

GENERAL SYNOD

Responsible Representation: A Review of the Electoral Processes to the Crown Nominations Commission (GS 2202)**Amendments to the Vacancy in See Committees Regulation****Summary**

Following the debate of '*Responsible Representation*' ([GS 2202](#)) at the April 2021 group of sessions, the Synod voted to receive the recommendations, and requested that steps be taken towards their implementation, including bringing the necessary legislative business and Standing Orders amendments to the Synod for decision.

As part of the implementation of the recommendations, the Synod will be invited to debate and agree the necessary amendments to the Standing Orders (GS 2227), and to the Vacancy in See Committees Regulation which is the focus of this paper. The detail of the amendments to the Regulation which are being proposed can be found in GS 2228.

Introduction

1. Chapter Four of Responsible Representation ([GS 2202](#)) sets out the recommendations of the CNC Election Process Review Group in relation to Vacancy in See Committees (ViSC). We would encourage members of the Synod to re-read this chapter ahead of the debate on the amendments to the Regulation. We have referenced the relevant paragraphs of the report below where appropriate.
2. A number of the recommendations concerning the Vacancy in See Committee focus on the culture and working practices of the ViSC and do not require amendments to the ViSC Regulation. The recommendations for amendments to the Regulation fall within two areas:
 - How the Vacancy in See Committee is formed and conducts its business; and
 - How the Vacancy in See Committee elects members to the CNC.
3. Many of the amendments are concerned with bringing consistency between these two areas and the processes by which General Synod elects the central members to the CNC. For example, we have recommended that:
 - the members of the Houses of Clergy and Laity of the Diocesan Synod jointly form the electorate for the election of members to the ViSC (Recommendation 17). This is how ViSCs currently elect members to the CNC, and the group have proposed the General Synod takes the same approach to electing the central members;
 - the qualification for election to and ex-officio membership of the ViSC is brought into line with the Church Representation Rules (Recommendation 16 and 21). This will allow proctors elected from a university or theological education institution to be included in the ex officio membership of the ViSC,

and members of a Bishop's Mission Initiative to be eligible for election to the ViSC.

4. Following our consultation and engagement with members of Synod, there are four recommendations on which we would like to offer additional explanation.
 - Recommendation 24: That the Chair of the ViSC is not eligible to stand for election to the CNC (Paragraphs 133-137);
 - Recommendation 29: That the Regulation be amended to permit ViSCs to meet virtually by electronic means, and that where a meeting is held via this medium, members are considered present and permitted to vote (Paragraph 139);
 - Recommendation 30: That the Regulation is amended to allow a replacement member of the CNC to be appointed in situations where the member is incapable or unwilling to act (Paragraph 139); and
 - Recommendation 32: We recommend that no more than one of the members elected by the ViSC shall be a direct employee of the National Church Institutions, the DBF or DBE of the relevant diocese or a Dean, or an Archdeacon (Paragraphs 140-142).

Further detail on these is set out below:

Recommendation 24: That the Chair of the ViSC is not eligible to stand for election to the CNC (*paragraphs 133-137*)

5. We focussed on the role of the Chair of the ViSC in our original report. We consider the role of the Chair to be a significant responsibility in its own right and as such we recommended that the Chair of the ViSC becomes an ex-officio member of the Bishop's Council to help them be connected in the ongoing life of the diocese. This will need to be effected through an amendment to the Church Representation Rules.
6. We were of the view that the Chair of the ViSC has a particular role to play in the process for nominating a new diocesan bishop. Our proposal is not to diminish the excellent work that has been done by Chairs of ViSCs, but we feel that there is significant benefit in the Chair having the freedom to "*hold the work and life of the committee as objectively as possible*" (*paragraph 137*) by asking the difficult questions and challenging the members of the ViSC, without – consciously or sub-consciously – being concerned about gaining the support of their colleagues on the ViSC in the election of CNC members.

Recommendation 29: That the Regulation be amended to permit ViSCs to meet virtually by electronic means, and that where a meeting is held via this medium, members are considered present and permitted to vote (*paragraph 139*)

7. Members will recall that one of other recommendations was that the General Synod should elect its members during the context of prayer at a meeting of the Synod (Recommendation 8) and that members should be present to vote. We have indicated that it is not our role to define "presence" for General Synod purposes. However, Vacancy in See Committees can currently only meet remotely under the provision

which provides for the Archbishop to give direction via a signed instrument. Experience of the last 15 months suggests that it is timely to amend this so that ViSCs have the flexibility to meet remotely if appropriate.

8. We are still of the view that the election of members to the CNC – both central and diocesan – should take place within the context of prayer. Indeed, we also recommend “*that the Chair of the Committee consider carefully the context of the election and how the process for election is held prayerfully and liturgically*” (Paragraph 145). The current ViSC Regulation does not permit members who are not present at the meeting of the ViSC to vote in the election of the diocesan members to the CNC, and this proposed amendment to the Regulation does not change that position.

Recommendation 30: That the Regulation is amended to allow a replacement member of the CNC to be appointed in situations where the member is incapable or unwilling to act (paragraph 139)

9. The current Regulation does not permit a member of the CNC elected by the ViSC to be replaced if they need to resign their membership. Such a member may only be replaced if they are “incapable” of acting. We felt that this definition was too restrictive and could result in a CNC taking place with one less member. For example, if someone was unable to be present because of the need to care for a dependent, the member themselves would not be incapable of acting. We wanted to broaden the circumstances in which a member of the CNC elected by the ViSC could stand down and be replaced.
10. The Regulation presently allows for the Chair and Deputy Chair of the ViSC to nominate a replacement where a member is incapable of acting, having regard to the balance of the membership of the CNC. In other aspects of our work, the group has had concern for the importance of an electoral mandate. Whilst we consider the current arrangements to be an appropriate back-stop, we felt that if possible and practical someone with an electoral mandate to serve as a replacement member would be preferable.
11. We have therefore recommended that in the event of a member being incapable, unable or unwilling to act that:
 - the usual Synod practice of reverting to the original election result is the first course of action to identify a replacement member;
 - If there are no remaining candidates from the original election able to serve, an election for a casual vacancy should normally take place;
 - If there is not time for an election (for example, if a member needs to withdraw from the CNC shortly before a meeting of the Commission), the process for appointing a replacement falls to the Chair and Deputy Chair as per the current Regulation.

Recommendation 32: We recommend that no more than one of the members elected by the ViSC shall be a direct employee of the National Church Institutions, the DBF or DBE of the relevant diocese or a Dean, or an Archdeacon (paragraphs 140-142)

12. The *Discerning in Obedience* report was concerned that “*the central diocesan administration should not be the only voice to be heard on the CNC*” (GS Misc 1171, paragraph 5.13). The ViSC Regulation already states that not more than one of the Suffragan or Assistant Bishops, Deans or Archdeacons within the diocese may be elected as one of the diocesan members of the CNC. We have reviewed the current practice in light of the recommendation within *Discerning in Obedience*.
13. The ViSC has a significant proportion of ex-officio members. These members, and those who are employees of the DBF or DBE and therefore work across the whole diocese, are by the nature of their role more likely to be better known by the other members of the ViSC. This potentially gives them a greater advantage in the election of CNC members.
14. In line with our desire to provide greater opportunity for a breadth of perspectives within the CNC, we believe it is appropriate to ensure that there is sufficient opportunity for voices beyond the “centre” of the diocese to be elected to serve on the CNC.

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on behalf of the CNC Election Process Review Group

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