

REVIEW OF CONSTITUTIONS

REPORT FROM THE ARCHBISHOPS' COUNCIL

Background

1. The constitutions of bodies answerable to the Synod through the Archbishops' Council are, under Standing Order 119(a), determined by the Council after consultation with the General Synod and must be reviewed at least once in the lifetime of each Synod.
2. A review conducted at the Council's request by a Group chaired by Canon Dr Christina Baxter was presented to the Synod at the February 2009 group of sessions. Responses to the report were invited, and a revised report was produced. This was endorsed by the Archbishops' Council in June 2009, and the proposals in the report (GS 1737) were debated by the Synod in July.
3. The proposals principally envisaged that authority for work in each area overseen by the Archbishops' Council would be delegated to a lead person, and that the Boards, Councils and Committees would cease to exist. This would have involved both a change to the constitutions and consequential changes to the Standing Orders of Synod. Thus, as well as consulting the Synod as required under SO 119, the Council needed the approval of Synod to the proposals.
4. After a full debate, the Synod carried the following motion:
 'That this Synod:
 (a) decline to endorse the proposals set out in GS 1737; and
 (b) request the Archbishops' Council, after consultation with the boards and councils concerned, to produce revised proposals which:
 (i) provide for the participation of elected members in deliberation and policy-formulation as well as in scrutiny and accountability; and
 (ii) reflect the individual remits and sets of stakeholders of each area of activity.'
5. In the light of the Synod motion, the Archbishops' Council agreed that revised proposals were needed. In November, the Archbishop of York accordingly wrote to the Chairs of all the relevant bodies that are, formally, committees of the Council. He signalled that the Council did not intend to pursue the lead member model but was looking to reduce the overall size of the bodies under review by around a third. He asked for views on how the body they chaired might be reshaped to take account of that, and to achieve (i) lighter nimbler, structures; and (ii) more clearly defined individual and collective responsibility for the development of policy on behalf of the Council and Synod.
6. The Archbishop also invited suggestions as to the mix of elected and appointed members, and of Synod and non-Synod members, that would best meet the needs of each of the bodies. The Council's objective, as in the previous review, was to make the arrangements less cumbersome and costly, and more effective.
7. Helpful responses were received from the Chairs of all the bodies under review. Some have proposed amendments to their terms of reference as well as to their membership and number of elected and appointed places. The proposals which the Council has considered do not represent a radical departure from the constitutions circulated at the beginning of the current quinquennium as GS Misc 806.
8. The Council is now consulting the Synod on the overall package, with a view to finalising the new constitutions at its meeting in September for circulation to the new Synod in November.

The Council's proposals

9. Currently the majority of the bodies have 15 members, ranging from 6 for the Audit Committee to 23 for the Mission and Public Affairs Council. The mean is 14. The new arrangements proposed by the Council are set out in the attached annexes. The intention is that the Mission and Public Affairs Council would remain the largest body but with a much reduced membership of 13 (down from 23). Apart from the Audit Committee, all the other bodies would have a membership of between 8 and 12. The mean would be 10, and the total membership would reduce by nearly 30%.
10. All of the bodies already include a mix of elected and appointed places. The proposals would leave the balance between elected and appointed places virtually unchanged.
11. There is currently a requirement for the Chairs of the Ministry Council and the Finance Committee to be members of the Archbishops' Council. In the case of the Ministry Council the intention is to modify that requirement slightly to enable someone who leaves the Council to continue as Chair for a period (the Archbishops would like the Bishop of Norwich to continue to chair the Ministry Council for the first part of the next quinquennium after his term of office on the Council ends).
12. It is the Audit Committee's view that the Chair of the Audit Committee should in future be drawn from amongst the membership of the Archbishops' Council. Drawing the chair of audit committees from amongst the membership of the main trustee body or its equivalent is now the norm in most organisations (and is, for example, the practice of the Church Commissioners and the Pensions Board). The Council is, therefore, inclined not simply to lift the current prohibition on cross membership but to make it a requirement. In coming to a decision in September, the Council will, however, wish to take account of any points Synod members may wish to make on this given the important relationship between the Synod, the Council and the Council's Audit Committee.
13. The Council also considers that, in view of the MPA's substantial and wide ranging remit, there should be a requirement for the Chair of the Mission and Public Affairs Council to be appointed from among the members of the Council.
14. The Council considers, however, that it would be too inflexible to impose any similar requirement in other cases.

Deployment, Remuneration and Conditions of Service Committee

15. In relation to specific committees of the Council, the proposed new constitutions involve an adjustment of the terms of reference of the Deployment, Remuneration and Conditions of Service Committee, so that deployment issues become formally the responsibility of the Ministry Council (since the policy questions are intimately bound up with selection and training issues). As a result, DRACSC would become RACSC (Remuneration and Conditions of Service Committee), reflecting its closer involvement with human resources issues. The Chair of RACSC would continue, as now, to be a member of the Ministry Council.

Investment Committee

16. The Council has accepted in principle a recent recommendation from the Finance Committee, following a separate review of the investments area, that a small group needs to be established with delegated authority to manage the Council's investments. The Council has asked the Finance Committee to come back to it with more developed proposals with a view to new arrangements being agreed in September. The Council will report the outcome to Synod.

Developing oversight

17. The Council intends to reflect further on how best it can engage periodically with the work of its senior staff and the Boards, Councils and Committees which are accountable to it. At

present there are annual presentations to the Council by each of the responsible Directors and some of the work of the relevant Boards etc is reflected in the Council's own annual report. But there remain questions over how best the Council itself can both add value and exercise its trustee responsibilities.

18. The Council is also in discussion with the Business Committee about ways in which the Council's work may most usefully be presented to the Synod, beyond the opportunity provided at each group of sessions by question time. In July, there will be a more developed presentation of the Council's work, involving several members of the Council as presenters. Early in the life of the new Synod it is hoped to explore the possibility of parallel sessions where different areas of work carried out under the Council's auspices are examined by groups of Synod members, simultaneously.

Conclusion

19. The Synod is invited to consider the revised proposals.

+ ROWAN CANTUAR:

+SENTAMU EBOR:

11 June 2010

MEMBERSHIP OF BOARDS, COUNCILS AND COMMITTEES

Body	Constitution 2006-2011	Proposed 2011-2016
Audit Committee	Chair One person appointed by the Archbishops' Council from amongst its membership One person, who need not be a member of General Synod, appointed by the Archbishops' Council One person appointed by the Appointments Committee from amongst the membership of the Finance Committee Two General Synod members elected by the General Synod Total: 6	Chair (see paragraph 12 of report) Permissive provision to allow one other member to be appointed from amongst the membership of the Archbishops' Council, but not to require it No other changes in membership Total: 6
Board of Education	Chair Three General Synod members elected by General Synod Two General Synod members appointed by the Appointments Committee to ensure adequate reflection of specialist interests Two National Society members appointed by the Appointments Committee on the nomination of the National Society One member of the Church in Wales appointed by the Appointments Committee on the nomination of the Church in Wales Four further persons appointed by the Appointments Committee to reflect educational specialisms Up to two persons co-opted by the Board Max total: 15	Chair Two General Synod members elected by General Synod Two General Synod members appointed by the Appointments Committee to ensure adequate reflection of specialist interests One National Society member Four further persons appointed by the Appointments Committee to reflect educational specialisms Up to two persons co-opted by the Board Max total: 12
CMEAC	Chair One person appointed by the Archbishops' Council Three General Synod members elected by the General Synod Two minority ethnic members of the General Synod appointed by the Appointments Committee Two members of the Association of Black Clergy, appointed by that Association and subject to confirmation by the Appointments Committee One member of the House of Bishops appointed by that House Up to three persons appointed by the Appointments Committee on the advice of CMEAC Up to two persons co-opted by CMEAC Max total: 15	Chair Three members elected by the General Synod to include one member from each House One member appointed by the Appointments Committee on the advice of CMEAC Up to three co-opted members Max total: 8

<p>Council for Christian Unity</p>	<p>Chair</p> <p>Six General Synod members elected by the General Synod, at least two of whom shall be members of the House of Clergy and two of the House of Laity</p> <p>Four General Synod members appointed for their expertise by the Appointments Committee on the advice of the Chair</p> <p>Four persons, who need not be members of General Synod, appointed by the Appointments Committee on the nomination of the Chair</p> <p>Total: 15</p>	<p>Chair</p> <p>Two members of the House of Clergy elected by the House of Clergy</p> <p>Two members of the House of Laity elected by the House of Laity</p> <p>Four members appointed by the Appointments Committee, at least two of whom shall be members of the General Synod</p> <p>Max total: 9</p>
<p>Finance Committee</p>	<p>Chair</p> <p>One additional representative of the Archbishops' Council appointed by the Council</p> <p>Four General Synod members elected by the General Synod</p> <p>The First Church Estates Commissioner</p> <p>The Chair of the Church of England Pensions Board</p> <p>Four persons elected by and from the appointed membership of the Inter-Diocesan Finance Forum</p> <p>Up to three persons appointed by the Archbishops' Council on the recommendation of the Appointments Committee with expertise in particular areas of the work of the Finance Committee</p> <p>Max total: 15</p>	<p>Chair</p> <p>Three General Synod members elected by the General Synod</p> <p>Three persons elected by and from the appointed membership of the Inter-Diocesan Finance Forum</p> <p>Up to three persons appointed by the Archbishops' Council on the recommendation of the Appointments Committee with expertise in particular areas of the work of the Finance Committee</p> <p>Max total: 10</p>
<p>Ministry Council</p>	<p>Chair</p> <p>Chair of (D)RACSC</p> <p>Chair of the Archbishops' Council's Finance Committee</p> <p>Two bishops appointed by the House of Bishops</p> <p>One member of the House of Clergy elected by that House</p> <p>One member of the House of Laity elected by that House</p> <p>One theologian appointed by the Appointments Committee</p> <p>One priest in parochial ministry appointed by the Appointments Committee</p> <p>One Diocesan Director of Ordinands appointed by the Appointments Committee</p> <p>One co-opted member by the Ministry Council</p> <p>Max total: 11</p>	<p>No changes proposed to membership.</p> <p>Changes proposed to terms of reference.</p> <p>Max total: 11</p>

<p>(Deployment, Remuneration and Conditions of Service Committee)</p>	<p>Chair</p> <p>Five members appointed by the Appointments Committee (to include two members of clergy – at least one in parochial ministry – and two lay persons) and including one member of the Finance Committee and one member on the nomination of the CRC</p> <p>Four General Synod members elected by the General Synod</p> <p>Three persons elected by and from the membership of the Inter-Diocesan Finance Forum</p> <p>One person nominated by the Pensions Board subject to confirmation by the Appointments Committee</p> <p>One person nominated by the Church Commissioners from among the members of the Pastoral Committee subject to confirmation by the Appointments Committee</p> <p>Total: 15</p>	<p>Chair</p> <p>Four members appointed by the Appointments Committee (to include two members of clergy – at least one in parochial ministry – and two lay persons) and including one member of the Finance Committee</p> <p>Two General Synod members elected by the General Synod</p> <p>Two persons elected by and from the membership of the Inter-Diocesan Finance Forum</p> <p>One person nominated by the Pensions Board subject to confirmation by the Appointments Committee</p> <p>Changes proposed to terms of reference</p> <p>Total: 10</p>
<p>Ministry of and among Deaf and Disabled People</p>	<p>Chair</p> <p>Two chaplains with deaf people nominated by serving chaplains and subject to confirmation by the Appointments Committee</p> <p>Three persons nominated by the National Deaf Church Conference and subject to confirmation by the Appointments Committee</p> <p>Two General Synod members elected by the General Synod</p> <p>Four other persons appointed by the Appointments Committee on the recommendation of the CMDDP</p> <p>Total: 12</p>	<p>Chair</p> <p>Two chaplains with deaf people nominated by serving chaplains and subject to confirmation by the Appointments Committee</p> <p>Three persons nominated by the National Deaf Church Conference and subject to confirmation by the Appointments Committee</p> <p>Two General Synod members elected by the General Synod</p> <p>Three other persons appointed by the Appointments Committee on the recommendation of the CMDDP</p> <p>Total: 11</p>
<p>Mission & Public Affairs Council</p>	<p>Chair</p> <p>Three Vice-Chairs who have the role of lead bishops for mission, social responsibility and hospital chaplaincy</p> <p>Eleven General Synod members elected by the General Synod</p> <p>Chair of CMEAC</p> <p>Chair of PWM</p> <p>Up to four persons chosen for their expertise within the remit of the MPA Council appointed by the Appointments Committee on the nomination of the MPA Council</p> <p>Up to two persons co-opted by the MPA Council</p> <p>Max total: 23</p>	<p>Chair to be appointed from amongst the membership of the Archbishops' Council</p> <p>Two Vice-Chairs (at least one to be a member of the House of Bishops)</p> <p>Three members of the House of Clergy elected by that House</p> <p>Three members of the House of Laity elected by that House</p> <p>Two persons chosen for their expertise within the remit of the MPA Council appointed by the Appointments Committee on the nomination of the MPA Council</p> <p>Up to two persons co-opted by the MPA Council</p> <p>Max total: 13</p>
	<p>Max overall total: 127</p>	<p>Max overall total: 90</p>

Current breakdown of membership by body *(proposed breakdown)*

Committee	No. of members (inc. Chair)	Total elected	Total appointed (inc. Chair)	Co-options (Max no. and inc. within total membership)	ex officio (inc. within total membership)	No. (inc Chair) required to be members of GS	No. required to be members of AC
Audit Committee	6 (6)	2 (2)	4 (4)	0 (0)	0 (0)	3 (3)	1 [1 – subject to decision in September]
Board of Education	15 (12)	3 (2)	10 (8)	2 (2)	0 (0)	5 (4)	0 (0)
CMEAC	15 (8)	3 (3)	10 (2)	3 (3)	0 (0)	5 (3)	0 (0)
CCU	15 (9)	6 (4)	9 (5)	0 (0)	0 (0)	10 (6)	0 (0)
Finance Committee	15 (10)	8 (6)	5 (4)	0 (0)	2 (0)	7 (4)	2 (1)
CMDDP	12 (11)	2 (2)	10 (9)	0 (0)	0 (0)	2 (2)	0 (0)
DRACSC	15 (10)	7 (4)	8 (6)	0 (0)	0 (0)	4 (2)	0 (0)
Ministry Council	11 (11)	2 (2)	6 (6)	1 (1)	2 (2)	4 (4)	2 (2)
MPA Council	23 (13)	11 (6)	8 (5)	2 (2)	2 (0)	12 (8)	0 (1)
TOTAL	127 (90)	44 (31)	70 (49)	8 (8)	6 (2)	52 (36)	5 (5)
Percentage change	-29%	-30%	-30%	-	-67%	-31%	-

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