

**Our Passion**

Our Passion is **Jesus** - Proclaiming and Living out God's love for all people

**Our Aspiration:**

To be a Transforming Presence in every Community,  
Open and Welcoming to all, and Serving all

**Our Resources:**

Faithful people, Prayer and worship, Visionary leadership, Liberating gifts

# **DIOCESAN SYNOD MEMBERS' HANDBOOK**

## **Part 2: Committee Handbook**

**2024 Edition**



The Church of England  
in Essex and East London  
Diocese of Chelmsford

## INTRODUCTION

This handbook contains the terms of reference for all of the Boards and Committees of Diocesan Synod (Statutory and non-Statutory). It is a sister document to the Synod Handbook (2024 Edition).

### Contents

BISHOP'S COUNCIL	3
STANDING COMMITTEE OF THE BISHOP'S COUNCIL	5
THE FINANCE COMMITTEE	6
THE FINANCE EXECUTIVE	7
PROPERTY SUB-COMMITTEE	9
AUDIT & RISK SUB-COMMITTEE	15
REMUNERATION AND GOVERNANCE SUB-COMMITTEE	19
MISSION AND PASTORAL COMMITTEE	21
DIOCESAN BOARD OF EDUCATION	25
DIOCESAN BOARD OF PATRONAGE	40
CHELMSFORD DIOCESAN ADVISORY COMMITTEE	42
VACANCY IN SEE COMMITTEE	48
LONDON OVER THE BORDER COUNCIL	55
RETREAT HOUSE ADVISORY BOARD	59
BECKTON CENTRE ADVISORY BOARD	61
BUILDING SUPPORT GRANTS COMMITTEE	63
DIOCESAN SAFEGUARDING ADVISORY PANEL (DSAP)	64

## BISHOP'S COUNCIL

### Composition

The Bishop's Council and Standing Committee of Synod (in this handbook referred to as "The Bishop's Council") shall consist of:

#### Ex officio

The President of Synod (Bishop)	1		
The Clergy Vice President	1	The Lay Vice President	1
Area Bishops	3	Chair of the Board of Finance	1
The Dean	1	Vice Chair of the Board of Finance	1
Archdeacons	6		
Dean of Mission, Ministry & Education <sup>1</sup>	1		
	<b>13</b>		<b>3</b>

#### Elected

One licensed Minister from each episcopal area	3	Three lay persons from each episcopal area	9
		One lay person appointed by and from the membership of each Area Mission & Pastoral Committee	3
	<b>3</b>		<b>12</b>

#### Appointed

Bishop's nominees, up to	2	Bishop's nominees, up to	4
	<b>18</b>		<b>19</b>

The lay members of the Synod from each Episcopal Area shall elect from among their number three persons.

The clerical members of the Synod from each Episcopal Area shall elect from among their number one person.

### Election to the Bishop's Council

The election for members of the Bishop's Council shall take place immediately after the election of a new Synod and members shall retire on the election of their successors or on ceasing to be qualified. The procedure for their election shall otherwise be as provided in Standing Order 112.

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<sup>1</sup> Any members of the Bishop's Council remunerated by the DBF shall not be a member of the Finance Committee (see Finance Committee terms of reference below).

## **Officers**

The officers of the Bishop's Council shall be:

- i) The President of the Synod shall be Chair;
- ii) A member of the Council nominated by the President with the consent of the Council shall be Vice-Chair;
- iii) The Secretary of the Synod shall be Secretary.

## **Functions**

The functions of the Bishop's Council shall be:

- i) subject to the directions of the Synod, to transact the business of the Synod when it is not in session;
- ii) to advise the Synod on matters of policy which are placed before it;
- iii) to receive and approve recommendations from its Standing Committee and any other of its sub-committees for the agenda items to be placed before Synod and to circulate to members information about matters for discussion;
- iv) to recommend priorities for the use of Diocesan resources and to express views on proposed initiatives and strategies;
- v) to advise the President and his staff on any matters which they may refer to the Council;
- vi) to appoint members to committees and boards or to nominate members for election to committee and boards, in accordance with statutory provisions or the directions of the Synod;
- vii) to carry out such other functions as Synod may delegate to it.

## **Term of Office**

Pursuant to Standing Order 104 (ii), elected and appointed members may not serve in that capacity for more than three full consecutive triennia [with effect from the 2009 triennium] without a break of at least one triennium.

## **STANDING COMMITTEE OF THE BISHOP'S COUNCIL**

### **Membership**

A Standing Committee of the Bishop's Council shall be created whose membership shall be:

- i) The Bishop (Chair)
- ii) the Chair or Vice-Chair of the Diocesan Board of Finance;
- iii) the Clerical Vice President of the Diocesan Synod; and
- iv) the Lay Vice President of the Diocesan Synod.

The Secretary of the Diocesan Synod shall act as Secretary to the Committee.

### **Functions**

The functions of the Standing Committee of the Bishop's Council shall be:

- i) to prepare the agenda for meetings of the Council;
- ii) to prepare recommendations for the Council's approval concerning agenda items for meetings of the Synod;
- iii) to advise the Bishop's Staff and the Council on the most appropriate way in which proposals concerning initiatives, strategies and priorities for the use of the Synod's resources can make effective progress;
- iv) to prepare the agenda for meetings of the Finance Committee;
- v) to prepare the agenda for meetings of the Diocesan Mission & Pastoral Committee.

## **THE FINANCE COMMITTEE**

### **Membership**

Article 34 of the DBF Articles of Association (as amended by Special Resolution in March 2005) states:

“The Finance Committee shall consist of the Chair and Vice Chair for the time being of the Diocesan Board of Finance and those members of the Bishop’s Council not in any way otherwise disqualified”.

### **Functions**

1. Determine policy, in particular for :
  - Ministry numbers
  - Clergy Stipends
  - Capital budget
  - Revenue budget
  - Grant making
  - Investments
2. Monitor such policy decisions.
3. Approve referral of initial and final Budgets to the Diocesan Synod.
4. Approve and sign annual Financial Statements after receiving a report from the Audit Committee.
5. Agree remuneration of the Auditor each year.
6. Receive a report from the Finance Executive at each meeting.
7. Receive minutes from all Sub-Committees.
8. Handle any business referred by the DBF, Diocesan Synod or Bishop’s Council.
9. Create and dissolve Sub-Committees as required.
10. Appoint members of Sub-Committees and its representatives on other Diocesan bodies.

### **Term of Office**

Pursuant to DBF Article 18 the Chair and the Vice Chair may not serve in that capacity for more than three full consecutive triennia [with effect from the 2009 triennium] without a break of at least one triennium. Other elected and appointed members are also members of Bishop’s Council, who are similarly restricted by SO 104.

## **THE FINANCE EXECUTIVE**

(A sub-committee of the Finance Committee)

### **Membership**

#### **Ex-officio**

- i) The Chair of the DBF (who shall be the Chair)
- ii) The Vice-Chair of the DBF
- iii) The Chairs of Sub-Committees

#### **Appointed**

- iv) Up to two Archdeacons appointed by the Diocesan Bishop
- v) Up to six other persons with relevant expertise nominated by the Finance Committee, who need not themselves be members of the Finance Committee

The Chief Executive & Diocesan Secretary, Finance Director and the Chief Accountant may attend each meeting.

### **Number and Frequency of meetings**

The Finance Executive shall meet at least quarterly, with the number and frequency of meetings in each year decided by the Chair.

### **Functions**

#### *Principal functions*

1. Maintain thorough oversight of the income and expenditure of the board in line with budgets and act as the point of approval for significant variations. In doing so the Finance Exec shall review Management Accounts on at least a quarterly basis and refer them to the Finance Committee with comments.
2. Advise the Finance Committee on the strategic financial policies necessary to achieve the mission goals set by the Bishop's Council, and evaluate strategic financial policy issues and specific proposals for the Finance Committee.
3. Recommend an annual budget and associated gross Share to the Finance Committee and ultimately the Synod.
4. Work on a consensual basis with the other sub-committees of the Finance Committee, ensuring that proposals received by the Finance Committee have an appropriate breadth of prior consideration and support.
5. Ensure all risks faced by the Board are properly understood with appropriate mitigations put in place.
6. Ensure the preparation of annual financial statements for submission to the Audit Committee for endorsement and recommendation to the Finance Committee.

7. Initiate proposals aimed at optimising the financial effectiveness of the diocese.
8. Advise the Finance Committee on Investment Policies and alternative investment proposals.
9. Recommend the selection of professional advisers in relation to investment management.

*Other functions*

10. Receive Minutes from all Sub-Committees of the Finance Committee, and report to the Finance Committee. Minutes of the Finance Executive shall be submitted to the Finance Committee.
11. Make recommendations to the Finance Committee on the annual review of :  
Financial control policy  
Investment policy  
Risk Management
12. Monitor the Board's resources and level of reserves.
13. Authorise changes in bank, etc signatories.
14. Consider, as appropriate, requests for capital expenditure and approve within budget parameters.
15. Consider applications for back-to-back loans and approve satisfactory applications.
16. Review at each meeting a list of uses of the Company seal.
17. Handle any business referred from the Finance Committee.
18. Establish and dissolve ad-hoc task groups as necessary to investigate and report on specific issues.
19. Report all actions to the Finance Committee in a summary report.

**Term of Office**

The term of office for ex-officio members is defined according to their substantive role. Pursuant to DBF Article 41, appointed members may serve no more than three full consecutive triennia [with effect from the 2009 triennium] without a break of at least one triennium.

If a casual vacancy shall occur among the appointed members, the Finance Committee shall make an appointment to fill the vacancy for the unexpired term of office.

## **PROPERTY SUB-COMMITTEE**

(A sub-committee of the Finance Committee to be known as “the Property Committee”)

### **Repair of Benefice Buildings Measure 1972**

#### **Diocese of Chelmsford**

#### **Scheme under the Measure**

#### **Designation of Parsonages Board**

1. The Chelmsford Diocesan Board of Finance is hereby designated as the Parsonages Board for the diocese of Chelmsford for the purposes of the furtherance of the work of the Church of England by the exercise of its functions under the Repair of Benefice Buildings Measure 1972 (“the Measure”) and references in this scheme to “the Board” shall be construed as referring to the Diocesan Board of Finance in the exercise of such functions.

#### **Delegation of the Board’s Functions**

2. The functions of the Board under the Measure shall be delegated to a Committee of the Diocesan Board of Finance (known as the Diocesan Property Committee) constituted as provided in Schedule 1 hereto and such Committee may include persons other than members of the Board.

#### **Appointment of Diocesan Surveyors**

3. The Board shall appoint such number of fit persons to be surveyors for the purposes of the Measure as it shall from time to time determine and the remuneration and terms of service of such surveyors shall be determined from time to time by the Chelmsford Diocesan Board of Finance.

#### **Annual Estimates of Expenditure**

4. The Board shall submit to the Diocesan Synod annual estimates of the expenditure of the Board for the ensuing year together with proposals for meeting that expenditure.

#### **Extension of the Functions of the Board**

5. (1) The Board may execute works of interior decoration of parsonage houses by agreement with the incumbent.  
  
(2) The Board may execute works of improvement, demolition or erection of parsonage houses in pursuance of the powers conferred by Sections 2 and 4 of the Church Property Measure 2018 by agreement with the persons on whom those powers are conferred.

(3) The Board may request a diocesan surveyor to inspect any building (other than a parsonage house) in the diocese used as a residence by any clergyman or lay worker of the Church of England serving in the diocese and to report to the Board on such inspection.

(4) The Board may execute works of repair, interior decoration, improvement, demolition or erection of any buildings in the diocese held for charitable purposes connected with the Church of England, by agreement with the persons having the management or control of such buildings.

(5) Except in regard to the cost of repairs to the residence of an incumbent not being a parsonage house and the cost of inspections relating thereto, the cost of any works mentioned in this paragraph of this Scheme and the cost of the inspections and reports mentioned in subsection (3) thereof, including any administrative cost attributable to such works, inspections and reports, shall not be met out of the Diocesan Parsonages Fund, and before taking any steps in connection with such works, inspections and reports the Board shall satisfy itself that funds are available to meet the cost thereof from sources other than the Diocesan Parsonages Fund.

(6) In this paragraph of this scheme references to parsonage houses and to buildings used or held for certain purposes shall include references, where appropriate, to buildings intended to be used as parsonage houses or to be used or held for such purposes.

### **Regulation of Inspections, Reports and Repairs**

6. The Board may at any time publish Regulations concerning:-
- a. inspections of buildings of a benefice by diocesan surveyors and the making of reports following on such inspections;
  - b. the execution of repairs to buildings of a benefice, including the supervision thereof by diocesan surveyors and otherwise and any other matters required for ensuring efficiency and economy in such execution;

but such Regulations shall not be effective unless and until they have been laid before and approved by the Diocesan Synod.

### **Interpretation**

7. In this Scheme, unless the context otherwise requires, the expressions to which meanings are assigned by Section 31(1) of the Measure shall have the meanings thereby respectively assigned to them.

### **Operative Date of Scheme**

8. The provisions of this Scheme shall come into operation on 1 January 2025 and the Scheme made by the Diocesan Synod of the diocese of Chelmsford on 9 June 2012 shall thereupon be revoked.

This Scheme is made by the Diocesan Synod of the diocese of Chelmsford at a meeting held on 15 June 2024.

In witness thereof it has been signed by Canon Robert Hammond, Chair of the meeting duly authorised to that end by resolution of the said meeting.

## **Schedule I**

### **Constitution and Procedure of Property Committee (“the Committee”)**

#### **Membership**

1. The membership of the Committee shall comprise:
  - ii) The Chair (if not otherwise a member of the Committee),
  - iii) All Archdeacons in the Diocese of Chelmsford,
  - iv) One member of the clergy to be elected by the House of Clergy of the Diocesan Synod,
  - v) One lay person to be elected by the House of Laity of the Diocesan Synod,
  - vi) Up to four lay people with relevant expertise appointed by the Finance Committee,
  - vii) The Chief Executive & Diocesan Secretary, who shall be an ex-officio non-voting member.
2. The persons elected and appointed under (iv), (v) and (vi) above need not themselves be members of the electing or appointing body.
3. The Chair of the Committee shall be a lay or clergy person, who is not resident in a property maintained by the Diocesan Board of Finance, appointed by the Finance Committee.
4. The Head of Property or such other person appointed as Diocesan Surveyor shall attend each meeting and arrange for a secretary to the meeting.

#### **Quorum**

5. Five members of the Committee shall be a quorum.

#### **Number and Frequency of meetings**

6. The number and frequency of meetings in each year shall be decided by the Chair of the Committee. The Committee will meet at least quarterly.

#### **Functions**

7. The Functions of the Committee shall be as follows:

- a. Develop for approval by the Diocesan Parsonage Board, strategic policy for the management of the Board's estate of parsonages and other houses for ecclesiastical purposes in line with the overall strategy set by the Bishop's Council.
- b. Develop and maintain operational policies relating to the management of the estate.
- c. Receive annually, an estate condition assessment and an estate management plan for the coming year, which shall include financial and other key performance indicators; and monitor the delivery of such plans and approve major variations.
- d. Receive reports from the Archdeacons on anticipated parochial vacancies, pastoral reorganisation, and mission in order to assess the implications for housing.
- e. Consider the shape of the estate at least annually and make recommendations on properties surplus to ecclesiastical use and the balance of owned and leased houses.
- f. Consider proposals for Parsonage Replacement Schemes and make recommendations to the Diocesan Parsonage Board.
- g. Initiate proposals, within the sphere of this committee, aimed at optimising the financial effectiveness of the diocese.
- h. Consider or prepare proposals for development opportunities involving land within the diocese,
- i. Undertake, on behalf of the Diocesan Parsonages Board, other functions as required by the Repair of Benefice Buildings Measure 1972 and successor legislation.
- j. Serve as the Diocesan Glebe Committee.

### **Term of Office**

8. Members other than ex-officio members shall be appointed or elected to serve for a period of three years in such manner as the appointing body may from time to time determine.
9. Retiring members shall be eligible for re-election or re-appointment.
10. Pursuant to Article 41 of the Chelmsford Diocesan Board of Finance, elected and appointed members may not serve in that capacity for more than three full consecutive triennia [with effect from the 2009 triennium] without a break of at least one triennium.
11. If a casual vacancy shall occur among the elected members in between elections the Finance Committee shall make an appointment to fill the vacancy for the unexpired term of office. If a casual vacancy shall occur among the appointed members, the Finance Committee shall make an appointment to fill the vacancy for the unexpired term of office.

## **The Church Property Measure 2018**

### **Diocese of Chelmsford**

#### **Scheme under the Measure**

##### **Constitution of Diocesan Glebe Committee**

1. The Property Committee of the Chelmsford Diocesan Board of Finance shall be the Diocesan Glebe Committee.

##### **Duties of the Diocesan Glebe Committee**

2. The Diocesan Glebe Committee shall be responsible to the Diocesan Board of Finance for the management of the Diocesan Glebe for the benefit of the Diocesan Stipends Fund, including the negotiation of leases and tenancies and of rent reviews, the collection of rents, the payment of outgoings, the carrying out of repairs and improvements, and the making of recommendations to the Diocesan Board of Finance for sales and purchases when desirable. In carrying out these functions the Committee shall comply with any directions which may from time to time be given to them by the Diocesan Board of Finance, shall observe all provisions of the Church Property Measure 2018 and shall obtain such consents as are required.

##### **Diocesan Glebe Committee to Report to Diocesan Board of Finance**

3. The Diocesan Glebe Committee shall make a report of its work to the Diocesan Board of Finance at least once a year or at such other intervals as the said Board may from time to time require.

##### **Employment of Agents**

4. The Diocesan Glebe Committee may appoint one or more firms of surveyors to act as agents for them in dealings relating to the Diocesan Glebe. Such firms must have experience in respect of properties of the type concerned. The agents shall be required to obtain the prior approval of the Committee (subject to such delegation as the Committee agrees) to all transactions and to comply with the principles of management set out below.

##### **Principles of Management**

5. The Diocesan Glebe shall be managed exclusively for the benefit of the Diocesan Stipends Fund, except in circumstances where the Church Property Measure 2018 expressly permits otherwise.
6. The following principles of management shall be observed:

a) Agricultural lettings

- i) All new lettings shall be made after proper advertisement and the consideration of all suitable applicants for a term deemed appropriate in the circumstances, mindful of the management of the estate.
- ii) The rent in the case of a new letting shall be the best open market rent consistent with the quality of the land, and best practice.
- iii) The rents shall be reviewed to an open market level at such intervals as are permitted by law and agreed between the parties or in the absence of agreement by arbitration.

b) Residential Properties

- i) Upon the termination of the tenancy of any residential property, consideration shall be given to the advisability of its sale.
- ii) If a residential property is re-let other than on a long lease with a premium and ground rent, it should be on an assured short hold tenancy for a term of at least six months and should be renewed on terms as appropriate at a market rent.

c) Commercial properties

All lettings shall be at the best rent obtainable and all leases of commercial properties, except in the case of properties leased at a premium and a ground rent, shall provide for rental review at periods not exceeding five years.

d) Subsidiaries of the Diocesan Board of Finance

The Diocesan Board of Finance may set up a wholly owned subsidiary or subsidiaries which shall have the same powers and duties as the Diocesan Board of Finance with respect to holding, managing and dealing with diocesan glebe as the Board may from time to time determine.

**Expenses of Management**

7. All fees for professional management and related costs, charges and expenses may be met in accordance with Section 25 (3) and (4) of the Church Property Measure 2018.

This Scheme is prepared by the Diocesan Board of Finance of the Diocese of Chelmsford in replacement of a Scheme approved by the Church Commissioners on the 19 June 2012.

## **AUDIT & RISK SUB-COMMITTEE**

(A sub-committee of the Finance Committee to be known as the “Audit Committee”)

### **Constitution**

- 1) The Finance Committee (the directors) hereby resolves to define the sub-committee of the Board known as the Audit and Risk Sub-Committee (the Committee).

### **Membership**

- 2) Membership:
  - (i) The directors shall appoint the committee and Chair thereof.
  - (ii) The Committee shall consist of five members with relevant expertise, of which at least two must be members of the Board.
  - (iii) The membership shall not include the Chair of the DBF.
  - (iv) The quorum shall be three committee members, including at least one Board member.
- 3) At least one member of the Committee shall have significant recent relevant financial experience, e.g. as an auditor or Financial Director.
- 4) It is also highly desirable that a member of the Committee has significant recent relevant experience of risk or business continuity management.

### **Attendance at Meetings**

- 5) No one other than the Committee’s Chair and members is entitled to be present at meetings. The Chief Executive & Diocesan Secretary, Finance Director (or their appointed deputy) and representatives of the external auditors shall attend meetings by invitation of the Committee.
- 6) The Chair of the Board and other directors may attend if invited by Committee.
- 7) There should be at least one meeting or part thereof per annum, where the external auditors shall attend without management present, requiring alternative secretarial arrangements.
- 8) External auditors and management may severally or jointly request a meeting via the Committee Chair if they consider this to be necessary.
- 9) The Chief Executive & Diocesan Secretary, or his/her nominee, shall normally be Secretary of the Committee, at the discretion of the Committee Chair.

## **Frequency of Meetings**

- 10) The Chair shall decide frequency and timing notwithstanding that meetings shall be held at least three times per calendar year. Meetings may be held in person or by videoconference. These dates should be timed to support key dates in the DBF reporting cycle.

## **Authority**

- 11) The Committee is authorised by the directors to :
  - a) Investigate any activity;
  - b) Seek any information that it requires from any employee of the Board, all employees are directed to co-operate with any request made;
  - c) Obtain outside professional advice as deemed necessary and such advisors may attend meetings as invited;
  - d) To support the full Board in overseeing all issues of financial probity.

## **Responsibilities**

- 12) The responsibilities of the Committee shall be receipt of draft financial statements and review of effectiveness of the audit process:

### **External Auditor**

- Review the appointment and independence of the external auditor, ensuring key partners are rotated at appropriate intervals.
- Agree the scope, timetable and processes for year end reporting with management and external auditors, taking into account any changes in reporting requirements.
- Approve the terms of engagement and the remuneration to be paid to the external auditor and pre approve any additional fees.
- Receive and respond appropriately to external auditor's management letter.

### **Year End**

- Agree the nature and scope of the audit prior to commencement and review the auditor's procedures to respond to changes in regulatory requirements.
- To review draft financial statements prior to submission to the directors and challenge where necessary :
  - i) Accounting policies and standards
  - ii) Clarity of disclosures
  - iii) Significant adjustments resulting from the audit
  - iv) Review the external auditor's management letter and management's response and monitor progress in resolving issues.

## **External Reporting – other**

To be aware of non-audit external reporting requirements and to ensure these are fulfilled in a timely and compliant manner.

## **Internal Controls**

- Review the effectiveness of systems and processes for financial control and reporting, including, but not limited to:
  - CDBF Organisation chart
  - Staffing of Finance department
  - Adequacy, for purposes of oversight, of management information supplied to Finance Committee
  - Software applications in use, most particularly by the Finance function, with attention to the age of versions in use. This should embrace consideration of data storage and security, with particular reference to cyber related exposure.
  - Authority levels for sign off of expenditure
  - Bank mandates

## **Financial Management**

Initiate proposals aimed at optimising the solvency and financial effectiveness of the diocese.

## **Risk Management**

Review, on a regular basis, the risks faced by the Diocese and CDBF, the actions taken to manage and mitigate those risks and to ensure that ownership of risk management is clear.

## **Compliance**

Review Hospitality Gifts Register

## **Reporting Procedures**

- 12) The Secretary shall circulate minutes to all directors.
- 13) The Committee shall conduct an annual review of their work and terms of reference and make recommendations to the directors.
- 14) Committee's duties shall be disclosed in the annual financial statements.
- 15) The Committee Chair shall prepare a summary report of meetings for Bishop's Council and Finance Committee shall attend such meetings and answer questions on the Committee's activities and responsibilities.

## **Miscellaneous**

- 16) The Chair shall have the right to attend meetings of any other sub-committee of the Finance Committee.

## **Term of Office**

- 17) Pursuant to DBF Article 41, appointed members may not serve in that capacity for more than three full consecutive triennia [with effect from the 2009 triennium] without a break of at least one triennium.
- 18) If a casual vacancy shall occur among the appointed members, the Finance Committee shall make an appointment to fill the vacancy for the unexpired term of office.

## **REMUNERATION AND GOVERNANCE SUB-COMMITTEE**

(A sub-committee of the Finance Committee to be known as the “Remuneration and Governance Committee” or “RGC”)

### **Membership**

Membership of the Remuneration and Governance sub-committee shall be co-terminus with the membership of the Bishop’s Council Standing Committee, and therefore comprise:

- i) The Bishop
- ii) the Chair of the Diocesan Board of Finance;
- iii) the Clerical Vice President of the Diocesan Synod; and
- iv) the Lay Vice President of the Diocesan Synod.

The Chair of the Diocesan Board of Finance shall be the Chair of this sub-committee.

In cases where the Clerical or Lay Vice-Presidents are remunerated by the Board, a substitute from the relevant House may be authorised by the Finance Committee.

The sub-committee shall appoint a secretary from among the members, or an appropriate officer may serve as secretary.

The quorum shall be two members, one of whom must be Chair of the Board of Finance.

### **Attendance at Meetings**

Except the Chair of the Audit Committee, other than by invitation from the Chair, no other person including officers /staff may attend the RGC.

The Chair has the right to ask any person to absent him/herself for any item on the agenda.

### **Frequency of meetings**

The sub-committee shall meet no less than once a year. One meeting shall be held no later than 30 June.

### **Functions**

- I. Remuneration: having due regard to the budget agreed by Synod and the prevailing financial, economic and market conditions at the time, the sub-committee shall:
  - a. agree the annual cost of living pay award for DBF employees, and

- b. review and agree the remuneration for Chief Executive & Diocesan Secretary, and other senior employees
  - c. agree any changes carrying a material financial implication to employment policies
- 2. Expenses: having due regard to the budget agreed by Synod, the sub-committee shall agree the DBF expenses policy
- 3. Governance: having due regard to best practice in the Church of England and charity sector generally, the sub-committee shall review and make recommendations to the Bishop's Council / Finance Committee in respect of:
  - a. the appropriateness of the DBF committee structure
  - b. the appropriateness of the mix of skills and experience on the various (sub-) committees
  - c. trustee and committee member training
  - d. succession planning
- 4. Maintaining a Register of Interests for all trustees of the DBF, appointees to other sub-committees of the Finance Committee, senior staff, and other persons in positions of responsibility as determined by the committee
- 5. Initiate proposals aimed at optimising the financial effectiveness of the diocese

## **MISSION AND PASTORAL COMMITTEE**

### **CONSTITUTION**

- 1) Pursuant to the Mission and Pastoral Measure 2011 (the Measure) and a resolution made by Diocesan Synod on 7<sup>th</sup> March 2009 there shall be created a Mission and Pastoral Committee for the Diocese of Chelmsford. The functions of the Committee shall be those set out in section 3 of the Measure set out in the Appendix hereto.

### **PROVISIONS RELATING TO THE DIOCESAN MISSION & PASTORAL COMMITTEE**

- 2) The membership of the Diocesan Mission and Pastoral Committee (the Committee) shall be coterminous with the membership of the Bishop's Council for the Diocese of Chelmsford.
- 3) The Diocesan Bishop shall be the Chair of the Committee.
- 4) The Committee shall appoint a Secretary and they shall serve as Secretary to the Area Mission & Pastoral Committees also.
- 5) The Quorum for the Committee shall be one third of the total membership.
- 6) The Committee shall delegate to Area Mission and Pastoral Committees those functions set out in the Appendix in relation to the Episcopal Area for which that Area Mission and Pastoral Committee has jurisdiction, with the exception of the duty under s.6(5) and Schedule 4 of the Measure.
- 7) Subject to the Measure, the foregoing provisions and any directions given by Diocesan Synod, the Committee shall have the power to regulate its own procedure and that of the Area Mission and Pastoral Committees.

### **PROVISIONS RELATING TO THE AREA MISSION & PASTORAL COMMITTEES**

- 8) The membership of the Area Mission & Pastoral Committees shall comprise:
  - a) Ex Officio Members
    - i) The Area Bishop for the respective Episcopal Area
    - ii) The Archdeacons for each Archdeaconry in the respective Episcopal Area
    - iii) The Area Deans and Lay Chairs of each Deanery within the respective Episcopal Area.
  - b) Elected Members

- iv) One member of clergy from each Archdeaconry.
  - v) Two lay people from each Archdeaconry.
- c) Appointed Members
- vi) One lay person from each Episcopal Area to be appointed by the relevant Area Bishop, in consultation with the Chair of the Diocesan House of Laity, and having regard to the interests, experience and expertise of the lay person concerned.
- 9) Members other than ex-officio members shall be appointed or elected to serve for a period of three years in such manner as Diocesan Synod may from time to time determine.
- 10) Retiring members shall be eligible for re-election or re-appointment
- 11) If a casual vacancy shall occur between elections the Bishop's Council may make an appointment to fill the casual vacancy for the unexpired term of office.
- 12) The relevant Area Bishop shall be the Chair of the Area Mission and Pastoral Committee (but may appoint an Archdeacon to be Chair in his stead).
- 13) If the Chair is not present the members present at a meeting of the Area Committee shall elect a chair for that meeting from among their number.
- 14) The Quorum for the Area Mission & Pastoral Committees shall be a third of the total membership provided that one of the members shall be an elected lay member.

## **GENERAL PROVISIONS**

- 15) At least four working days before any meeting of the Committee or Area Mission & Pastoral Committee a notice specifying all the business to be transacted shall be sent to every member of the respective committee. No business shall be transacted other than that which appears on the notice other than by leave of the Chair actually present at the meeting with the consent of the majority of the members present.
- 16) Minutes of the proceedings at all meetings of the Committee or Area Mission & Pastoral Committees shall be kept and once signed by the Chair shall be prima facie evidence of all facts stated therein.
- 17) All matters discussed at any meeting of the Committee or Area Mission & Pastoral Committees shall be decided by a majority of the votes of the members present and voting. In case the votes on any matter are equally divided the Chair shall have a second or casting vote.

- 18) The Committee and Area Mission & Pastoral Committees shall each meet at least three times in each calendar year.
- 19) Diocesan Synod shall receive an annual report of its work from the Committee and Area Mission & Pastoral Committees.

## **APPENDIX**

### Functions of the Committee.

(From Section 3 of the Measure)

- (1) In carrying out any of its functions the mission and pastoral committee shall, without prejudice to section 1, have regard to worship, mission and community as central to the life and work of the Church of England.
- (2) In carrying out any of its functions the mission and pastoral committee shall also have regard to—
  - (a) the financial implications for the diocese and the Church of England as a whole;
  - (b) subject to subsection (5), the need to allocate appropriate spheres of work and to ensure that appropriate conditions of service are enjoyed by those employed or holding office in the diocese and, where relevant, that reasonable remuneration is provided for all those engaged in the cure of souls;
  - (c) the traditions, needs and characteristics of particular parishes; and
  - (d) any other aspects of the policies of the diocesan synod to which the synod has requested the committee to have regard in discharging its responsibilities.
- (3) It shall be the duty of the mission and pastoral committee—
  - (a) to make or assist in making better provision for the cure of souls in the diocese as a whole and, to the extent that the committee thinks appropriate, in particular parts of the diocese or in particular parishes;
  - (b) from time to time, as the bishop may direct, or as the committee thinks fit, to review arrangements for pastoral supervision and care in the diocese as a whole and, to the extent that the committee thinks appropriate, in particular parts of the diocese or in particular parishes (including sharing agreements in respect of a church or parsonage house and any proposals for sharing agreements);
  - (c) from time to time, as the bishop may direct, or as the committee thinks fit, to prepare strategies or proposals for carrying out the committee's functions under

paragraphs (a) and (b) for submission to the bishop and the diocesan synod for their approval;

(d) to maintain an overview of matters relating to church buildings in the diocese and their use, other than matters which are within the jurisdiction of the consistory court or within the functions of the Diocesan Advisory Committee;

(e) in the case of listed buildings or buildings in a conservation area, to make, in accordance with section 55, every endeavour to find a suitable alternative use or suitable alternative uses for churches which are proposed to be closed and buildings which have been closed for regular public worship in the diocese under a pastoral church buildings scheme and, in the case of any other such building, to develop proposals for the suitable alternative use or uses of the building or for the demolition of the building and the disposal of its site;

(f) where it considers it desirable, to make recommendations to the bishop in accordance with section 6 or 21 for any of the matters for which provision may be made under this Measure (other than section 50) by a pastoral scheme or order; and

(g) to carry out any other functions conferred upon a mission and pastoral committee of a diocese by any enactment.

(4) The mission and pastoral committee shall, in carrying out any of its functions, to the extent that it thinks appropriate, consult any other persons or bodies, whether within the Church of England or not, which exercise functions or carry out activities relevant to the functions of the committee.

(5) Nothing in this section shall enable the mission and pastoral committee—

(a) to exercise functions conferred on any other person or body by or under any enactment, or

(b) to fix or alter the terms of service of any person employed or holding office in the diocese.

## **DIOCESAN BOARD OF EDUCATION**

### **Terms of Reference**

*These Terms of Reference set out the governance, responsibilities and delegated authority of the Chelmsford Diocesan Board of Education, established as a committee of the Diocesan Board of Finance in accordance with the Diocesan Boards of Education Measure 2021 and the Diocesan Scheme.*

Approved: March 2026

Due for Review: March 2029

#### **Definitions**

<b>Bishop</b>	means the Diocesan Bishop
<b>CDET</b>	means the Chelmsford Diocesan Educational Trust (company number 07706638)
<b>Custodian Trustee</b>	refers to instances where DBF acts as custodian trustee or diocesan authority
<b>DBE</b>	means the Diocese of Chelmsford Diocesan Board of Education
<b>DBF</b>	means the Diocese of Chelmsford Diocesan Board of Finance (charity number 249505) (company number 137029)
<b>Episcopal Area[s]</b>	means the Episcopal Areas of Barking, Bradwell, and Colchester, within the Diocese of Chelmsford
<b>Measure</b>	means the Diocesan Boards of Education Measure 2021
<b>Scheme</b>	means the Scheme made by the Chelmsford Diocesan Synod in exercise of the powers conferred by the Diocesan Boards of Education Measure 2021

#### **Terms of Reference**

##### **The DBE**

The DBE is a committee of the DBF and established under s.3 of the Scheme. The DBE exercises the powers and duties conferred on the DBE by or pursuant to the Measure and which must be delegated to the DBE by the DBF (the DBE Functions). The Chair is appointed under s.14 of the Scheme.

##### **DBE Membership**

Composition of the DBE

i. Members

(1) The members of the DBE are—

- (a) the Bishop,
  - (b) at least 2 but not more than 3 members appointed by the Bishop,
  - (c) 6 members elected by the Diocesan Synod in accordance with the provision of s.5(2) of the Scheme
  - (d) at least 4 but not more than 5 members co-opted by the DBE.
- (2) Two members of DBE shall be elected by the Synod in respect of each of the three Episcopal Areas in the Diocese, who need not themselves be members of the Synod, and of the members elected in respect of any Episcopal Area—
- (a) one shall be a clerk in Holy Orders beneficed or licensed in the Episcopal Area; and
  - (b) one shall be a communicant lay person who either resides, works or worships in the Episcopal Area
- (3) In making an appointment or co-option or selecting candidates for election, regard must be had to the desirability of securing that a variety of relevant skills is available among the members. A regularly updated skills matrix will be maintained covering:
- Finance/audit,
  - Estates and capital,
  - Theology/Christian distinctiveness and education,
  - SEND and inclusion,
  - Governance and risk.
- (4) A person is not eligible to be a member of the DBE if the person is disqualified by law from being a charity trustee.

ii. Chair

The chair of the DBE, as required by s.14 of the Scheme, is—

- (a) the Bishop, or
- (b) another member of the DBE appointed by it after consultation with the Bishop.

iii. Vice-Chair

- (a) The DBE shall appoint from among its members a Vice-Chair, who shall support the Chair in the discharge of their responsibilities.
- (b) The Vice-Chair may act on behalf of the Chair where delegated to do so and may represent the DBE at diocesan, regional or national meetings as required.
- (c) The Vice-Chair shall be elected annually by the DBE at its first meeting of the calendar year.
- (d) In the absence of both the Chair and Vice-Chair, the DBE members present shall elect one of their number to chair the meeting.

iv. Election

Election to the DBE, as required by s.7 and s.9 of the Scheme:

The election of the elected members shall take place every 3 years in the same year as, but after, the election of members of the Synod. All members so elected shall begin to hold office on 1st January next following their election.

v. Co-option

Members of the DBE appointed by co-option, as referred to in paragraph i.(1)(d) above, pursuant to s.8 of the Scheme, shall be notified of their co-option in writing by the Diocesan Director of Education no more than 14 days after their co-option by the DBE.

vi. Mid-triennium retirement or resignation

Members of the DBE who retire or resign mid-term will be replaced in accordance with s.12 of the Scheme.

vii. Removal of DBE members

DBE members can be removed from office as pursuant to s.11 of the Scheme.

### **Functions of the DBE**

The DBE is established pursuant to s.3(7) of the Measure to exercise the DBE Functions. The DBE Functions are set out in the Measure and are:

i. To:

- (a) promote or assist in the promotion of education in the diocese that is consistent with the faith and practice of the Church of England;
- (b) promote or assist in the promotion of religious education and religious worship in schools in the diocese;
- (c) promote or assist in the promotion of church schools in the diocese;
- (d) promote co-operation between itself and other persons concerned with education in the diocese.

- ii. to give Advice in accordance with s.7 of the Measure;
- iii. to give Consent in accordance with s.8 of the Measure;
- iv. to take part in Consultation under s.9 of the Measure;
- v. to give Directions under s.10 of the Measure;
- vi. to engage in accordance with s.11 of the Measure;
- vii. to request information in accordance with s.12 of the Measure;

- viii. to comply with requirements imposed on it by the code of practice issued by the House of Bishops on safeguarding children and vulnerable adults in accordance with s.13 of the Measure;
- ix. to enter into the arrangements envisaged in s.14 of the Measure; and
- x. to undertake such other functions as may be conferred on the DBE by the Scheme in accordance with s.15 of the Measure.

### **How the DBE exercises its functions**

#### **i. Providing advice and issuing direction to schools and trusts**

- (1) The Director of Education, on behalf of the DBE, and, if appropriate, after taking legal advice, may advise
  - (a) the governing bodies of maintained schools,
  - (b) boards of trustees of academy trusts,
  - (c) trustees of church educational endowments, and
  - (d) such other persons as the DBE considers appropriate, to which advice they must have due regard.
- (e) The DBE and DBF shall be notified on each occasion a direction is issued.

(2) Advice issued will be reported to the DBE or CDET when appropriate.

#### **ii. Providing consent**

- (1) Following legal advice all relevant consents, permissions and agreements will be signed and sealed by the DBF acting as custodian trustee on behalf of the DBE (see Section 7 below for further details).

#### **iii. Appointments - foundation governance**

##### **(1) Appointment**

The DBE will require all those wishing to serve as a DBE-nominated foundation governor in maintained schools to undergo due diligence to assess their suitability prior to appointment. This will include an enhanced DBS check facilitated by the Governing Body of the school concerned.

##### **(2) Notification of Appointment**

The DBE shall be consulted on, and notified of, all nominated appointments of Foundation Governors.

iv. Appointments to academy trusts in the Diocese of Chelmsford

- (1) The Diocese of Chelmsford Vine Schools Trust (company number 8709542): The DBE through CDET shall appoint Members of the Diocese of Chelmsford Vine Schools Trust in accordance with the Diocese of Chelmsford Vine Schools Trust Articles of Association.
- (2) Other academy trusts: The DBE through CDET shall facilitate the appointment of representatives to other educational trusts across the Diocese as requested and shall review the due diligence requirements for those individuals from time to time.
- (3) Where required under the relevant Articles of Association of a Multi-Academy Trust, the DBE delegates authority to the Diocesan Corporate Member (CDET) to provide consent for the appointment of appropriate local governing board members or directors in cases where the DBE is named as the consent-giving body. Such delegated consents must be exercised in accordance with DBE policy, recorded appropriately, and reported to the DBE at the next available meeting.

v. Buildings

- (1) VA school buildings: The DBE will administer capital estate improvements (Voluntary Aided schools only) through the School Condition Allocations (SCA) and will, through the work of the School Buildings and Organisation Officer, provide guidance to Voluntary Aided schools relating to the maintenance and development of their buildings.
- (2) Consent for building works: The DBE shall seek to coordinate the provision of consents for capital works at maintained schools and academies in the Diocese.

**DBE Meetings**

i. Quorum

- (1) A duly convened meeting of the DBE at which a quorum of 6 members, at least one of whom must be an elected/appointed DBE member, is present shall be competent to exercise all or any of the authorities, powers and discretions vested in or exercisable by the DBE.

ii. Frequency of Meetings

- (1) It is for the DDE, at the request of the chair of the DBE or any two members or the DBE, to convene a meeting of the DBE.
- (2) The DBE must meet at least 3 times a year.

iii. The Chair

- (1) The Chair of the DBE is the bishop or the person appointed by the bishop. All meetings will be chaired by the Chair. In the absence of the Chair, the Vice-Chair shall chair the meeting. In the absence of both the Chair and Vice-Chair, the members present shall elect one of their number to chair the meeting.

iv. Notice of meetings

- (1) Unless otherwise agreed, notice of each meeting confirming the venue, time and date together with an agenda of the items to be discussed and any relevant papers should be sent to all DBE members and those invited, no later than 3 working days before the date of the meeting.
- (2) If, at the invitation of the DBE, the Diocesan Secretary, or any member of the DBF who is not a member of the DBE, are invited to attend the whole or part of the DBE meeting, notice of the meeting must be given to the person as soon as reasonably practicable before the meeting, together with the relevant papers.
- (3) If it is not reasonably practicable for the relevant papers for a meeting of the DBE to accompany the notice of the meeting, the papers must be given to each person who received the notice of the meeting as soon as it is reasonably practicable.

v. Attendance at meetings

- (1) The DBE may invite the Diocesan Secretary, or any member of the DBF who is not a member of the DBE, to attend the whole or part of a meeting and a person so invited may speak but cannot vote.
- (2) The DBE may invite any other person to attend the whole or part of a meeting and such person may speak only at the discretion of the chair and cannot vote.
- (3) The members of the DBE may ask any or all of those who normally attend meetings of the DBE but who are not members of the DBE to withdraw from the discussion of particular matters to facilitate open and frank discussion.
- (4) Where a member of the DBE participates in a DBE meeting by means of a conference call or other virtual facility which enables everyone taking part in the meeting to hear and/or see each other, the participation by that member in that way is to be treated as being present at the meeting; and the member is accordingly to be counted for the purpose of working out whether there is a quorum and is entitled to vote at the meeting.

- (5) Where there is a meeting of the DBE at which one or more members are present in the way described in paragraph v.(4) above, the meeting is to be documented as being held:
  - (a) at the place at which there is the largest number of DBE members present (including in the way described in paragraph v.(4) above) or;
  - (b) if there is no one place which meets that description, at the place at which the chair of the meeting is present.
- (6) A decision at any meeting is to be taken by a majority vote of members present at the meeting (including in the way described in paragraph v.(4) above).
- (7) If there is a tied vote at a meeting, the Chair has a second, casting vote.

vi. Minutes of meetings

- (1) The DDE is secretary to the DBE and is responsible for ensuring that a record of the proceedings and decisions of each meeting is made, including the names of those present and in attendance and any declarations of conflicts of interest or loyalty, in accordance with the DBF's conflicts of interest and loyalty policy.
- (2) A draft of the minutes of each meeting must be circulated promptly to each member of the DBE for approval.
- (3) Once the minutes of a meeting are approved, the minutes must be sent to every member of the DBE and to the Diocesan Secretary (who will circulate them to DBF as appropriate) and may be sent to other persons as the DBE thinks appropriate.

vii. Decisions without a meeting

- (1) A resolution in writing signed by a majority of the members of the DBE is as valid and effective as if it had been passed at a meeting of the DBE duly convened and held.
- (2) A member of the DBE may signify agreement to a proposed written resolution:
  - (a) by signing a hard copy;
  - (b) by email sent from the email address which the member usually uses in connection with the affairs of the DBE; or
  - (c) if the DBE has approved the use of some other electronic means for this purpose, by that electronic means.

- (3) The DBF's policy will need to make specific provision for conflicts of loyalty between the DBF and DBE which reflect the Measure and the Scheme.
- (4) The DBE Committee is to be treated as taking a majority decision on a matter if a majority of the members indicate to each other by electronic means that they share a common view on the matter. Such a decision may (but need not) take the form of a written resolution passed in accordance with paragraph vii.(1) above.
- (5) A resolution in writing or a decision taken in the way described in paragraph vii.(4) above must be duly reported and minuted at the next meeting of the DBE and a copy of the resolution in writing must be sent to the Diocesan Secretary within 7 days of it having been passed.

### **Delegation to sub-committees**

#### **i. Committees, Sub-committees and Working Groups**

- (1) Where the DBE delegates the exercise of any DBE Functions to a committee or sub-committee, the DBE must provide written terms of reference in relation to that delegation which must include a requirement for that committee or sub-committee to report its proceedings to the DBE.

#### **(2) Membership**

The DBE/Executive/DBE Chair may establish working parties and task groups (which may include other people).

- (a) Sub-committee Chairs are appointed by the Chair of the DBE and shall be members of the DBE. Each sub-committee should aim to have between 6 and 8 members (plus Officers), at its discretion.
- (b) A sub-committee should normally include at least two members of the DBE.
- (c) The DBE (or its Executive) shall appoint the members of the sub-committees.
- (d) Should a decision need to be taken that has a policy implication, the sub-committee/working group will seek the guidance/decision of the DBE/Executive/DBE Chair.

#### **ii. DBE Executive Committee (DBE Exec)**

- (1) The DBE Exec has these principal functions:
  - (a) To discharge urgent business on behalf of the DBE between its meetings.
  - (b) To plan and review the meetings of the DBE.
  - (c) To monitor and, where necessary, suggest organisational refinement of the organisational arrangements of the DBE, including any sub-committees and working groups.

(d) To discharge other business as remitted to it by the DBE.

(2) DBE Exec Membership

- (a) The Chair of the DBE
- (b) The Chair of the School Organisation and Resources Committee
- (c) Up to two additional members of the DBE

(3) In Attendance

- (a) Director of Education
- (b) Any other Officer required to attend by Members of the DBE Exec
- (c) Meetings may be convened virtually, provided all participants are able to hear and/or see one another, and such participation shall be treated as attendance for the purposes of quorum and voting.

(4) Quorum

- (a) 2 members, one of whom must be either the Chair of the DBE or the Chair of SORC.

(5) Frequency

- (a) The DBE Exec shall meet 3 times per year

iii. School Organisation and Resources Committee (SORC)

(1) Remit of the Committee

- (a) Church School planning (inc. new schools)
- (b) Multi-Academy Trust organisational planning
- (c) School buildings and estate issues (inc. capital projects)
- (d) Project approval as required by the DBE Measure
- (e) Budgets, cashflow and accounts relating to School Capital Projects
- (f) Legal and Ownership issues
- (g) Service Level Agreement(s)
- (h) Academy pre-conversion Scrutiny and Approvals
- (i) Federation applications, scrutiny and approvals
- (j) Other areas referred by the DBE or DBE Exec

(2) Membership

- (a) The committee shall consist of six members of the DBE appointed by the Chair of the DBE.
- (b) Officers may attend by invitation but have no voting rights.
- (c) The Committee shall be chaired by a DBE member appointed by the Chair of the DBE.

- (3) In attendance
  - (a) Diocesan Director of Education
  - (b) At least one designated Diocesan Officer
  - (c) Any other Officer required to attend by Members of the DBE Exec
  - (d) Meetings may be convened virtually, provided all participants are able to hear and/or see one another, and such participation shall be treated as attendance for the purposes of quorum and voting.

- (4) Quorum

- (a) The quorum for the School Organisation & Resources Committee (SORC) shall be three members

- (5) Frequency

- (a) SORC shall meet 3 times per year

- iv. School Organisation & Resources – Academisation Sub-Committee (SORCA)

- (1) Remit of sub-committee

- (a) Scrutiny of academy conversion requests
    - (b) Review of governance, land, legal and due-diligence considerations;
    - (c) Ensuring alignment with diocesan strategy
    - (d) Recommending approval/deferral/decline

- (2) Membership

- (a) The Sub-Committee shall consist of six members of the DBE, normally drawn from SORC.
    - (b) Officers or advisers may attend by invitation but have no voting rights.
    - (c) The Chair of SORC shall chair the Sub-Committee.

- (3) In attendance

- (a) Diocesan Director of Education
    - (b) At least one designated Diocesan Officer
    - (c) Any other Officer required to attend by Members of the DBE Exec
    - (d) Meetings will normally be held face to face unless otherwise agreed.

- (4) Quorum

- (a) The quorum for the School Organisation & Resources Sub-Committee Academisation (SORCA) shall be three members

- (5) Frequency

- (a) SORCA shall meet 3 times per year
- v. Education & Christian Distinctiveness Committee (ECDC)
  - (1) Remit of sub-committee
 

To provide oversight and assurance on:

    - (a) Christian distinctiveness;
    - (b) RE and collective worship;
    - (c) SIAMS readiness, outcomes and learning;
    - (d) Growing Faith;
    - (e) SEND inclusion and inclusive practice;
    - (f) School improvement themes and professional development;
    - (g) Theological reflection and educational impact.
  - (2) Membership
    - (a) The Committee shall consist of four to six members of the DBE, appointed by the Chair of the DBE.
    - (b) Officers may attend by invitation but have no voting rights.
    - (c) The Committee shall be chaired by a DBE member appointed by the Chair of the DBE.
  - (3) In attendance
    - (a) Diocesan Director of Education
    - (b) At least one designated Diocesan Officer
    - (c) Any other Officer required to attend by Members of the DBE
    - (d) Meetings will normally be held face to face unless otherwise agreed.
  - (4) Quorum
    - (a) The quorum for the Education & Christian Distinctiveness' Committee (ECDC) shall be three members
  - (5) Frequency
    - (a) ECDC shall meet 3 times per year

## **Processes and Procedures**

### i. Governance

#### (1) Diocesan Synod and Bishop's Council

The DBE will report its activities to Bishop's Council once a year. The DBE shall make a report to Diocesan Synod on an annual basis as pursuant to s.17 of the Scheme.

(2) The DBF

The activities of the DBE will be reported to the DBF through the circulation of the DBE minutes and through an annual presentation to the DBF by the Director of Education.

(3) Director of Education

The day-to-day leadership of the DBE shall be undertaken by the Diocesan Director of Education who shall support the delivery of the strategic priorities of the DBE in accordance with its functions.

ii. Budget Management

(1) The DBE's annual budget will be set in consultation with the Diocesan Director of Finance and the Diocesan Director of Education

(2) Once approved by the DBE, the annual budget will be subjected to review and ratification by the DBF.

iii. People Management

(1) The DBF is and will continue to be the employer of all individuals who work in connection with the DBE ('the Education Department').

(2) Any appointments to the Education Department will be agreed both in terms of budget and job description with the Diocesan Secretary in advance of advertisement, and those appointments will be in accordance with all employment policies and practice approved from time to time by the DBF.

(3) The Diocesan Director of Education will be line managed by the Dean of Mission, Ministry, and Education.

(4) Members of the Education Department will be line managed by the Diocesan Director of Education and her/his senior team.

iv. Communications

(1) The DBE will manage external communication with schools, key stakeholders, and maintain its website through the work of the Education Department.

(2) The DBE will draw on the advice and support of the Diocesan Director of Communications when responding to serious incidents.

- (3) The DBE will encourage all Church of England schools within the Diocese to draw on the advice of the Diocesan Director of Communications when managing serious incidents.
- (4) The DBE will ensure any incidents that may be serious incidents (whether safeguarding or otherwise) and may need to be reported to the Charity Commission are reported to the relevant person in the DBF without delay.

### **Reporting requirements**

#### **i. Safeguarding**

- (1) The DBE will comply with the DBF's policy on Serious Incident Reporting.
- (2) All relevant safeguarding incidents will be reported to the Diocesan Safeguarding Adviser.
- (3) The DBE is required by section 5A of the Safeguarding and Clergy Discipline Measure 2016 to comply with requirements imposed on it by the code of practice issued by the House of Bishops on safeguarding children and vulnerable adults.
- (4) For so long as section 5 of the Safeguarding and Clergy Discipline Measure 2016 remains in force for the purposes of any guidance issued by the House of Bishops on matters relating to the safeguarding of children and vulnerable adults, the DBE is required by that section to have due regard to that guidance.

#### **ii. Financial**

- (1) Any serious finance incidents or concerns will be reported as soon as is possible to the Diocesan Director of Finance and Diocesan Secretary.

#### **iii. Data Protection**

- (1) The DBE will comply with the DBF's Data Protection Policy from time to time in force and will report any breaches to the Diocesan DPO and Diocesan Secretary in accordance with that Policy or as soon as the DBE is made aware of the DBF's policy in that regard.
- (2) The DBE will ensure the Education Department is regularly trained in matters relating to data protection and are made aware of the DBF's policy in that regard.

iv. iv. Personnel

- (1) All HR and employment-related incidents of which the DBE or Diocesan Director of Education become aware will be reported to the Diocesan HR Department and Diocesan Secretary without undue delay.

**Umbrella trusts and other corporate entities**

- (1) CDET shall, under the powers delegated to it by the DBF, in its role as the DBE, act as Diocesan Corporate Member for each Church of England academy or academy trust established in the Diocese of Chelmsford.
- (2) The DBE shall require that CDET report at least three times a year to the DBE in such manner and by such dates as may be prescribed by the DBE on the exercise of CDET's functions and duties during the preceding period.

**Education Charities**

i. School Trusts

- (1) The DBE will liaise with the DBF Finance and Property departments, to provide advice and support the effective and legal management of local and uniform statutory trusts relating to Church of England schools and schoolhouses across the diocese.
- (2) All relevant paperwork will be signed, or signed and executed, by the DBF in accordance with DBF policy where the DBF is acting as custodian trustee on behalf of the DBE. Where it is acting as custodian trustee, the DBF acknowledges it will be acting on the direction of the DBE in this regard.

ii. School Sites

- (1) The DBE will liaise with the DBF Property Department, to support the effective legal management of church school sites where the DBF acts as trustee on behalf of the DBE.
- (2) All relevant paperwork will be signed, or signed and executed, by the DBF in accordance with DBF policy where the DBF is acting as custodian trustee on behalf of the DBE. Where it is acting as custodian trustee, the DBF acknowledges it will be acting on the direction of the DBE in this regard.

iii. Variation

- (1) Any significant variation to any Trust or school site will be reported to the DBE and DBF by the relevant Diocesan Officer.

**Academy conversions**

- (1) The DBE will work in partnership with the DBF Property Department, to support the conversion of church schools wishing to become Church of England academies where the DBF acts as trustee on behalf of the DBE.
- (2) All relevant paperwork will be signed, or signed and executed, by the DBF in accordance with DBF policy where the DBF is acting as custodian trustee on behalf of the DBE.
- (3) Where the DBF is signing for and on behalf of the DBE as diocesan authority, the DBF acknowledges it will be acting on the direction of the DBE in this regard.

**Periodic review**

- (1) The DBE shall review these Terms of Reference every 3 years in discussion with the DBF and any changes shall be approved by the DBF.

**General**

- (1) Subject to the above, the DBE may from time to time regulate its own proceedings in according with s.15(2) of the Scheme.

## **DIOCESAN BOARD OF PATRONAGE**

### **SCHEDULE 3 OF THE PATRONAGE (BENEFICES) MEASURE 1986**

1. (1) A Diocesan Board of Patronage (hereafter referred to as 'the Board') shall consist of:
  - a. The Bishop of the Diocese;
  - b. Three clerks in Holy Orders beneficed in or licensed to any parish in the Diocese elected by the House of Clergy of the Diocesan Synod by the method of the single transferable vote;
  - c. Five lay persons elected by the House of Laity of that Synod by the method of the single transferable vote;
  - d. For the purpose of transacting any business relating to a particular benefice: The Archdeacon in whose Archdeaconry, and both Chairs of the Deanery Synod of the Deanery in which that benefice is situated.
- (2) An Archdeacon shall not be qualified to be elected under paragraph (1)b.
2. The Bishop of the Diocese may nominate any Suffragan Bishop or Assistant Bishop holding office in the Diocese to act in his place as a member of the Board on such occasions as he may determine.
3. The Board shall elect one of its members other than the Bishop to act as Chair of the Board.
4. (1) The election of members of the Board shall take place every six years in the same year as, but after, the election of the members of the Diocesan Synod, and the elected members shall hold office for a term of six years beginning on 1 January next following their election.
  - (2) When a casual vacancy occurs among the elected members of the Board, then –
    - a. The vacancy is among members elected under paragraph 1(1)(b) above, the vacancy shall be filled by an election by the elected clerical members of the Bishop's Council of a person qualified to be elected under that paragraph.
    - b. If the vacancy is among members elected under paragraph 1(1)(c) above, the vacancy shall be filled by an election by the elected lay members of the Bishop's Council of a lay person.
  - (3) Any person elected to fill a casual vacancy shall hold office for the unexpired portion of the term of office of the person in whose place he is elected.
  - (4) An elected member of the Board, if qualified for election, shall be eligible for re-election on the termination of any period of office.
5. (1) The quorum of the Board shall be six.

- (2) Subject to sub paragraph (1) the Board may act notwithstanding any vacancy in its membership.
6. A clerical member of the Board shall not take part in any proceedings of the Board connected with the exercise of a right of patronage in favour of himself.
7. Subject to the preceding provisions and to any direction as to procedure given by the Diocesan Synod, the Board shall have power to regulate its own procedures.

## **CHELMSFORD DIOCESAN ADVISORY COMMITTEE**

*(EJCCM s36)*

Name

- 1 The committee is known as the Chelmsford Diocesan Advisory Committee.

Functions

- 2 The committee must act as an advisory body on matters affecting places of worship in the diocese.
- 3 In carrying out its functions under the Ecclesiastical Jurisdiction & Care of Churches Measure 2018, the committee must have due regard to:
  - (a) the role of a church as a local centre of worship and mission
  - (b) the importance of environmental protection and
  - (c) the rites and ceremonies of the Church of England.
- 4 Without prejudice to the discharge of its statutory duties the committee shall have due regard to the missional objectives of the diocese.
- 5 In particular, the committee must give advice when requested by a relevant person on matters relating to—
  - (a) the grant of faculties,
  - (b) the architecture, archaeology, art or history of a place of worship,
  - (c) the use, care, planning, design or closure of a place of worship,
  - (d) the use or care of the contents of a place of worship, or
  - (e) the use or care of a churchyard or burial ground.
- 6 For the purpose of the preceding paragraph, each of the following is a “relevant person”—
  - (a) the bishop of the diocese,
  - (b) the chancellor of the diocese,
  - (c) the area bishops of the diocese,
  - (d) the archdeacons of the diocese,
  - (e) the parochial church councils and district church councils in the diocese,
  - (f) a person intending to apply for a faculty in the diocese,
  - (g) the Bishop’s Council, Finance Committee and the Mission and Pastoral Committee, of the diocese,
  - (h) a person engaged in the planning, design or building of a new place of worship in the diocese, not being a place within the jurisdiction of the consistory court, and
  - (i) such other persons (which may include other boards, councils or committees of the diocese) as the committee considers appropriate.
- 7 The committee must develop and maintain a repository of—
  - (a) records relating to the conservation, repair and alteration of places of worship, churchyards and burial grounds, and

- (b) other material (including inspection reports, inventories, technical information and photographs) relating to the work of the committee.
- 8 The committee must issue guidance for the preparation and storage of the records referred to in paragraph 7.
  - 9 The committee must make recommendations as to the circumstances in which the preparation of a record of the kind referred to in paragraph 7 should be made a condition of a faculty.
  - 10 The committee must review and assess the degree of risk to materials, or of loss to archaeological or historic remains or records, arising from proposals relating to the conservation, repair or alteration of a place of worship, churchyard or burial ground and its contents.
  - 11 The committee must—
    - (a) take action to encourage the care and appreciation of places of worship, churchyards and burial grounds and contents, and
    - (b) for that purpose, publicise methods of conservation, repair, construction, adaptation and redevelopment.
  - 12 The committee must carry out such other functions—
    - (a) as may be imposed on it by an enactment or by a Canon;
    - (b) as may be imposed on it by a resolution of the diocesan synod;
    - (c) as it may be requested to carry out by the bishop or chancellor.

Membership: appointment

- 13 The committee consists of—
  - (a) a chair,
  - (b) the archdeacon of each archdeaconry in the diocese, and
  - (c) at least twelve other members.
- 14 The chair is appointed by the bishop of the diocese after consultation with—
  - (a) the bishop's council,
  - (b) the chancellor of the diocese, and
  - (c) the Church Buildings Council.
- 15 The other members are—
  - (a) at least twelve other persons appointed by the bishop's council of the diocese, of whom—
    - (i) two are appointed from among the elected members of the diocesan synod,
    - (ii) one is appointed after consultation with the Historic Buildings and Monuments Commission for England (commonly known as 'Historic England'),
    - (iii) one is appointed after consultation with the relevant

- associations of local authorities in relation to the diocese, and
- (iv) one is appointed after consultation with the national amenity societies, and
- (b) such other persons as may be co-opted under paragraph 32 below.

In this paragraph and elsewhere in this constitution, the definition of “national amenity society” has the same meaning as in the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, and the “relevant associations of local authorities” means such associations as may from time to time be designated by the Dean of the Arches and Auditor as the relevant associations of local authorities for that purpose.

- 16 The committee shall appoint a vice-chair from among its members. They must not be one of the archdeacons of the diocese. When the office of chair is vacant, the chair is unable to act, or the chair (or the bishop) invites him or her to do so, the vice-chair of the committee shall act as chair and have all the powers vested in the chair.
- 17 In making an appointment under paragraph 15(a) above, the bishop’s council must ensure that the persons so appointed have between them—
  - (a) knowledge of the history, development and use of church buildings,
  - (b) knowledge of Church of England mission, ministry, liturgy and worship,
  - (c) knowledge of architecture, archaeology, art and history,
  - (d) experience of the care of historic buildings and their contents,
  - (e) knowledge of environmental matters and
  - (f) personal knowledge and experience of issues that need to be addressed when considering how to secure accessibility for disabled people to buildings and facilities.
- 18 Paragraphs 19, 20, and 22 to 26, below, shall not apply to the term of office of any member (including the chair) whose appointment precedes the adoption of this constitution.
- 19 Subsequent new appointments of the chair or of a member appointed under paragraph 15(a) above must be made within one year after the formation of the second new diocesan synod since the previous round of appointments.

Membership: term of office

- 20 The term of office of the chair and members appointed under paragraph 15(a) shall be two diocesan synod terms<sup>2</sup>.
- 21 If an individual’s membership is dependent upon holding a particular qualification

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<sup>2</sup> A diocesan synod term is currently three years, which means the typical maximum number of years someone may serve would be six, unless authorisation is given otherwise.

he or she would cease to be a member on the date they cease to hold the qualification.

- 22 A member of the committee who ceases to hold office otherwise than by virtue of paragraph 21 is eligible for re-appointment.
- 23 A person who has served as the chair or as a member under paragraph 15(a) for two successive terms of office may not be reappointed except when authorised under paragraph 24 below or co-opted until the next occasion on which new appointments are made under paragraph 19.
- 24 The diocesan synod may authorise any person, on the expiry of the second term, to continue to hold office either as the chair or as a member under paragraph 15(a) for one or more successive terms.
- 25 The diocesan synod may not give an authorisation under paragraph 24 unless—
  - (a) the person making appointments under paragraphs 14 or 15 has obtained the advice of the Church Buildings Council, and
  - (b) the diocesan synod has been provided with that advice.
- 26 The term limit in paragraph 23 does not include instances where the first of the successive terms of office was an appointment to fill a casual vacancy.

#### Membership: casual vacancies

- 27 Where a casual vacancy occurs among the chair or members appointed under paragraph 15(a), the bishop must appoint a person to fill the vacancy.
- 28 If the person whose place is to be filled was a member of the committee under paragraph 15 (a) (i), the person appointed under paragraph 27 must also be a member of the diocesan synod.
- 29 If the person whose place is to be filled was appointed under paragraph 15(a) (ii), (iii) or (iv), the bishop must, before appointing to fill the vacancy, undertake the consultation required under the sub-paragraph concerned.
- 30 A person appointed to fill a casual vacancy holds office only for the unexpired portion of the term of office of the person whose place is being filled.

#### Membership: co-opting

- 31 The committee may, with the consent of the bishop, co-opt such persons as it thinks fit to be additional members of the committee.
- 32 The number of persons co-opted under paragraph 31 must not exceed one-third of the total number of the other members.

- 33 A person co-opted ceases to be a member of the committee on the making of new appointments of members under paragraph 19.

#### Membership: quorum

- 34 A quorum shall be one-quarter of the members and must include the chair (or vice-chair) and at least one member with professional architectural experience.

#### Consultants

- 35 The bishop may appoint suitably expert persons to act as consultants to the committee if the committee requests the bishop to do so, to be known as 'associate advisers'. The role of associate advisers is to advise the committee within the area of their expertise as required. Associate advisers do not normally attend meetings of the committee and do not have voting rights.

#### Secretary

- 36 The secretary to the committee is appointed by the bishop after consultation with—  
(a) the chair, and  
(b) the diocesan secretary.
- 37 The diocesan secretary may appoint an assistant secretary to the committee after consultation with the chair and the secretary of the committee.

#### Delegation to Sub-committees and officers

- 38 The committee shall have power to appoint sub-committees.
- 39 The committee may delegate any of its functions to a sub-committee or an officer of the committee as it shall think fit. The officers of the committee are the secretary and any assistant secretary.
- 40 Before delegating its function of giving advice on matters relating to the grant of faculties, the committee shall consult with the chancellor of the diocese on the proposed procedures.
- 41 In carrying out any functions of the committee on a delegated basis, a sub-committee or officer must likewise have due regard to the role of a church as a local centre of worship and mission, and the rites and ceremonies of the Church of England.

#### Accountability

- 42 As soon as practicable after the end of each year, the committee must provide a report of its work and proceedings during that year to the diocesan synod; and the

secretary of the committee must send a copy of the report to the Church Buildings Council.

#### Definitions

- 43 In this constitution 'meeting' or 'meetings' means both in person meetings and 'virtual' meetings.

#### Procedures

- 44 Subject to any other provisions of this constitution or of provisions contained in any Rules made under the Ecclesiastical Jurisdiction and Care of Churches Measure 2018, and having regard to any statutory guidance issued by the Church Buildings Council, the committee shall have power to regulate its own business and procedure.
- 45 This constitution is provided by the diocesan synod and was passed by resolution on 10 June 2023. It supersedes all previous constitutions, and shall come into effect from 10 June 2023.

## VACANCY IN SEE COMMITTEE

as amended by the **Vacancy in See Committees (Amendment) Regulation 2003**, the **Vacancy in See Committees (Amendment) Regulation 2007**, the **Vacancy in See Committees (Amendment) Regulation 2008**, the **Vacancy in See Committees (Amendment) Regulation 2013** and the **Vacancy in See Committees (Amendment) Regulation 2021** (i.e. in the form it takes from 13th July 2021)

A REGULATION passed by the General Synod to make fresh provision with respect to Vacancy in See Committees.

### I. Establishment and Composition

(a) In every diocese there shall continue to be in existence at all times a Vacancy in See Committee consisting of:

#### Ex-Officio Members

- (i) The suffragan bishop or bishops and any full-time stipendiary assistant bishop who is a member of the diocesan House of Bishops.
- (ii) The dean of the cathedral or, if he or she is unable to serve, a member of the Chapter of the cathedral elected by the Chapter excluding from election any person who is a member of the Committee in any other capacity; where there is an equality of votes, the matter shall be decided by lot.
- (iii) Two archdeacons elected by and from the archdeacons of the diocese; if there are no more than two archdeacons in the diocese, those archdeacons or archdeacon. Where there is an equality of votes, the matter shall be decided by lot.
- (iv) The proctors elected by the diocese or from a university or theological education institution in the diocese to the Lower House of Convocation.
- (v) The members elected by the diocese to the House of Laity of the General Synod.
- (vi) The chair of the House of Clergy and the chair of the House of Laity of the Diocesan Synod.

#### Elected Members

- (vii) Not fewer than two Clerks in Holy Orders being clerks beneficed in the diocese or licensed under seal by the bishop of the diocese, elected by the House of Clergy and the House of Laity of the Diocesan Synod except that no archdeacon and no person in episcopal orders shall be eligible for election under this paragraph.
- (viii) Not fewer than two persons elected by the House of Clergy and the House of Laity of the Diocesan Synod each of whom is an actual communicant (within the meaning of the Church Representation Rules) who is aged 16 or over and—
  - (a) whose name is on the roll of a parish in the diocese,
  - (b) whose name is on the community roll of the cathedral church of the diocese which is not a parish church,

- (c) who, in a case where the area of the diocese includes Westminster Abbey, St. George's Chapel, Windsor or the cathedral Church of Christ in Oxford, is declared by the dean to be a habitual worshipper, or
- (d) who is declared by the leader of a mission initiative in the diocese to be part of the worshipping community involved in the initiative.

(b) The number to be elected under sub-paragraphs (a)(vii) and (viii) of this Regulation shall be such as to ensure (having taken account of the place of residence of ex-officio members) that:

- (i) every archdeaconry in the diocese will be adequately represented;
  - (ii) the number of members of the Committee (including ex-officio members) who are in Holy Orders and who are lay persons shall, as far as possible, be equal; and
  - (iii) the number of members of the Committee is not less than 21;
- and shall not otherwise exceed two clerks in Holy Orders and two actual communicant lay persons.

(c) The Bishop's Council and Standing Committee of the diocese may nominate not more than four additional persons who reflect a special interest in the diocese or whose nomination is in the opinion of the Bishop's Council and Standing Committee appropriate in order to secure a better reflection of the diocese as a whole to serve on the Vacancy in See Committee for a term ending on the date on which the elected members of the Committee cease to hold office under paragraph 2(a) of this Regulation.

(d) The Committee shall have no power to co-opt additional members.

## **2. Elections**

- (a) Subject to paragraph 3(d) of this Regulation the elected members of the Committee shall be elected by the Houses of Clergy and Laity of the Diocesan Synod, the members of each of which together constitute a single electorate, and their term of office shall commence on the first day of January following the election of a new synod and end on 31st December following the election of the next synod.
- (b) Persons eligible to stand for election shall be proposed and seconded by members of the appropriate House of the Diocesan Synod.
- (c) The election shall be conducted by the method of the single transferable vote in accordance with the Regulations of the General Synod currently in force.

## **3. Casual Vacancies**

- (a) A casual vacancy (including any vacancy occurring because insufficient eligible candidates for election have been elected) among the elected members shall be filled within six months of the occurrence of the vacancy by a further election by the House concerned provided that if a vacancy of the bishopric is announced before a vacancy on the Committee has been filled the vacancy on the Committee shall

remain unfilled until the Committee has completed its consideration of the vacancy of the bishopric and shall then be filled within six months of the completion of such consideration.

- (b) [*Repealed by the Vacancy in See Committees (Amendment) Regulation 2008*].
- (c) Where a clerk in Holy Orders elected under paragraph 1(a)(vii) of this Regulation becomes an archdeacon in the diocese he or she shall cease to be a member of the Committee under that paragraph but without prejudice to his or her becoming a member of the Committee under paragraph 1(a)(iii).
- (d) A person shall cease to be a member of the Committee when he or she ceases to hold the office by virtue of which he or she was eligible for or entitled to such membership.

#### **4. Officers and Procedure**

- (a) At the first meeting of the Bishop's Council following the election of the members of the Committee a Chair of the Committee shall be elected by the members of the Bishop's Council from among the members of the Committee both ex-officio and elected. The person elected as Chair shall hold office for the same term as the elected members referred to in paragraph 2(a) of this Regulation subject to paragraph 4(e) hereof.
- (b) At the first meeting of the Committee a deputy chair shall be elected by and from the members of the Committee.
- (c) The Secretary of the Committee shall be a fit and proper person (not being a member of the Committee) appointed by the Bishop's Council at the first meeting of the council held following the election of the Committee and if the Secretary is already a member of the Committee at the time of his or her appointment he or she shall forthwith resign his or her office as a member. The Secretary shall convene meetings of the Committee in accordance with the directions of the Committee or the chair thereof.
- (d) The Secretary of the Committee shall invite the Prime Minister's Secretary for Appointments and the Archbishops' Secretary for Appointments to attend meetings of the Committee.
- (e) For the purposes of completing the consideration of any vacancy on which the Committee shall have begun work, elected members shall continue to act as members of the Committee instead of the new members notwithstanding the expiry of their term of office and where, pursuant to paragraph 4(c) above, the Bishop's Council has decided to appoint a different person to act as secretary of the Committee, the former secretary shall continue to act.

- (f) Subject to the foregoing provisions the Committee shall have power to regulate its own business and procedure.
- (g) Subject to paragraph 5A below, as soon as practicable following the announcement of a vacancy of the bishopric the diocesan secretary shall provide to each member a booklet, prepared by the Archbishops' Secretary for Appointments and approved by the Legal Adviser to the General Synod, containing:
  - (i) an explanation of the dual role of a diocesan bishop as the bishop of his diocese and as a member of the House of Bishops of the General Synod and, in the case of a bishop who is or may become a member of the House of Lords, of his role as a member of that House and of the importance of giving due weight to those roles when considering candidates for a vacant bishopric;
  - (ii) a description of the procedures to be followed concerning the nomination of persons to fill a vacant bishopric;
  - (iii) a copy of this Regulation, as amended, and of the document entitled "Guidance Notes and Code of Practice"; and
  - (iv) recommendations concerning the procedure to be adopted for meetings of the Committee.

## **5. Functions**

Subject to paragraph 5A below:

- (a) The Committee shall hold at least two meetings, the first of which shall be held as soon as practicable after the vacancy which the Committee is considering has been announced. At its second meeting the Committee shall discuss the needs of the diocese. It shall then prepare a statement setting out those needs and shall send it to the Crown Nominations Commission of the General Synod, together with such factual information about the diocese and its organisation as the Commission may request.
- (b) The Committee shall elect by ballot from amongst its members persons to be members of the Crown Nominations Commission in connection with the discharge by the Commission of its function in relation to the vacancy of the diocesan bishopric, numbering such number of members as may be required by the Standing Orders of the General Synod. Such election shall be by those present and voting at a meeting of the Committee and shall be held at such stage in the proceedings on the Committee's consideration of the vacancy as the Committee has decided; and after that decision has been made, the Secretary of the Committee shall notify the decision to each member who was not present at the meeting at which it was taken. Such election shall be conducted by the method of the single transferable vote in accordance with the Regulations of the General Synod currently in force. The Chair of the Committee shall not be eligible for election. Nor shall a member of the

Committee who is in episcopal orders. Not less than half of the members elected shall be lay members of the Committee; and not more than one of the members elected shall be a member of the bishop's senior staff which, for the purposes of this sub-paragraph, shall comprise the suffragan and assistant bishops, the archdeacons, and the dean of the cathedral, of the diocese, or be a member of staff of the National Church Institutions, of the Diocesan Board of Finance of the diocese or of the Diocesan Board of Education of the diocese (with the reference to the National Church Institutions to be read as a reference to a person or body to whom section 6 of the National Institutions Measure 1998 applies). No candidate shall be eligible for election unless proposed and seconded by members of the Committee other than the candidate.

- (c) Where, before the Crown Nominations Commission have agreed upon the two names to be submitted to the Prime Minister, any of the members of the Commission elected under sub-paragraph (b) above dies, resigns as a member, becomes incapable of acting as such or is otherwise unable or unwilling to participate as such, the first mentioned member shall be replaced using the voting records of the previous election in accordance with Standing Order 134(8) to (11) of the General Synod (with the reference to the Clerk of the Synod to be read as a reference to the Chair of the Committee).
- (d) For the purposes of sub-paragraph (c), Standing Order 134(9) of the General Synod is to have effect as if there were added at the end "or, if the Chair and Deputy Chair of the Vacancy in See Committee jointly decide that there is insufficient time for a fresh election to be held before the Crown Nominations Commission is due to meet to consider the vacancy, the Chair and Deputy Chair of the Committee—
  - (i) must jointly appoint a member of the Committee to act as a member of the Commission, and
  - (ii) in making the appointment, must have regard to the desirability of maintaining among the members of the Commission elected under paragraph 5(b) of the Vacancy in See Committees Regulation 1993 a similar balance of opinion and of the interests which those members represented."

## **5A. Direction of Archbishop Not to Proceed with Vacancy**

- (a) Where a vacancy of the bishopric is announced and:
  - (i) no steps have been taken under this Regulation to fill it; and
  - (ii) the Dioceses Commission has decided to prepare a reorganisation scheme in accordance with section 7 of the Dioceses, Pastoral and Mission Measure 2007 ("the 2007 Measure") which would abolish the diocese in respect of which the vacancy has been announced or have, in the opinion of the Commission, such a significant effect on the diocese that it would be desirable to delay the appointment of a bishop to fill the vacancy; the Commission may request the

Archbishop of the province in which the diocese is situated to direct that no steps shall be taken under this Regulation in relation to the filling of the vacancy.

- (b) On receipt of a request under sub-paragraph (a) above, the Archbishop may, if he thinks fit, direct as provided in that sub-paragraph and this Regulation shall have effect accordingly.
- (c) Where the Archbishop has issued a direction under sub-paragraph (b) above, then if:
  - (i) the reorganisation scheme (other than a scheme dissolving the diocese) has been confirmed by Order in Council under section 8 of the 2007 Measure; or
  - (ii) the General Synod has taken a decision not to approve the scheme under section 7 of the 2007 Measure; or
  - (iii) the Dioceses Commission has informed the Archbishop that it has decided not to proceed with the scheme; or
  - (iv) the Dioceses Commission has informed the Archbishop that it has decided that it would not be appropriate further to delay the filling of the vacancy;

the Archbishop shall revoke the direction.

- (d) If the Archbishop revokes the direction under sub-paragraph (c) above this Regulation shall have effect as if the announcement of the vacancy had been made on the day on which the Archbishop revokes the direction.
- (e) Any direction or revocation given under sub-paragraph (b) or (c) above shall be in writing and signed by the Archbishop and shall be sent to the Secretary of the Committee and the Archbishop shall send a copy thereof to:
  - (i) the Archbishops' Secretary for Appointments;
  - (ii) the Secretary of the House of Bishops;
  - (iii) the Prime Minister's Secretary for Appointments; and
  - (iv) the Dioceses Commission.

## **5B. Remote meetings**

- (a) A reference in this Regulation to a meeting of the Committee includes a reference to a meeting which persons may attend, speak at, vote in or otherwise participate in without all of the persons, or without any of the persons, being together in the same place.
- (b) The places at which a meeting of the Committee may be held include electronic, digital and virtual locations, web addresses and conference call telephone numbers.
- (c) A person is to be regarded as present at a meeting of the Committee if the person is at that time able to hear and be heard, and where practicable see and be seen, by the other persons present.

- (d) A reference in this Regulation to being present at a meeting of the Committee includes a reference to being present by electronic means, including by telephone conference, video conference, live webcast or live interactive streaming.

## **6. Miscellaneous**

- (a) In the carrying out of the provisions of this Regulation the Archbishop of the province shall have power:
  - (i) to make provision for any matter not herein provided for;
  - (ii) to give directions, in any case in which difficulties arise, which he may consider expedient for the purpose of removing the difficulties.
- (b) The power of the Archbishop under this paragraph shall not enable him:
  - (i) to validate anything that was invalid at the time when it was done;
  - (ii) to give any direction that is contrary to any paragraph of this Regulation.
- (c) No proceedings of any Committee constituted under this Regulation shall be invalidated by any vacancy in the membership of that Committee or any defect in the qualification, election or appointment of any members thereof.
- (d) During a vacancy in an archbishopric or where by reason of absence or illness an archbishop is unable to exercise his functions under this paragraph the functions of an archbishop under this Regulation shall be exercised by the other archbishop.

## **LONDON OVER THE BORDER COUNCIL**

### **PREAMBLE**

The trustees of the Chelmsford Diocesan Board of Finance (CDBF) are responsible for the allocation of funds provided to it by the London Over the Border Fund and the City Churches Fund. The London Over the Border Council is a subcommittee of the Finance Committee to which delegated responsibility has been given for the distribution of said funds. The below provisions relate to the London Over the Border Fund. The terms for the City Churches Fund are set out in a separate document.

### **NAME**

1. The name of the Fund shall be the London-Over-the-Border Church Fund (hereinafter referred to as "the Fund").

### **AREA OF BENEFIT**

2. The area of benefit of the Fund shall be the ecclesiastical parishes currently within the deaneries of Barking and Dagenham, Havering, Newham, Redbridge and Waltham Forest, together with the ecclesiastical parishes in the deanery of Thurrock, which were formerly within "the ancient Deanery of Barking", which are:
  - i) Chadwell St Mary
  - ii) Grays Thurrock
  - iii) Orsett
  - iv) Stifford
  - v) Grays North
  - vi) Purfleet (district within the Mardyke Team)
  - vii) Tilbury Docks
  - viii) East and West Tilbury and Linford

### **OBJECTS**

3. The Fund will consider applications which further the mission of the Anglican churches in the area of benefit, as defined in rule 2. Applications may also be considered from other charitable organisations with clear links to those Anglican churches. The Fund may be applied to assist in providing grants which may be awarded towards the cost of innovative projects and schemes which include:

- i) an initiative to empower disadvantaged people,
- ii) redevelopment of premises for missional use,
- iii) maintenance of church buildings within Urban Priority Area parishes,
- iv) clergy training,
- v) security for clergy premises.

The Council will provide guidelines setting out criteria under which applications can be considered. The Council may revise these guidelines as it sees fit as long as the changes are consistent with the objects defined above.

The Council may undertake other responsibilities, at the request of the Bishop of Chelmsford.

### **COUNCIL MEMBERSHIP**

4. The business of the Fund shall be administered by a Council consisting of the following members :
  - i) Ex-officio:
    - a. the Archdeacon of West Ham,
    - b. the Area Deans of the six deaneries within the area of benefit described in Rule 2 above,
    - c. the Lay Chairs the five deaneries in East London within the area of benefit described in Rule 2 above,
    - d. the Chair of the Chelmsford Diocesan Board of Finance,
  - ii) Two representatives appointed by and from among the Finance Committee of the Chelmsford Diocesan Board of Finance. Representatives appointed shall serve for a term of three years. Those appointed under this term may not serve in that capacity for more than three full consecutive triennia [with effect from the 2018 triennium] without a break of at least one triennium. If any Area Dean or Lay Chair is not able to attend a meeting of the Council they may appoint an appropriate member of the respective House of the Deanery Synod as their deputy. Appointed deputies will not have the right to vote at meetings of the Council.

### **OFFICERS OF THE COUNCIL**

5. The officers of the Council shall be:

- i) the Archdeacon of West Ham, who shall be Chair; in the event of his or her absence from a meeting, the Council may elect an acting Chair from among its members;
- ii) the Council shall appoint a Secretary.

### **PROCEEDINGS OF THE COUNCIL**

6. The Council may regulate its proceedings as it thinks fit, save for the following provisions:
  - a) The quorum for transaction of business shall be six, of which two shall be trustees of the Chelmsford Diocesan Board of Finance.
  - b) All questions arising at any meeting shall be decided by a majority of votes. In the case of an equality of votes, the Chair shall have the second or casting vote.
  - c) The Council may act notwithstanding any vacancy on its body unless the number of members falls below the number necessary for a quorum for a meeting of the Council.

### **GRANT TRESHOLD**

7. Where an application requests support from the Council in excess of a certain amount, the Council is required to obtain approval from the Finance Committee of the Chelmsford Diocesan Board of Finance before the grant can be awarded. The amounts are:
  - i) £25,000 for awards from the LOB funds.
  - ii) £75,000 for awards from the City Churches Fund

### **APPLICATION OF INCOME AND PROPERTY**

8. The Fund may receive donations, subscriptions, legacies and other moneys from time to time provided that subject as hereinafter mentioned the income and property of the Fund, whencesoever derived, shall be applied solely towards the promotion of its objects as set out in Rule 3. No funds shall be paid or transferred directly or indirectly by way of profit to members of the Council save for the reimbursement of reasonable and proper expenses incurred in the service of the Council by any member.

## **REPORTING**

9. The Council shall provide minutes and a summary of grants awarded at its meetings to the Finance Committee of the Chelmsford Diocesan Board of Finance on a quarterly basis.

## **CONFLICTS OF INTEREST**

10. The Council will abide by the CDBF's Conflict of Interest Policy. In addition Area Deans and Lay Chairs may not vote on proposals to fund projects from their Deanery.

## **AMENDMENTS**

These Rules may be amended by a resolution passed by a two-thirds majority at a meeting of the Council. The details of any such amendment must be provided with at least 14 days notice. Any amendments approved by the Council must also be approved by the Finance Committee of the Chelmsford Diocesan Board of Finance before they can take effect.

## **RETREAT HOUSE ADVISORY BOARD**

### **Membership**

- At least one and not more than two clergy members of the Bishop's Senior Staff Team appointed by the Bishop of Chelmsford; *plus*
- At least 4 and no more than 9 persons appointed by the Bishop's Council; *plus*
- The Chief Executive & Diocesan Secretary (ex-officio)

The General Manager shall have a right to attend and participate in all meetings excepting those matters where a potential conflict exists.

In determining its appointments, the Bishop's Council should seek to ensure that:

- The membership contains the range of skills necessary to support the work of the House
- At least one member has a special focus on the Friends of Pleshey
- At least one member has a special focus on the House's work with other denominations
- At least one member should have financial expertise
- Adequate lay and ordained membership
- Appropriate links with the Cathedral and CDBF trustees
- Appropriate links with parishes and deaneries across the diocese

### **Chair**

The Bishop of Chelmsford shall appoint a Chair from among the members

### **Quorum**

Four members shall constitute a quorum, one of whom being a member of the Bishop's Staff team or the Chief Executive.

### **Term of office**

Appointments are renewed at the start of each triennium. No appointed member may serve more than three consecutive triennia.

### **Frequency of meetings**

At least quarterly

### **Secretary**

A Secretary shall be appointed from among the members or otherwise provided by the House. The minute book shall be maintained at the House and a copy of the minutes shall be supplied to the CDBF Finance Committee.

### **Functions**

The role of the Retreat House Advisory Board is to oversee the affairs of the Retreat House on behalf of the CDBF trustees and hold the vision and strategy for the house, ensuring the House reflects the diocesan priorities and reflecting the House back to the diocese. Specifically:

1. Ensure provision is made for a rhythm of prayer in the House
2. Ensure the House contributes to the spiritual life and teaching of the diocese
3. Inform the CDBF trustees of the life and health of the house
4. Oversee the care and development of the House facilities
5. Within the parameters set by the CDBF, approve an annual budget for the House and monitor this, reporting to the trustees
6. Provide a source of support and advice to the General Manager, staff, and those involved in the spiritual life of the House
7. Support and develop the Friends of Pleshey
8. Oversee quality assurance for the House including the services to guests, health & safety, etc.
9. Take appropriate policy decisions such as pay rates
10. Oversee fundraising activity in support of the house

Form and dissolve sub-committees / ad-hoc working groups as required (which may draw from persons outside the Board members)

## **BECKTON CENTRE ADVISORY BOARD**

### **Membership**

- The Area Dean of the Deanery of Newham or a substitute appointed by the Bishop of Barking,
- The incumbent or Priest in Charge of the benefice of Beckton,
- The Chief Executive & Diocesan Secretary or a substitute appointed by them from among the Diocesan Senior Management Team,
- At least 3 and no more than 6 persons appointed by the Bishop's Council.

The Head of Programme Management and the Beckton Centre Operations Manager shall have a right to attend and participate in all meetings excepting those matters where a potential conflict of interest or loyalty exists.

In determining its appointments, the Bishop's Council should seek to ensure that:

- The membership contains the range of skills necessary to support the work of the Centre,
- At least one member from the Parochial Church Council of Beckton,
- At least one member should have financial expertise,
- Adequate lay and ordained membership,
- Appropriate links with the CDBF trustees,
- Appropriate links with tenants and other users of the Centre.

### **Chair**

The Bishop of Chelmsford shall appoint a Chair from among the members.

### **Quorum**

Four members shall constitute a quorum, one of whom being a member of the Bishop's Staff team or the Chief Executive.

### **Term of office**

Appointments are renewed at the start of each triennium. No appointed member may serve more than three full consecutive triennia.

### **Frequency of meetings**

At least quarterly

### **Secretary**

A Secretary shall be appointed from among the members. Following each meeting a copy of the minutes shall be supplied to the CDBF Finance Committee to be received at its next available meeting.

### **Functions**

The role of the Beckton Centre Advisory Board is to oversee and support the management of the Centre on behalf of the CDBF trustees. It will support the development of the vision and strategy for the Centre, as well as ensure that the Centre reflects the diocesan priorities whilst also reflecting the Centre back to the diocese. Specifically:

11. Ensure provision is made for the Centre as a place of worship as well as a community centre,
12. Ensure the Centre is utilised appropriately as a resource for the community of Beckton,
13. Inform the CDBF trustees of the operational issues facing the Centre,
14. Oversee the care and stewardship of the Centre facilities,
15. Within the parameters set by the CDBF, approve an annual budget for the Centre and monitor this, reporting to CDBF trustees,
16. Provide a source of support and advice to the Operations Manager, staff, and those involved in the Centre,
17. Oversee quality assurance for the Centre including the services to tenants, health & safety, etc,
18. Oversee the finances of the Centre.
19. Form and dissolve sub-committees / ad-hoc working groups as required (which may draw from persons outside the Board members).

### **Review**

The terms of reference for the Advisory Board will be reviewed by trustees of the CDBF at least once in each triennium.

## **BUILDING SUPPORT GRANTS COMMITTEE**

### **Purpose**

The Building Support Grants Committee is responsible for considering applications to and making grants to Parochial Church Councils in the Diocese of Chelmsford from designated funds held by the Chelmsford Diocesan Board of Finance (CDBF) for both the Minor Repairs and Improvements Fund and the Net Zero Carbon Programme Quick Wins Fund.

### **Membership**

Members are to be appointed by the Finance Committee and must include

- An Archdeacon from the Diocese,
- A representative of the Diocesan Advisory Committee,
- The Diocesan Environmental Officer,
- A member of CDBF staff from a department relating to church buildings or the net zero carbon workstream.
- A representative of parishes in the Diocese.
- Two others with relevant skills and experience in one of the subject matters for which grants are available.

The Church Building Support Officer and the Net Carbon Zero Officer shall have a right to attend and participate in all meetings as administrators of the respective funds.

### **Chair**

The committee shall appoint a chair from among its members.

### **Quorum**

Three members shall constitute a quorum.

### **Term of office**

Appointments are renewed at the start of each triennium. No appointed member may serve more than three full consecutive triennia.

### **Frequency of meetings**

At least quarterly

### **Secretary**

Either the Church Buildings Support Officer or the Net Carbon Zero Officer shall serve as secretary to this committee. Following each meeting a copy of the minutes shall be supplied to the CDBF Finance Committee to be received at its next available meeting.

### **Review**

The terms of reference for this committee will be reviewed by trustees of the CDBF at least once in each triennium.

## **DIOCESAN SAFEGUARDING ADVISORY PANEL (DSAP)**

### **Role and Functions**

1. To provide a source of independent advice and expertise on sound safeguarding policies, procedures and practices to the diocesan bishop and other senior clergy and officials.
2. To advise the bishop on whether, in the DSAP's view, the diocese has clear and transparent safeguarding policies, working practices and training arrangements which are consistent with statutory requirements and House of Bishops' policy and practice guidance.
3. To contribute to the diocese's safeguarding strategy and its annual progress review.
4. To have particular regard to the rigour of the Church's responses to safeguarding concerns about church officers including proper reference to and liaison with statutory authorities.
5. To advise on appropriate measures for overseeing and monitoring the welfare of children and vulnerable adults from known and alleged offenders and others who might be a risk to them.
6. To advise on arrangements to support and monitor the implementation of good safeguarding practice in parishes in accordance with national and diocesan policy and practice guidance.
7. To consider learning derived from case lessons learnt reviews and advise on a diocesan response including actions and any changes to local and national policy, procedure or practice which are indicated.
8. To monitor the diocesan requirements relating to safer recruitment, DBS Disclosures and safeguarding training and advise accordingly.
9. To seek to ensure that there are clear safeguarding arrangements in place between the diocese and those parts of the Church in the diocese with their own decision-making bodies e.g. the Cathedral, Religious Communities, Theological Training Institutions and advise on any necessary action.
10. To have particular regard to the Church's responses to survivors of abuse perpetrated by church officers.
11. To advise the bishop and senior officials of the adequacy of resourcing for the diocesan safeguarding adviser/team including professional supervision, safeguarding training, reviewing processes and any assignments proposed by the DSAP which it is agreed should be undertaken.

12. To advise on what the diocese has put in place to hear the views of children and adults in need of care and support in relation to the arrangements to keep them safe whilst engaged in church activities.

13. To review regularly the whistleblowing and complaints procedures and advise on any issues which appear to require attention.

14. To consider relevant matters referred by the bishop, senior officials and the Diocesan Safeguarding Manager (DSM) including advising on diocesan responses to safeguarding consultations from the Government, the National Church and other parties.

15. To advise the bishop on any circumstances where the diocese proposes to depart materially from the House of Bishops' safeguarding policies. To advise the national safeguarding team if the DSAP continues to consider that a safeguarding matter is not being dealt with properly in the diocese or other church body.

16. To adopt and adhere to a simple annual work programme for the DSAP based on its role and functions and the diocesan safeguarding strategy and review progress annually.

17. To report as requested to the Bishop's Council/Diocesan Synod and Board of finance, as required.

18. To discharge its responsibilities by processes of scrutiny, support and constructive challenge having due regard to the National Church's Practice Guidance on safeguarding.

### **Membership**

- Diocesan bishop and /or bishops nominated safeguarding lead
- Archdeacon - at least one and not more than two archdeacons
- Diocesan secretary/chief executive or nominated deputy
- DSA
- Senior cathedral representative
- A parish representative
- At least three and no more than eight independent members with relevant current or recent child protection or adult safeguarding experience at a senior level in a statutory, voluntary or private organisation. Three of these must be from the social care, probation and the police
- Up to three additional professionals from the diocesan staff

The chair will be appointed by the diocesan bishop, in consultation with the DSA. The bishop and DSA will consult the chair on the choice of members.

The DSAP will have discretion to advise the bishop on the appointment of additional members on a permanent or ad hoc basis having due regard to the House of Bishops' advice on membership.

Initial appointments will be for three years with an additional term of three years following a review of commitment and contribution

Appointments to the DSAP will follow the Church's Safer Recruitment Practice Guidance. All new members will have an induction organised by the DSA in consultation with the chair.

### **Chair**

The independent chair will be appointed by the bishop for a period of three years, with an additional term of three years following a review.

### **Frequency of meetings**

The DSAP will meet quarterly and more frequently if needs be.

### **Duties of Chair**

1. To agree the agenda and minutes of the DSAP, chair the meetings and monitor the follow-up actions.
2. To undertake the responsibilities of the chair as specified in the role description in line with the role and function of the DSAP.
3. To conduct meetings of the DSAP in ways which enable all members to contribute their knowledge and skills and to delineate clearly those matters which are agreed for further action and those which are being passed to the diocese for further consideration.
4. To work with the diocesan bishop, the diocesan senior leadership team and other senior officials to ensure a constructive relationship with the DSAP in the joint quest of achieving a safer Church.
5. To engage in the chairs national and regional network meeting, as required.

### **Chair specification**

The Chair should be an independent lay person (independent means neither employed by the diocese nor discharging managerial functions in the diocese) capable of ensuring that the DSAP's advisory and scrutiny functions are carried out effectively. The chair will have extensive professional safeguarding expertise in a relevant statutory, voluntary or judicial agency.