

Archbishops' Council: Review of Constitutions

Background

1. The Archbishops' Council is required under Standing Order 119(a) to review the constitutions of bodies answerable to the Synod through the Archbishops' Council once in the lifetime of each Synod.
2. The most recent review was begun in May 2007 and has been undertaken by a sub-committee of the Archbishops' Council. My colleagues on the Group were the Revd Prebendary Kay Garlick, Professor Gillian Stamp, Andreas Whittam Smith and the Rt Revd Michael Perham, Bishop of Gloucester.
3. We presented our initial report (GS 1714) to the Synod at the February 2009 group of sessions and invited members to send in responses to the report by the end of April. 29 members did so and we also received responses from the Finance Committee, the Stewardship Committee, the Faith and Order Advisory Group, the Deployment, Remuneration and Conditions of Service Committee, the Committee for Ministry of and among Deaf and Disabled People, the Board of Education and the Appointments Committee. The Audit Committee also commented on the proposals.
4. We are grateful to those who raised questions during the presentation in February and those who responded in writing to its report: both have been valuable in helping to refine the proposals.
5. We are submitting this, our final report to the Archbishops' Council's June meeting.

The rationale

6. We were struck by one of the submissions received which suggested that it was not entirely clear what existing problems our recommendations were designed to solve. It may be helpful, therefore, if we start by reiterating what seem to us to be the main features of the present arrangements which require attention and what the objectives for the future should be. Nothing we say is intended to be in any way critical of those members and staff who devote so much hard effort to making the present structures work.
7. Our contention remains that the present system of Boards, Councils and Committees is too **complex, cumbersome, costly and confused**.
8. It is **complex** because it has its origins in a time that preceded not only the Archbishops' Council, but the General Synod itself. The Church is generally better at creating new structures than it is at laying old ones to rest. As a result new arrangements are too often superimposed on old ones rather than replacing them and very little ever quite disappears completely, so that things that ought to be simple rarely are. In relation to what is needed to handle the national business of the Church, it seems to us that the Council and the Synod should aim for far less complexity.
9. Of course, there will still need to be checks and balances. They are already extensively built into the composition, Constitution and Standing Orders of the Synod, with its three Houses, as well as the composition of the Archbishops' Council. Nothing we propose will change those. We think that the time has come for removing much of the current complexity in the sub-structures and for creating greater clarity over responsibilities and accountabilities.

10. It is **cumbersome** because there are inevitably severe constraints on the business that large committees meeting in many cases only three or four times a year can expect to transact. In practice, much business has to be transacted between meetings by staff, clearing matters that need member level involvement with the relevant chair. And where matters need to be considered by more than one body and perhaps referred to the Archbishops' Council or the Synod, the lead times can be considerable.
11. It is **costly**, not simply because of the train fares and staff time involved, but because of the opportunity costs of the time members spend in preparing for, travelling to and from and attending meetings – time that might otherwise be spent in serving the Church in other ways. We believe that our proposals will release people to make better use of that time. Nevertheless, the National Church will continue to need a large number of members who are willing to give generously of their time to serve on Synod, the Council, Commissioners and Pensions Board, Steering and Revision Committees, the Business Committee, Standing Orders Committee, Dioceses Commission, Church Buildings Council, Cathedrals Fabric Commission, Liturgical Commission and many other bodies not affected by this report.
12. Our proposals also envisage a continuing member level involvement in the areas of work covered by the present Boards, Councils and Committees. Ground clearing, gathering views from different parts of the Church and the building of consensus will continue to be important in an organisation that prizes persuasion rather than *fiat*. But the time has come, in our view, when the Church needs to exercise its stewardship responsibilities more thoughtfully. Just as parishes and dioceses have reduced the financial and time cost of their structures and meeting arrangements, so should the National Church.
13. Finally, the present system is **confused**. The language of Board, Council and Committee suggests a governance role and an autonomy that does not exist. As we explained in our earlier report, these bodies are in fact committees of the Archbishops' Council. Unlike the Business Committee or the Standing Orders Committee, they are not freestanding bodies directly accountable to the General Synod. It seems to us, therefore, better to put in place new, slimmer structures that clarify who is accountable to whom and for what and enable necessary business to be done in a way that distinguishes more sharply between consultation, reflection and decision.

The proposals

14. We put forward two main proposals in GS 1714: that the existing substructure of Boards, Councils and Committees should be replaced with a system of lead people, supported by small reference groups, for each area of the Archbishops' Council's activity; and that groups of Synod members should be elected to review each of those areas of work annually at the July Synod.
15. We made these proposals to improve the clarity of decision-making and lines of authority in the areas of work for which the Archbishops' Council is responsible.
16. We have carefully considered the questions asked by Synod members following the presentation at the February Synod, together with the responses to the report during the consultation period. We have reaffirmed the main thrust of the recommendations we put forward in GS 1714, while proposing some adjustments in light of the responses.

Lead person

17. We propose that the existing structure of Boards, Councils and Committees should be replaced by a clearer and more effective system that more closely reflects how authority is exercised at present in the Council's sub-structure. In future, the Council would delegate authority for each particular policy area to an individual at member level. The lead person would be a member of the Council itself, another member of Synod or, in rare circumstances, someone from outside the Synod who has the relevant expertise. Lead people would be appointed by the Archbishops, as Presidents of the Archbishops' Council, with the approval of the Archbishops' Council. It would be the Council as a body which would delegate its authority.
18. In making the appointment, the Archbishops would consult the House of Bishops' Standing Committee in cases where it was considered that the lead person should be a bishop. After further consideration, we also propose that **the Appointments Committee should in all cases be part of the formal consultation process before lead people are appointed.** This would enable the Archbishops to take advantage of the experience of the Appointments Committee and its overview of appointments more generally.

Reference groups

19. GS 1714 proposed that the lead person should be supported by a reference group of, in most cases, up to four people. The lead person and reference group would be supported by the staff for that area of work.
20. Lead people and reference groups would have access not only to support from the staff, but also from the networks which currently exist for many areas of work. The networks would continue to play an important role in policy formation and in ensuring that all perspectives were taken into account in the decision-making process.
21. Lead people and reference groups would also be able to call on expert help and advice as needed from outside the networks in the same way as now. Any work developed in this way could then be tested within the reference panel and the networks.
22. We have considered whether any of the reference groups need to be larger than the model of four people (supporting the lead member) proposed in our earlier report. After further consideration, we have accepted that limiting the reference group to four members may be too restrictive. However, we would wish to ensure that the reference groups are kept tight. **We now propose that all the reference groups should be small and typically consist of between four and six members, but we would wish to see a disciplined approach to arguing for more members than four.** We believe that, given the other resources on which the lead people and reference groups would be able to draw, these numbers are right for the tasks which would be delegated to them.
23. Delegation by the Council of authority for an area of work would be to the lead person. The reference group, staff and any networks would provide support for the lead person, but would not have delegated authority.
24. Investment is the only area where we recommend that authority should be delegated to a group of people rather than an individual. In that case, authority would be delegated within clearly defined parameters to an investment group (which we recommend should comprise the same membership as the Finance reference group).
25. Any body to which the lead person would wish to delegate authority already delegated to him or her would have to be approved by the Archbishops' Council, which would

determine the powers, size, membership and term of office of the new body. We recommend that any such bodies should be tightly focussed and strictly time-limited.

26. Our original proposal was that the reference groups should be entirely appointed. We have considered this further and now propose that the **reference groups should contain an element appointed by the Appointments Committee**, after consultation with the lead person, from amongst the membership of the Synod, and we suggest that **two members of each reference group** should be appointed in this way. This would assist Synod's engagement with the areas concerned, and would draw on the pool of skills and interest provided by Synod members. Members of Synod may additionally be appointed to the reference groups by the lead people (see next paragraph).
27. We recommend that other members of the reference group should be appointed by the lead person in the light of the appointments made by the Appointments Committee. We would expect that the lead person would wish to consult widely, including with the Archbishops' Council, before making the appointments.

Review groups

28. The other major proposal in GS 1714 was the establishment of review groups. The purpose of the review groups is to provide a forum for Synod members to review and engage constructively with the work undertaken by the lead person (supported by their reference group) and the staff team for each area of work. The intention is to provide a focus for a two-way exchange of information and views as well as the opportunity for Synod members to test decisions, policies and the direction of travel. Synod would also continue to have the opportunity of Synod questions to ask about the different areas of the Council's work.
29. Each review group would have a **chair appointed by the Appointments Committee and ten elected members** and would meet formally once a year during the July group of sessions.
30. Members of the review groups would be kept regularly informed about the work they review and would receive an annual report from the lead person and reference group before the July Synod. During the meeting in July, the lead person and reference group would present their annual report and members would then be able to comment and ask questions.
31. Members of Synod who were not members of a review group would be encouraged to go to one of the review meetings to comment and ask questions (once the review group had done so). Synod members would also, as now, be welcome to write in or telephone with queries or comments during the year.
32. Review groups would be responsible for making arrangements for a written report of their meetings to be made to the Archbishops' Council. The Council would consider those reports and ensure that they were collated and circulated to the Synod for information.

Areas of work covered by these proposals

33. We recommend that there should be lead people, reference groups and review groups for the following areas:
 - Education
 - Minority Ethnic Anglican Concerns
 - Christian Unity

- Finance
 - Ministry of and among deaf and disabled people
 - Deployment, Remuneration and Conditions of Service
 - Ministry
 - Mission and Public Affairs
34. We make no mention here of the work undertaken by the **Cathedral and Church Buildings Division**. However, we would wish to invite the Council to consider whether this work should, in fact, be included in the proposals. The Division is resourced and staffed by the Archbishops' Council and currently services two statutory bodies – the Cathedrals Fabric Commission for England and the Church Buildings Council – which are outside the scope of these proposals. However, the Division also has a Divisional Group, currently chaired by the Bishop of London, which could work very much along the lines of a reference group as proposed for the other areas of the Council's activity.
35. The Archbishop of Canterbury has indicated that he would like to see the work of the **Faith and Order Advisory Group**, the **House of Bishops' Theological Group** and the (quiescent) **Doctrine Commission** merged into one body. We received formal proposals for just such a merger from the Council for Christian Unity and the Faith and order Advisory Group. We envisage that the new body would be answerable to the House of Bishops. We would encourage the Council to support this proposal.
36. The Stewardship Committee is a sub-committee of the Archbishops' Council's Finance Committee. The lead person for Finance would need to give consideration to how this work should be taken forward under the new proposals. We envisage that this would become a network on which the lead person for Finance and the lead officer could draw for advice.

Standing Orders

37. The Archbishops' Council meets on 22 September to finalise its proposals in light of the Synod's debate on the Group's proposals. If accepted, whether in whole or in part, the proposals are likely to require some consequential changes to the Synod's Standing Orders. The Standing Orders Committee will need to be invited to bring forward changes to give them effect. The Synod could be invited to approve those changes in February 2010.

Timetable

38. If the Council agrees that the Synod should have the opportunity to debate this report, we propose the following timetable:

10-14 July	General Synod debates the Group's proposals
22 September	Archbishops' Council finalises its proposals following which the Standing Orders Committee is invited to draft amendments to the Standing Orders
8-12 February 2010	General Synod is invited to approve consequential changes to Standing Orders
November 2010	New Synod meets. Process for populating the new structures begins in the following order: <ul style="list-style-type: none"> – election of members to Archbishops' Council – appointment of lead people – election of members to reference groups

- appointment of other members of reference groups
- appointment of chairs of review groups
- election of members of review groups

39. Article 3(4) of the Synod's Constitution provides for transitional arrangements between one Synod and the next to enable the work of Boards, Council's and Committees to continue until they have been reconstituted. The current Boards, Councils and Committees are constituted until 31 May 2011 and this will give time for the new structures to be put in place.

July Synod debate

40. We recommend that the Synod should be given the opportunity for a substantive rather than a 'take note' debate. This would mean that the Synod was able to express its views more clearly on each of the proposals and the Council would then have the benefit of having heard those views when reaching its final conclusions in September.

Church House
Westminster SW1P 3AZ
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Canon Dr Christina Baxter
on behalf of the Constitutions Review Group

Summary of recommendations

Our proposals for how the Archbishops' Council's work would be taken forward and reviewed in the quinquennium 2010-2015 are summarised as follows:

- a) The Boards, Councils and Committees of the Archbishops' Council will cease to exist at the end of the current quinquennium (with the exception of the Audit Committee);
- b) Authority for work in each area overseen by the Archbishops' Council will be delegated to a lead person;
- c) The lead person will be appointed by the Archbishops with the approval of the Archbishops' Council and after consultation with the Appointments Committee (and, in cases where it is proposed that the lead person should be a bishop, with the House of Bishops' Standing Committee);
- d) The lead person will be supported by a small reference group, typically of between four and six people;
- e) No authority will be delegated to the reference group (except in the case of investment decisions, where authority will be delegated to an Investment Group which will have the same membership as the Finance reference group);
- f) Two members of each reference group will be appointed by the Appointments Committee, in consultation with the lead person, from amongst the membership of the General Synod;
- g) The other members of each reference group will be appointed by the lead person after suitably wide consultation;
- h) The decision-making authority delegated to the lead person could only be sub-delegated by him/her with the approval of the Archbishops' Council;
- i) The Standing Orders Committee should be invited to draft the necessary consequential changes to the Synod's Standing Orders to give effect to these proposals;
- j) The chair of each review group will be appointed by the Appointments Committee;
- k) The Synod should elect review groups of ten members to review the work delegated to the lead person supported by the reference group;
- l) The review groups will meet annually at the July group of sessions, and will make arrangements for a written report of their meetings to be sent to the Archbishops' Council; the Archbishops' Council will make arrangements for the reports to be circulated to the Synod for information;
- m) Other members of the Synod will be entitled and encouraged to attend the review groups and to comment and ask questions of the lead person and reference group;
- n) The new arrangements will be reviewed during the next quinquennium to ensure that any changes can be in place for the following quinquennium.

Bodies unaffected by the proposals***Commissions of the General Synod***

Crown Nominations Commission
 Doctrine Commission
 Legal Advisory Commission
 Liturgical Commission

Committees of the General Synod

Appointments Committee
 Business Committee
 Legislative Committee
 Standing Orders Committee
 Legislative and Liturgical Steering and Revision
 Committees

Committees of the Archbishops' Council

Audit Committee

Independent charitable body

The National Society

Statutory bodies

Cathedrals Fabric Commission for England (but see para. 34)
 Church Buildings Council (but see para. 34)
 Clergy Discipline Commission
 Dioceses Commission
 Fees Advisory Commission
 Legal Aid Commission

Bodies affected by the proposals

The bodies listed below would cease to exist and be replaced by the model of lead person and reference group. Each of them maintains networks which contribute to and inform their work and these would be maintained to the extent that they continued to be required.

Any new bodies which were intended to have a decision-making function would need the approval of the Archbishops' Council, which would consider the size, membership, and terms of reference of the body proposed. It is expected that any new bodies would be strictly time-limited.

Board of Education**Committee for Minority Ethnic Anglican Concerns****Council for Christian Unity**

(The *Faith and Order Advisory Group* (FOAG) is a body established under the present constitution of the CCU. There has been a proposal that FOAG should be merged with the House of Bishops' Theological Group and the (quiescent) Doctrine Commission.)

Finance Committee

NB: Delegation would be made to a committee rather than the lead member for investment matters.

(The *Stewardship Committee* is established under the present constitution of the Finance Committee. The lead person for Finance would be invited to consider how the work currently undertaken by the Stewardship Committee could be taken forward.)

Committee for Ministry of and among Deaf and Disabled People**Deployment, Remuneration and Conditions of Service Committee****Ministry Council****Mission and Public Affairs Council**

