vestry can elect one of its members as Chair.
- ✓ Start promptly and have an agreed closing time – although an extension can be agreed. The optimum meeting time is one and a half hours, but not more than two hours.
- ✓ A quorum must be present before business matters can be decided.
- ✓ Stick to the advertised agenda, but members can give notice of non-contentious items in General Business.
- ✓ Health and Safety should always be included as a standard agenda item.
- ✓ The agenda should be sufficiently flexible to allow room for the Holy Spirit to move.
- ✓ Send out reports in advance and take them as read.
- ✓ Notify members in advance of special items of concern.
- ✓ A five minute break per hour is recommended during each meeting.

## BETWEEN VESTRY MEETINGS

- ✓ Ideally each member will be responsible for the care and support of another leader or office bearer in the Church – a direct line to Vestry other than via the clergy. A caring and praying friend is often appreciated.
- ✓ Clergy also need ministering to – the wardens should visit or phone regularly to see if there are problems they can help with.
- ✓ Members may be responsible for oversight of particular ministry areas.
- ✓ The member appointed as health and safety advocate should ensure ongoing co-ordination of health and safety matters and liaise regularly with the SafeHere Co-ordinator.
- ✓ The Minutes should be sent out as soon as possible after the meeting.
- ✓ A copy of the minutes might usefully be posted on the church notice board.
- ✓ A summary of important matters should be either published in the parish magazine or in the pew sheet.
- ✓ An annual planning / quiet day for Vestry members is recommended.
- ✓ At least an annual dinner for Vestry members and partners is recommended.
- ✓ A staff meeting should be held regularly to allow the Vicar, assistant clergy, wardens and parish staff to consider spiritual and organisational matters.

## CANONS AND STATUTES

There are various sets of rules that govern the life of the Anglican Church in New Zealand.

- A. THE CONSTITUTION, CANONS AND STANDING ORDERS OF THE ANGLICAN CHURCH IN AOTEAROA, NEW ZEALAND AND POLYNESIA**
  - ✓ These contain the Constitution of the Anglican Church and the Canons which are the laws governing the whole church.
  
- B. WAIAPU DIOCESE CANONS AND REGULATIONS**
  - ✓ The statutes that Vestry members should be familiar with are Canon 1 of Parishes, and Canon 19 of Faculties.
  
- C. THE GENERAL LAWS OF NEW ZEALAND**
  - ✓ As the parish governance body and as individual church members, vestry and its members are subject to the law of the land the same as anyone else. This includes income tax law, employment law and health and safety law. The Anglican Centre has processes in place to help parishes comply with the law. Requirements such as those for accounting, allowance reimbursement, contracts and health and safety are not there to make a parish's life difficult, but to save the parish and its employees from financial and other penalties!



## FACULTIES

- ✓ No alteration by way of addition, diminution or otherwise on or to the fabric, furniture, lighting installation, monuments or ornaments of any church, nor erection of or structural alteration to any building vested in the Waiapu Board of Diocesan Trustees on behalf of any parish shall be made, nor shall any article which is required or ought to be dedicated or consecrated be erected or placed in any church until a Faculty authorising the same shall have been issued by the Bishop in the Region. The work contemplated shall not be commenced or contracts let until such Faculty has been issued.
- ✓ The vestry shall in the first instance discuss the matter and resolve whether or not to seek for a Faculty.
- ✓ The vestry decision shall be referred with drawings or sketch plans as appropriate, to the Bishop in the Region, who shall bring these to the Regional Faculties Committee with a statement of approximate costs, reasons for the need, an outline for the provisions of the required finances, and for items of major expenditure, an outline of the general budget of the Parish.
- ✓ The Regional Faculties Committee shall consider the matter and give or withhold their approval in principle.
- ✓ The Regional Faculties Committee shall determine what further steps (if any) need to be taken before the Bishop in the Region issues a Faculty.
- ✓ The Bishop in the Region is to appoint a Faculties Committee for the Region, comprising not less than three members, and shall have power to fill any vacancies from time to time.
- ✓ The Diocesan Registrar shall receive the advice of the Regional Faculties Committee and shall present their report to the Waiapu Board of Diocesan Trustees or the Waiapu Anglican Social Services Trust Board, and shall ask the Bishop in the Region to issue a Faculty on receipt of a formal Petition, the issue of such to be recorded in the Acts of the Bishop.
- ✓ In the case of any matter, which in the opinion of the Regional Faculties Committee is of minor importance, such as a plaque or small item of furniture, the Regional Faculties Committee may at its discretion decide immediately after approving in principle to ask the Bishop in the Region to issue a Faculty on the receipt of a formal Petition.
- ✓ The provisions of this Canon shall apply equally to all Parishes.
- ✓ It shall be competent for the vestry to ask for representatives to make their submission in person to the Regional Faculties Committee.
- ✓ In the case where a parochial building is used for Social Services, the Waiapu Anglican Social Services Trust Board will be required to approve and the Regional Bishop asked to issue the Faculty.

- ✓ Where the Waiapu Anglican Social Services Trust Board manages or provides social services in its own right, then that Board assumes responsibility for the preparation, completion and payment of all additions and alterations, and will publish in its Annual Report all such activities undertaken during the year.
- ✓ In the case of a Diocesan building, a parallel procedure will be followed, the Standing Committee of the Diocese being required to approve and the Diocesan Bishop asked to issue the Faculty.

*Canon 19 of Faculties*

Before any changes can be made to the fabric, furniture, lighting, monuments or ornaments of any church, a faculty must be issued by the Diocese. A faculty is the permission given for such change.

An application form for a faculty is available on the Diocese website, under Resources/Management Information and must be submitted to the Diocesan Registrar.

## SUPPORT SERVICES OF THE DIOCESAN OFFICE

The Diocesan Office team functions under the leadership of the Diocesan Registrar – Colleen Kaye. Her role as the Senior Manager of the Diocese is to manage the administrative functions which support the mission and outreach of the Diocese as a whole. The Diocesan Registrar also fulfils the role of Secretary to the Waiapu Board of Diocesan Trustees.

As a part of the Administrative Function the Registrar manages a finance team, headed up by Tracey O'Shaughnessy - Finance Manager.

Services provided by the Diocesan Office include:-

Parish Accounting Scheme –

- Monthly reporting for Vestry meetings
- Processing of Accounts payable
- Reconciling the bank account monthly
- Processing of monthly payroll
- End of Year Financials

Full financial service to:

- Diocese
- Waiapu Board of Diocesan Trustees
- Waiapu Bishopric Endowment Trust
- St Matthews Primary School
- Anglican Schools Charitable Trust
- HB Hospital Chaplaincy Service

Oversight of the following Model B Social Services

- Growing through Grief – Opotiki, Te Puke, Taupo, Whakatane and Rotorua
- St Marys Early Child Care Centre, St Mary's Tahatai Early Child Care Centre and The Ark Early Child Care Centre
- After School at St Lukes, Havelock North

Arrangement for Property, Contents and Legal Liability insurance cover for all Church Property and personnel and for commercial property vested in the name of each Board.

The diocese holds the **Charities Commission** registration and therefore needs to provide a letter of support for all funding applications made by Parishes.

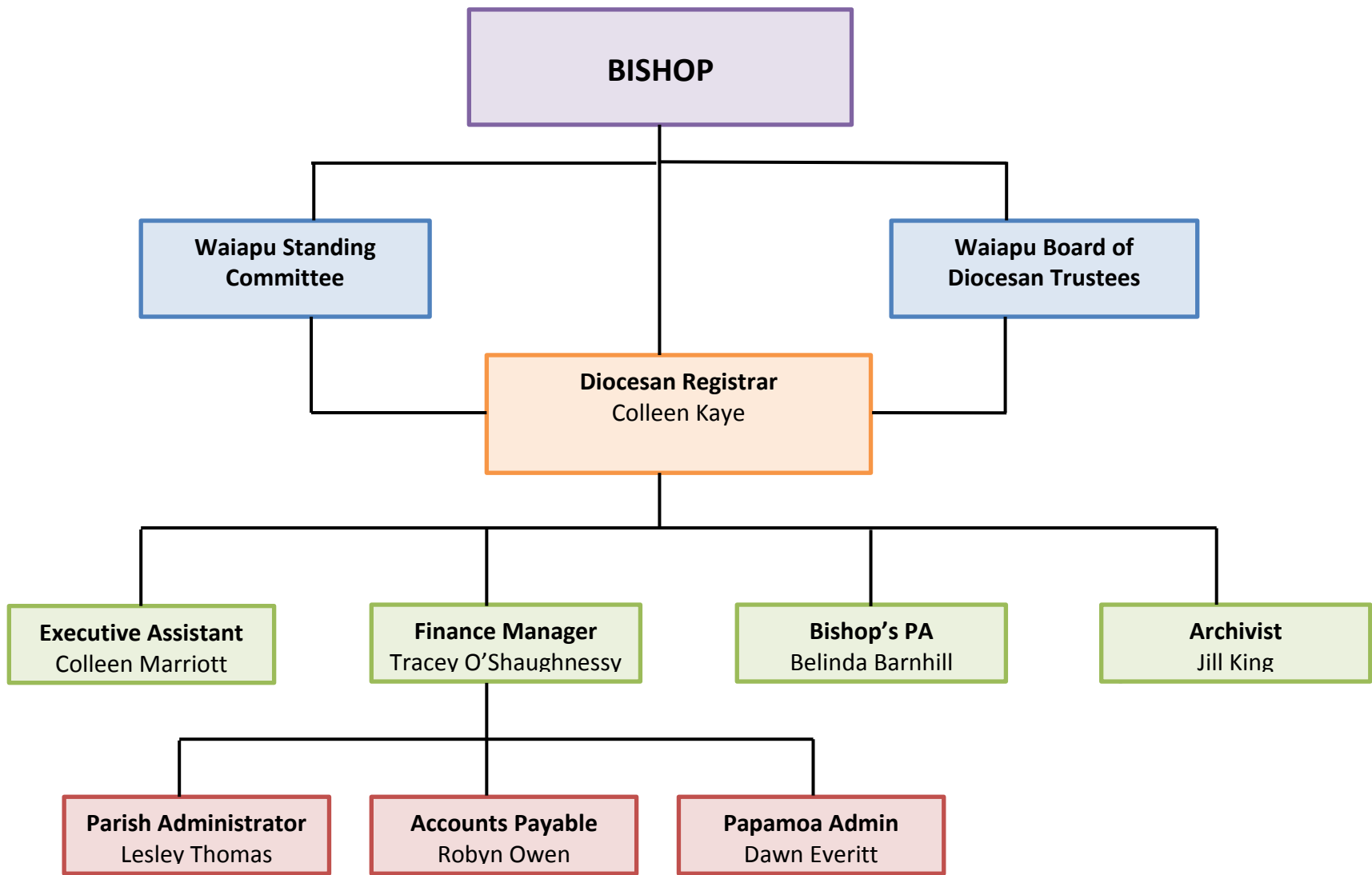
### **Property**

As the legal owner of all property held in the Diocese, the Waiapu Board of Diocesan Trustees (Title F Canon III of the Duties of Trustees) legally are the only body who can agree to purchase, lease or undertake any major building projects.

Parishes must not sign Sale and Purchase Agreements or Lease Agreements. These must only be signed by the trustees or authorised representatives after they have reviewed the documentation.

Although the legal ownership lies with the Waiapu Board of Diocesan Trustees, the responsibility for the upkeep of all buildings rests with the parish. Canon 1 of Parishes 1.7.13 – Vestries should budget responsibly for the long term maintenance of those buildings.

The Waiapu Board of Diocesan Trustees is in the process of engaging a nationwide firm to provide support to Parishes through the Diocesan Office around property advice.



## STAFFING AND EMPLOYMENT MATTERS

1. Clergy (vicars) are not employees of a parish but rather are licenced to the Bishop to whom they are accountable.
2. All lay staff (e.g. parish administrators/children & youth workers/playgroup co-ordinators etc.) are employed by the Diocese as the legal entity.
3. A parish/vestry is not a legal entity.

All employees of the Diocese must have an employment agreement signed off by themselves and the Diocesan Registrar, along with a relevant Job Description that they have agreed to.

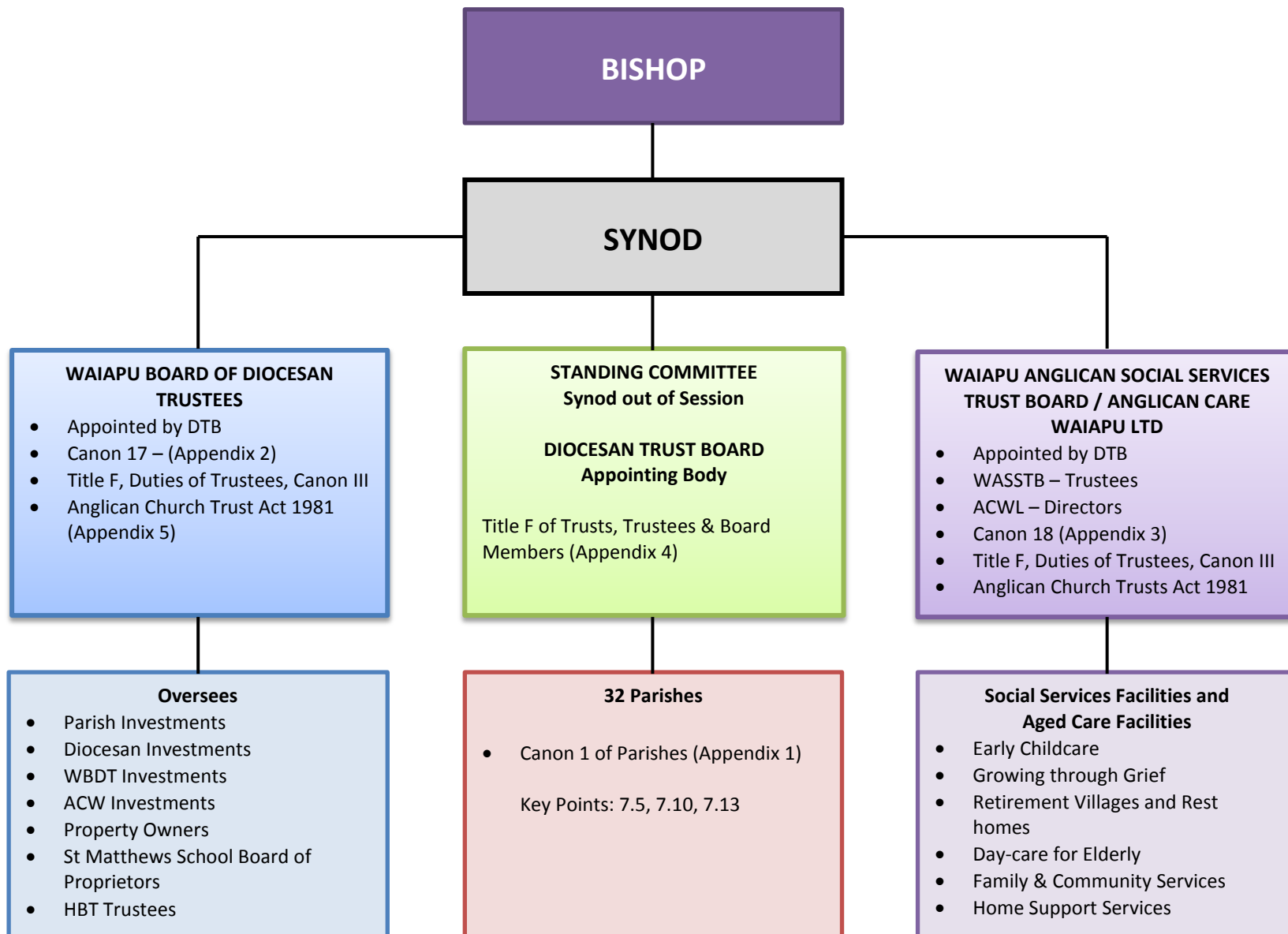
The process for employing a new staff member is outlined in the document “#28 New Employee Guide & Checklist 2017” found on the website under Resources/Management Information/Parish Accounting/Forms. Important things to note are:

- ✓ The employment agreement needs to be in place before the employee starts
- ✓ To be able to include the 90 day trial period on the employment agreement the employee must have a copy of the agreement at least 10 days before start date to give the employee time to seek independent advice on the terms of the agreement – otherwise the trial period is not legally binding
- ✓ If your employee needs to be Police checked or Ministry of Justice checked, please get this process underway as soon as possible. The forms and ID are sent to the Diocese office for processing.

Where there are employment issues in a parish these are to be immediately referred by the vicar/wardens to the Diocesan Registrar who will ensure the provision of guidance on any actions required including face-to-face meetings, letters etc.

Likewise any disputes on matters of employment are always immediately directed to the Diocesan Registrar.

Where a parish is faced with potential vulnerability and crisis it is really important that this is communicated early to the Regional Dean who will alert the Bishop and Diocesan Registrar so assistance can be provided to deal with the situation. No parish should feel they have to flounder on their own.



## APPENDIX A: VESTRY'S GOVERNANCE ROLE

### **The Need for Organisational Clarity**

One of the most notable features of churches is their lack of clear organisational structure. This probably isn't surprising, as the smaller an organisation is (and our Anglican parishes are typically quite small) and the fewer the paid staff, the easier it is for distinctions between roles to be blurred – with people pitching in to help where they see a need.

### ***Changing role of vicar***

The situation is not made any easier by the fact that the role of vicar is changing – being a simple pastor is no longer enough, but what is it exactly we expect of our clergy? With few other staff, vicars in small parishes are often left being responsible for the parish vision and strategic direction, running day to day management and operations, while still being called on to pastor those in need. With greater numbers and more people involved in leadership, however, the need for organisational clarity increases.

### ***Different types of leadership***

Another difficulty is that we often fail to distinguish between different types of leadership in the church. While the vicar, wardens, vestry members and parish manager are all leaders, there is a difference between

- *visionary leadership* (deciding where the church needs to be and creating the environment and culture to get it there),
- *governance leadership* (keeping the church on course to get it to the desired goal) and
- *management leadership* (organising the staffing and daily operations of the church).

The first is primarily the role of the Vicar (although vestry may feed into this), and second is the role of vestry and the third of staff (and volunteers) involved in parish management.

### **Functions of Vestry**

#### ***The Parishes Canon***

The functions of vestry are set out in Canon 1 of Parishes. Reading these one might be forgiven for thinking vestry has to do everything! The description of vestry's duties needs to be read *in light of the board distinction between governance and management*. Yes, vestry is responsible for the spiritual growth of the parish and its overall good management, but this doesn't mean it has to do it itself. Vestry's is an *oversight* responsibility and hopefully our discussion tonight can help clarify what this means.

#### ***Analogy with a board is helpful (but not perfect)***

Although a corporate analogy is not perfect, it's helpful to compare the role of vestry with that of a board. However, the traditional distinction – that the board makes policy and management carries it out – is perhaps too simple. Vestry members need to be kept informed about management issues and want to be engaged. They must be provided with the information needed to exercise this oversight and monitoring role effectively. The difficult question is: when does appropriate engagement cross the line into management? There isn't always a clear line between the two. Different situations will affect the appropriate level of governance involvement. For example, if



finances are in serious downturn, vestry is likely to become more involved and review more detailed information than it normally would.

*As a general rule, though, governing bodies function best when they focus on higher-level, future oriented matters of strategy and policy as well as performing their oversight responsibilities.*

### **Seven guiding questions**

To help keep within the bounds of governance, I find these seven questions helpful:

Is it big?  
Is it about the future?  
Is it core to the mission?  
Is a high level policy decision needed?  
Is a red flag flying?  
Is a watchdog watching?  
Does the Vicar want and need the Vestry's support?

**1. *Is it big?***

The bigger the impact of a decision, the greater the role vestry should play. One role of thumb is that decisions affecting about 10% or more of revenues or activities are strategic decisions. The other side of the coin is to ask is the matter too small to merit vestry's attention?

**2. *Is it about the future?***

What will the church look like in five years' time and what has to be done strategically and financially to get it there? Management's role is to develop the draft strategy documents for vestry's input and approval.

**3. *Is it core to the mission?***

Think of vestry members as guardians of the church's mission. Questions such as how much to invest in outreach activities are the types of questions vestry should be considering. The role of management is to produce sound analysis and recommendations to help vestry reach the right balance when mission and finances seem to conflict.

**4. *Is a high level policy decision needed?***

These policy decisions are ones that have important impact on the church, or that involve such matters as legal compliance or affect the responsibilities of vestry or management – they are not day to day operational policies. For example, if the Diocese hadn't sent out a health and safety policy for parishes, parishes might have had to consider their own high level policy to ensure it complied with the law.

**5. *Is a red flag flying?***

Vestry should know the red flags that indicate it should look closely at a matter. And they should focus on trends – not individual occurrences. Of course matters such as reports of unethical or illegal activity, or serious underperformance call for immediate review. Red flags may also be raised by external agencies, such as an auditor. Even here, vestry's focus should be on whether management recognises the problem and has the capability and plans to improve results, not to micromanage possible solutions.

**6. *Is a watchdog watching?***

If the IRD, other legal watchdog or news media care, then so should vestry.

### **7. Does the vicar want and need vestry's support?**

If the Vicar asks for advice or intervention, then vestry should respond.

#### **Some Practical Steps**

There are some practical things vestry can do to help it focus on governance:

- ✓ The chairperson's role is essential and he/she shouldn't hesitate to keep discussion at the right level.
- ✓ A written report sent to vestry before it meets updating it on operational issues can do away with the need for these to be discussed at the meeting.
- ✓ Fewer vestry meetings with more preparation and focus can be an advantage – the problem with meeting monthly is that there is a strong pull to manage rather than govern. The agenda becomes cluttered with less urgent matters and vestries can quickly find themselves drawn into management.

(Taken from Nelson Diocese Handbook)

## APPENDIX B: LEAVE TAKING AND RECORDING

Leave provisions are set out in clergy appointment agreements and contracts of employment for lay staff. The purpose of leave is to ensure that those working for the church have adequate time off for rest and refreshment.

The following comments clarify expectations around leave taking, especially time in lieu and annual leave. They also explain the diocesan process for recording leave and recommend parish procedures.

### Clergy

Ordination is a call on the whole of one's life and appointment to an ecclesiastical office entails non-standard work hours. The expectation is that full time stipendiary clergy work a minimum of 40 hours per week, but never more than 60 hours per week. To clarify, this does **not** mean that clergy are expected to work 60 hours a week, although from time to time this may happen. The 60 hour upper limit is included to ensure that clergy never work **beyond** this limit, as had previously sometimes been the case.

All full time clergy should take two days a week as rest days (day off). (One of these may be used as a general study day at the Priest's or Deacon's discretion.)

Public holidays may be taken and provision is made for four weeks annual leave a year. Annual leave is available after 12 months in a position, however with the wardens' approval (or in the case of assistant priests, the vicar's approval), anticipated annual leave can be taken in the first 12 months. After the first year in a position, and to ensure a good break from ministry, at least 14 days annual leave should be taken as a continuous block. Leave should also be taken within 12 months of becoming due, except in special circumstances and with the wardens' agreement.

To clarify expectations of the provision of time in lieu by providing that where clergy conduct a wedding or funeral on their day off, or respond to an emergency pastoral situation, they may take a full day in lieu at a time agreed with the wardens. This is to enable a full day to be taken away from the workplace. A day in lieu may also be taken if clergy have to conduct a wedding, funeral or other service on a public holiday, or if they have to respond to an emergency pastoral situation, or if a public holiday falls on their day off. There is no other provision for time in lieu. Time in lieu should be taken as soon as possible and cannot be carried over to the following year.

It is a requirement to consult with the wardens about when holidays and time in lieu may be taken. This is to promote transparency and coordination in the parish. The same arrangement is expected of all clergy.

### Lay parish staff

Hours to be worked are details in the contract and are a matter for negotiation. All staff are entitled to public holidays and four weeks annual leave. Whether or not staff are entitled to time in lieu is set out in the contract, and if permitted, must have the prior approval of a manager/supervisor. As time in lieu is given to compensate for long hours and to ensure adequate rest, it should be taken as close to the time it was accrued as possible.

### **Why leave must be recorded**

Waged staff fill in a monthly timesheet. All time sheets must be authorised as correct by a designated person within the parish, i.e. a warden.

An accurate and regular record of leave is needed to ensure correct remuneration payments. While the level of clergy stipends and staff salaries is not affected by leave calculations (unlike wages), the financial liability of a parish when an appointment/employment ends is directly linked to outstanding clergy/lay staff leave and this needs to be monitored.

To this end the Diocese records in the parish accounts a monthly holiday pay accrual to help identify which parishes have excessive leave liability to help them manage this liability.

Lack of consistent and regular leave reporting can, and has, led to tension. People forget to record leave and a lack of clear communication between clergy and wardens, or between lay staff and managers, can give rise to misunderstanding.

### **The Need for Parish Procedures**

The process for approving and recording leave will vary from parish to parish depending on its size and number of staff. With this in mind, we recommend that parishes develop their own internal procedures to ensure good communication between clergy, wardens and staff about leave, in particular for:

- ✓ Approving leave
- ✓ Where applicable, authorising wage-earner timesheets and flagging any concerns with wardens
- ✓ Arranging cover while clergy or lay staff are on leave
- ✓ Approving time in lieu and deciding when it can be taken
- ✓ Ensuring clergy and staff take adequate and regular annual leave.

The Diocese office will continue to monitor leave. This is to ensure both the health and well-being of those behind in taking leave, and for the benefit of parishes bearing financial liability for untaken leave. It is in all our best interest that those working for the church have regular times of rest and refreshment.