

SCOTTISH EPISCOPAL CHURCH VACANCY PROCEDURES FOR VESTRIES

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CONTENTS

Section 1: Vacancy procedures

Section 2: Procedures for selecting a Rector or Priest-in-Charge

Section 3: Appointment of a Rector or Priest-in-Charge

Section 4: At the end of the vacancy

Appendix 1: Guidance on Assessing the Viability of Charges

Appendix 2: Congregational Profile Template

Appendix 3: Rector Profile Template

Appendix 4: Selection Process Structures

Appendix 5: Diocesan Guidelines for Interim Pastors

Appendix 6: Standard Stipend memorandum

Appendix 7: Charity Trustee Declaration Form

Appendix 8: HM Revenue and Customs Declaration Form

INTRODUCTION

These guidelines have been produced to give Vestries information about the procedures which require to be followed in the event of a vacancy arising. They have been written in consultation with a legal specialist. These procedures supersede all previous guidelines with immediate effect. To avoid clumsy wording, "Rector" has been used throughout this document. Since Canons 36 and 37 were altered in 2008, the occasions when a Priest-in-charge can be appointed are much more limited than previously. However, for the limited circumstances where such an appointment might now apply, the provisions in these guidelines generally apply. They similarly apply, with appropriate modification, to appointments to Joint or Linked Charges under Canon 36. The processes set out in this document combine objective assessments of candidates against defined criteria, but also allow for prayerful consideration and discernment. It is important to remember the context: the selection of a candidate to a spiritual office in the Scottish Episcopal Church.

Section 1: Vacancy procedures

1.1 Initial Considerations

The arising of a vacancy is an opportunity for review in the life of a charge. Before steps are taken to address the filling of a vacancy, consideration needs to be given to the broader context. Canon 13.1 provides that before an incumbent is appointed the Vestry must produce for the approval of the Bishop a written plan dealing with proposals for the mission and ministry of the congregation. That written plan should also include the proposed financial arrangements for both the rector and charge. The Congregational Profile document referred to below should fulfil this purpose. The Provincial Standing Committee has produced guidance on the question of viability in order to enable such questions to be addressed and this is reproduced in Appendix 1 in so far as it relates to charge viability. Only once the future sustainability of the life of the congregation has been adequately considered can the filling of the vacancy be proceeded with.

1.2 Before the existing Rector departs

The departure of a Rector can be an upsetting time for all concerned, and it is important that this be handled with sensitivity.

1.3 At the start of the vacancy

- a) Normally no major action will be taken to fill a vacancy until the existing incumbent has left. The leaving of a Rector is a significant point in the life of a congregation and usually it is in the best interests of all concerned to allow time and space before steps commence to fill any vacancy. To commence a process of appointment while the departing Rector remains in office has the potential to cause awkwardness or embarrassment which is avoided if the commencement of the process is deferred.

The Bishop will meet with the Vestry to discuss plans to fill the resulting vacancy. This may include a review (informal or formal) of the charge, to ascertain whether a like-for-like replacement is the most appropriate way forward for the charge. The Bishop will outline the procedure to be followed to find a suitable person, and will probably wish to be involved at all stages in the process. The meeting is likely to include discussion and agreement between the Bishop and Vestry about the most appropriate method of finding a new Rector. There are normally two distinct options: (i) The Bishop recommends suitable individual(s) or (ii) candidates respond to an advertisement. **Nothing should be done by the Vestry or by individuals, to seek a new Rector until that meeting has taken place.**

- b) The Vestry will be required to check their constitution, for it is likely to define the membership of a Vacancy Committee, and how members are sought/elected. The Vestry must adhere to their constitution.
- c) For the period of the vacancy, the Bishop will be responsible for arranging liturgical and pastoral cover. This may be in terms of appointing an Interim Pastor, where possible, the guidelines for which can be found in Appendix 5 to this booklet. A copy of these guidelines should be supplied to the Interim Pastor by the Vestry.
- d) **The Vestry will be required to produce a Congregational Profile.** The Profile may take some time to produce, so it is important that work starts on it as soon as possible. Involvement of the Congregation in this process is recommended, but it is Vestry's ultimate responsibility to produce the Congregational Profile and the document must be prepared collaboratively with the Bishop since the final version will need the Bishop's approval. The structure of the Congregational Profile is for the Vestry to decide. However, it is recommended that the structure follows the template provided in Appendix 2. An example of a congregational profile is available from the Scottish Episcopal Church website ([pdf](#)) ([word](#)). The process of creating the Congregational Profile is just as important as the finished document.

The process is an opportunity for the whole congregation to review its journey under the leadership of the former Rector, and to prayerfully consider and discern what the future direction and challenges may be for their church and ministry. It is important to take time in this discernment stage and to make use of any diocesan resources to help in this process. The Bishop may directly assist in and facilitate this congregational activity, or recommend a facilitator.

The Congregational Profile, once agreed with the Bishop, will become the basis for drafting the Rector Profile.

- e) The Vestry should draw up a profile of the ideal candidate required for the Charge (normally called the "Rector's Profile"), based on the future needs of the Charge as described in the Congregational Profile. The Congregational Profile will assist in enabling the Rector's Profile to include the areas of responsibility which any new Rector is likely to need to undertake. The

profile can only be drafted once the Vestry have completed their prayerful discernment of the future direction of their church and have a clear vision of their future ministry. The profile should give an introductory paragraph that gives an overall summary of the type of person being sought. This should be followed up with a more detailed description of the type of knowledge, skills and experience that an ideal Rector may have. It would be appropriate to differentiate between those facets which are required and those which are desirable. It may also identify tasks requiring to be undertaken in the future, though with some flexibility to allow for potential for new areas of mission and ministry. The Vestry will need to carefully review the draft and test it to ensure it is a realistic description, not overly demanding in essential criteria, and is congruent with the future direction of the church as described in the Congregational Profile.

The Rector's Profile must also be assessed to ensure that it is not directly or indirectly discriminatory in any of the criteria that will be used in the selection process. A priest is an 'office-holder', not an employee of the church. However, this does not exempt the selection process from the discrimination aspects of the Equality Act 2010 (s. 49 covers personal office-holders). The Equality Act makes it illegal to discriminate on grounds of one of the 'protected characteristics', namely:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (colour, nationality, ethnic or country origins)
- Religion and belief
- Sex
- Sexual Orientation

The Equality Act does allow for some exceptions where there is an 'Occupational Requirement' (OR) (cf Schedule 9 Part 1). Naturally, all selection processes will have an OR related to requiring candidates to have a Christian Faith and be an ordained Anglican priest. The application of one or more other ORs will need to be very carefully considered and assessed. The use of the religious OR must be (i) to comply with the doctrines of the Scottish Episcopal Church, or (ii) because of the nature or context of the office, to avoid conflicting with the "strongly held religious convictions of a significant number of the religion's followers".

Questions regarding the ordination of women to the priesthood or the episcopate and regarding clergy in same sex relationships have been and remain issues on which views are divided both in the Scottish Episcopal Church and the wider Anglican Communion. The General Synod of the Scottish Episcopal Church, at the time of agreeing that women could be ordained as priests, acknowledged "with deep sadness that within the Scottish Episcopal Church, there are those who for various reasons, cannot

in conscience agree with its decision, recognises the good faith in which their convictions are held, and pledges that those who hold such convictions will continue for all time to come to have a valued and respected place within the Scottish Episcopal Church". Similarly the Bishops of the Scottish Episcopal Church have recognised the diversity of views on the issue of human sexuality in a number of public statements. In March 2005, they observed: "We are conscious that as a Church we are much indebted in our life both to a significant presence of persons of homosexual (lesbian and gay) orientation and also to those whose theology and stance would be critical of attitudes to sexuality other than abstinence outside marriage."

If a proposed appointment is intended to restrict applicants who meet one of the protected characteristics, very careful consideration will need to be given to the terms of any Occupational Requirement.

A suggested structure for the Rector Profile is given in Appendix 3. Examples of Rector Profiles are available from the Scottish Episcopal Church website ([pdf](#)) ([word](#)).

- f) Especially during the absence of a stipendiary Priest/Deacon, good communication is essential. A Vestry must ensure that the Congregation is given information on:
- how ordinary pastoral care is to be carried out;
 - how pastoral emergencies are to be notified to the Interim Pastor.

The presence in a Congregation of a non-stipendiary Priest/Deacon will be invaluable during this period, but it must not be assumed that he/she can undertake all the work done in the past by a stipendiary colleague.

- g) **When the Rectory is vacant, insurance cover may be restricted**, and certain special precautions may be required. Advice should be sought from the insurance company.
- h) At a time when the Rectory may be empty, it is a good idea to consider carrying out improvements which may be required. There may also be spare finance at this time. The work to be done should follow a full inspection by a qualified person. If a Quinquennial Review has been undertaken in the past year, this may serve the same purpose. Redecoration should only be undertaken after discussion with the new Rector.

It may be possible to apply for Provincial grants and loans towards the improvements. Details may be found on the Scottish Episcopal Church website ([here](#)).

1.4 During the vacancy

- a) All the expenses of the Interim Pastor and those of any visiting clergy should be met by the Vestry.

- b) Supernumerary Chaplains, arranged by the Diocese, will claim their expenses for any help given and should be met by the Vestry.
- c) If the Interim Pastor does not normally attend Vestry meetings, s/he should be invited to come occasionally and/or give a report on his/her liturgical or pastoral work for the Congregation.
- d) During a vacancy, particularly if it lasts for a long time, the Vestry must:
 - support the Interim Pastor, if one has been appointed;
 - maintain the active fellowship of the Congregation;
 - keep the Congregation informed about progress in relation to a new appointment.

Section 2: Procedures for selecting a Rector

2.1 Introduction

- a) It is most important that the **status of the Charge** is known. There are various possibilities:
- **an incumbency where the right of patronage vests in patrons;**
 - **an incumbency where the right of patronage vests in the Bishop;**
 - **a joint incumbency where the right of patronage vests in patrons or the Bishop** (in which case matters are dealt with similarly to the above two categories)
 - **a linked charge** (in which case the mechanism for appointment is likely to be set out in the memorandum drawn up under Canon 36)
 - **where a Priest-in-Charge is to be appointed** (for example under Canon 13.9).

The Constitution of a Charge will normally accurately record the status of the Charge. If there is any doubt, however, Vestries are advised to ask the Diocesan Office for advice from its legal officials.

- b) Where a Charge has non-stipendiary clergy engaged in a team ministry, it is appropriate that they have the opportunity to meet prospective Rectors during the appointment process but they should not normally be involved in any decision-making aspect of the process.
- c) The Vestry will have already drawn up the Rector's Profile (see Section 1 above). This document serves two main purposes. It allows inquirers to decide whether they wish to apply and it provides the basis upon which questions will be formulated to ask those invited to attend the selection process.
- d) Candidates for the vacancy may emerge from the Bishop's recommendations, the Vestry's suggestions or through advertising, according to the process previously agreed by the Bishop and the Vestry. When a vacancy is advertised it is recommended that the Congregational Profile and Rector's Profile are made available on the church or diocesan website for enquirers to download, along with any other support materials that can be mounted on to a web page. Documents should be, as far as possible, in pdf format. Advice is available from your Diocesan Office.
- e) The Vestry should meet to decide on the most appropriate structure for the selection process, remembering that it is a two-way process. The Vestry need to ensure they gather sufficient information in order to reach an informed decision, whilst allowing sufficient opportunity for the candidate(s) to gather further information themselves to help them discern if they are appropriate for the vacancy. Vestry should decide on the questions to be asked of the candidate(s), and if the candidate(s) are to be asked to present on a subject or on a selected text from scripture, what it should be. In

planning the selection process the vestry should ensure there is space for the candidate(s) to make their own views on the future direction of the church known. In listening, Vestry may be opened up to opportunities that they had not previously considered. A note of some of these questions may be sent to the candidate(s) for consideration prior to the interview. If candidate(s) are being asked to talk on a subject then Vestry must provide in advance: (i) details of the subject or scriptural text (ii) how many people it will be to (iii) the maximum duration, (iv) whether you expect them to use or will make available presentation aids such as data projector, flip chart etc.

- f) Where a vacancy has been advertised, the Vestry, in conjunction with their Bishop, will need to assess all the applicants against the Rector's Profile, and make decisions about who to progress through to the next stage of the selection process. Candidates not being progressed should be advised as quickly as possible, and be offered the opportunity for feedback from a nominated member of the selection panel.

2.2 Prior to Interview

The following information **must** be given **in writing** to each candidate who is to be invited to the selection process:

- a) A copy of the latest annual memorandum from the Treasurer at the General Synod Office advising clergy and paying officers of the Standard Stipend and the relevant allowances. A sample copy of the memorandum may be found in Appendix 6 to this booklet and copies can be obtained from the Scottish Episcopal Church website ([pdf](#)).
- b) A statement that the act of appointment is made by the Bishop, in accordance with the ecclesiastical procedures laid down in the Code of Canons.
- c) Depending on the nature and type of appointment to be made, the letter should include **one** of the three paragraphs (i), (ii) or (iii) set out below:

(i) In the case of an incumbency where the right of patronage vests in patrons (who may or may not be the Vestry):

"The right of the patronage for this Charge vests in patrons. The patrons have a duty to consult with the Bishop and to present (by Deed) to the Bishop, the person whom they wish to be the new Rector. The Bishop may (but need not) accept that choice and, in due course, issue a Deed of Institution".

(ii) In an incumbency where the right of patronage vests in the Bishop:

"The right of patronage for this Charge vests in the Bishop. There will be full consultation between the Vestry and the Bishop in identifying a suitable new Rector for the Charge. The successful candidate will

be appointed by Deed of Collation”.

(iii) Where a Priest-in-Charge is to be appointed:

“There will be full consultation between the Vestry and the Bishop in identifying a suitable Priest-in-Charge to be licensed by the Bishop”.

The above provisions equally apply in relation to a Joint Incumbency. Where the appointment is to a Linked Charge, the wording should be modified appropriately to reflect the nature of the charges comprised in the Linked Charge.

- d) Notice that if, at any time prior to the Service of Institution or Collation (Rector), or prior to the issue of a Licence (Priest-in-Charge), a candidate no longer wishes to be Rector or Priest-in-Charge of the Charge, the candidate should notify the vestry or the Bishop as quickly as possible, in writing. In the absence of such notification, it will be assumed that the candidature is continuing, and if successful, may result in the appropriate ecclesiastical appointment.
- e) Notice to Clergy that in the event of their being selected for appointment, they will be required to:
- subscribe assent to the Scottish Book of Common Prayer and other liturgical formularies of the Scottish Episcopal Church (Code of Canons, Appendix 11);
 - sign a promise of obedience to the Code of Canons of the Scottish Episcopal Church and to the Bishop of the Diocese (Code of Canons, Appendix 12);
 - in the case of an incumbency, sign the Constitution of the Charge; and
 - undergo the additional checks and requirements set out in section 2.4 below.

2.3 The Selection Process

- a) The process is one of prayerfully discerning God’s call to the prospective Rector and the Congregation(s) and may draw on procedures used in secular job interview but the context is not the same. Advice on the process should be taken from the Bishop and any appointed adviser (see sub-para c). Those charged with making the decision need to be informed by the Rector’s Profile as this is the agreed “criteria” that are to be fulfilled. However, a well-written Rector’s Profile also will give room for a candidate to make their own input as to how they believe ministry can be developed in the church. Finally, the decision-making stage should be able to cope with the objective assessments combined with prayerful discernment of the attributes of the candidates who meet the essential criteria. Further detailed information is provided in Appendix 3.
- b) The selection process should include formal and informal sessions thus

allowing time to be spent with the candidate(s). Depending on the size of the Vestry/selection panel, it may be appropriate for different people to be involved in different areas of the selection process. This is a two-way process which will give the opportunity for both the Vestry/selection panel and the candidates to explore and discern whether there is a good match between the candidate and the vacancy. An example of a structure for the selection process is available from the Scottish Episcopal Church website ([pdf](#)) ([word](#)).

- c) The Bishop may wish to be personally involved in the process or may suggest the use of an external assessor or facilitator who is able to assist the Vestry/selection panel in the designing and undertaking the selection process. He/she might be present at an early stage, perhaps at the Vestry's meeting to formulate the selection process structure and the questions to be asked. The assessor could also look at the application form(s) and assist in the "professional" evaluation of the candidate(s). This person might also highlight issues of which the Vestry may be unaware e.g. Diocesan policy.
- d) Once the sessions with each candidate are concluded, there must be a time for reflection and prayer. It is suggested that the Vestry does not make a decision until twenty four hours after the conclusion of the sessions.
- e) In cases where Patrons have the right of patronage, the Patrons or their representative may indicate to the candidate that the Patrons intend to present the candidate's name to the Bishop for the Bishop's consideration.
- f) In cases where the right of patronage vests in or has lapsed to the Bishop, or where a Priest-in-Charge is to be appointed, the Vestries should not contact the candidate(s) following interview, unless or until requested to do so by the Bishop.
- g) Vestries should pay all travel and accommodation expenses to the candidate(s) and to any external assessor.

2.4 Pre-appointment Checks

Before an appointment can be made, a number of checks have to be completed:-

- a) Criminal Record Disclosure Scotland check: The Diocesan Office will arrange for the appropriate forms to be completed and submitted through the General Synod Office to Disclosure Scotland for membership of the PVG Scheme (Protection of Vulnerable Groups).
- b) Bishop's Certificate: The Bishop will make contact with the Bishop of the Diocese where the proposed Rector currently holds a licence/warrant and receive a reference.
- c) Archbishops' List: the Bishop will contact Lambeth Palace for disclosure of any entry on the Archbishops' List in the Church of England (the prior consent of the cleric involved will be required for this).
- d) Eligibility to work (this includes all forms of office of priest) in the UK: It is

most strongly advised that when candidates attend the selection process they are **all** asked to bring evidence of their eligibility to work in the UK or their passport if they are not currently eligible to work in the UK. Discrimination on grounds of race is likely to occur if only candidates perceived to be of non-UK origin are asked to provide evidence. No matter what the nationality of the candidates, evidence of eligibility must be collected from original documents. In order for an unconditional offer to be made the candidate must be eligible to work in the UK. Immigration legislation is such that an offer can only be made to a non-EU national provided the Resident Labour Market Test is satisfied. More information about this is available from the Scottish Episcopal Church website ([pdf](#)). If a candidate is not currently eligible then only a conditional offer can be given and an application for a Certificate of Sponsorship must be made. The General Synod Office will process any application required to be made for a Certificate of Sponsorship to the UK Border Agency. Full details of the types and combinations of documents that must be seen to prove eligibility to work in the UK are available from the Scottish Episcopal Church website ([pdf](#)). Note that there are civil and criminal penalties for not checking eligibility to work in the UK and keeping copies of the documents checked.

- e) Charity Trustee Declaration: In situations where the Rector is also a Trustee of the charity which comprises the charge (all members of Vestry are Trustees), the Rector is required to sign a Charity Trustee Declaration (see Appendix 7). Also available from Scottish Episcopal Church website ([pdf](#)).
- f) HM Revenue and Customs Declaration: as in relation to e) above, the rector, as a manager of the charity comprising the charge is required to sign a Fit and Proper Person declaration in the form provided by HM Revenue and Customs (see Appendix 8). Also available from Scottish Episcopal Church website ([here](#)).

Section 3: Appointment of Rector or Priest-in-Charge

A Rector is appointed, or in other words a priest is made an incumbent, by means of one of two forms of ecclesiastical procedure:

- institution;
- collation.

In either case there is a recognised form of Service.

In order to decide which ecclesiastical procedure applies to your incumbency, reference should be made to the Constitution of the Charge.

3.1 Institution

If the right of presentation (patronage) vests in patrons who may be the Vestry or some other named person/s, the Code of Canons requires the patrons to:

- consult the Bishop on all proposed names before they select an incumbent to present to him (Canon 13.1); and thereafter

- complete a Deed of Presentation (per Appendix 13 of the Code of Canons) and give it to the Bishop.

On receipt of the Deed of Presentation from the Patrons, the Bishop may choose to refuse or accept the Deed of Presentation in writing. The decision must be taken within three months.

If the Bishop accepts the Deed the Bishop will:

- advise the candidate;
- advise the Vestry (and Patrons if they are not the Vestry) that the candidate has been advised;
- arrange a date for the Institution of the new Rector.

3.2 Collation

Collation is the ecclesiastical procedure which applies where the right of presentation (patronage) vests, not in patrons, but in the Bishop.

Vestries should proceed as usual to identify a suitable Rector in conjunction and full consultation with the Bishop.

Once a suitable person has been identified the Bishop will:

- advise the candidate;
- advise the Vestry that the candidate has been advised;
- arrange a date for the Collation of the new Rector.

3.3 The Service of Institution or Collation

At the service, the new Rector will receive either a Deed of Institution or a Deed of Collation, and this Deed constitutes the ecclesiastical appointment.

- a) A diocesan official will contact the Vestry Secretary to discuss the service and the Bishop will provide an outline of the Order of Service.
- b) Procedures will follow diocesan practice, however, it may be of assistance to note the following organisational arrangements:
 - printing and issuing formal invitations to the service at least three weeks before the event. The Bishop or the Diocese will provide a list of officials who ought to be included on the guest list. The Interim Pastor may also suggest names of other local clergy and ministers. It is sometimes helpful to give advance informal notice of the service to any local dignitaries who will receive formal notices nearer to the event;
 - printing Order of Service sheets;
 - domestic arrangements including facilities for robing of clergy and the arrangements for the subsequent party;
 - organising a rehearsal a few days prior to the service;

- organising the robed Clergy in procession;
- organising a few short informal speeches after the service, for example by a Vestry member, the Bishop and the new Rector.

3.4 Appointment of a Priest-in-Charge

Where a Priest-in-Charge is to be appointed the Bishop issues a Licence. The procedure for selection is similar to that of collation (see 3.2 above), although the granting of a Licence is entirely at the discretion of the Bishop. The Licensing service follows the same lines as those for an institution or collation.

3.5 Terms of Office

The holding of a clerical office does not create a Contract of Employment.

It is therefore essential that nothing should be issued by or in the name of the Vestry or on Church headed notepaper which could be considered as a contractual document. This will include any document or letter which locally may even be considered as an informal letter. It is understood that a Congregation will wish to make some form of contact but this must not refer to any “appointment”, “acceptance” or “offer” but merely a welcome.

Section 4: At the end of the vacancy

- If the new Rector has been appointed from outwith Scotland** the General Synod Office will provide a “Welcome Pack”. The Vestry should ensure that this has been received by the new Rector.
- A date for removal should be agreed. Normally the Vestry will be responsible for removal costs. A small grant is available in some circumstances to stipendiary clergy moving to a new charge to help assist with costs incurred in relation to their relocation. Further details are available from the Scottish Episcopal Church website ([here](#)).
- It is the responsibility of the Vestry to ensure that the Rectory is clean and ready for occupation, with all services connected and in working order.

APPENDIX

- 1. Guidance on Assessing the Viability of Dioceses and Charges**
- 2. Congregational Profile Template**
- 3. Rector Profile Template**
- 4. Selection Process Structures**
- 5. Diocesan Guidelines for Interim Pastors**
- 6. Standard Stipend memorandum**
- 7. Charity Trustee Declaration Form**
- 8. HM Revenue and Customs Declaration Form**

Appendix 1

SCOTTISH EPISCOPAL CHURCH

GUIDANCE ON ASSESSING THE VIABILITY OF CHARGES

Purpose

The purpose of these guidelines is to provide a framework for Bishops, Diocese Standing Committees and Vestries of Charges to help them assess the viability of a Charge.

All Vestries need to review the financial viability of the Charge, in liaison with their Diocese, when a vacancy occurs (as a minimum).

Missional Viability

While financial viability is obviously a key indicator of the future of the congregation, it is also necessary to consider the future of the congregation as a living community of God's people. This could be called its missional viability.

We already have in place indicators of the spiritual and relational health of a congregation - for example the quinquennial health check proposed in the Canon 13.1. In practical terms, this might include an examination of questions such as

- The demographics of the area in which the congregation is situated. It may be that the community around the Church has declined due to redevelopment and population movement. In such circumstances, the future health of the congregation will be in question.
- The health of the current congregation - in terms of numbers, age profile and connection and engagement with the local community. These may have declined to the point where it is hard to envisage that the congregation can recover from its present membership.
- An assessment of the resources of talent, energy and skill available to the congregation.

In considering all these factors, it should be possible to make an informed judgement as to the future potential of the congregation.

Financial Viability

Information needed

To carry out the financial review the following minimum information needs to be provided:

- The accounts for the last 3/5 years.
- An estimate of income and expenditure for the next 3/5 years.

Assessment

An assessment should be made to check that the Charge can meet the following costs from their own resources:

- Full stipend, pension and National Insurance costs of the Rector.
- Running costs, repairs and maintenance of the Church and Rectory, including the carrying out of quinquennial surveys to ensure that the residence is “fit for purpose”.
- Rectory Council Tax.
- Rector’s expenses, including travel.
- Diocesan and Provincial Quota.
- Other necessary running costs (e.g. altar supplies, audit fee, stationery, organist, etc.).
- appropriate resources and reasonable time for retreat/continuing professional development.

In addition to checking the above points, an assessment of the following should be undertaken:

- Income and expenditure trends over the previous 3/5 years.
- A review of the estimated income and expenditure for the next 3/5 years.
- A review of the reserves and investments and how they have been managed over recent years.
- Any unavoidable major expenditure expected in the next 10 years.
- The sustainability of buildings owned by the charge and its ability to continue adequately to maintain such buildings.

A review of financial trends over a 6 to 10 year period and of the level and management of reserves and investments will provide information on the long term financial viability and stability of a Charge.

A similar process can be adopted for Charges which are already part time posts, linked Charges and Charges served by non-stipendiary priests.

Next Steps

If the financial review confirms the financial viability of a Charge, the appointment process can continue.

If not the following steps should be taken:

Charge: The Secretary to the Vestry must inform the Diocesan Bishop if the Charge is not considered to be financially viable. The Bishop, together with appropriate officials in the Diocese, will consider the options available, in consultation with the Vestry. The options could include:

- Launching a stewardship campaign or similar initiative.
- Linking with another Charge.
- Seeking augmentation for a restricted period (normally 3/5 years) to enable

the Charge to strengthen its finances.

- Moving to part time clergy or non stipendiary.
- An ecumenical link.
- Closure.

Advice and help on how to follow this process and the action needed can be obtained from Diocesan Treasurers.

Provincial Standing Committee
August 2009

*The above document was produced to cover both the viability of Dioceses and Charges. The version reproduced above is edited to include only those parts of the original document which relate to the viability of Charges.

Appendix 2

(name) SCOTTISH EPISCOPAL CHURCH (location)

CONGREGATIONAL PROFILE

(date – month and year)

A picture of your church

Introduction

(name) Church was dedicated in (year) and consecrated in (year). (name) is a congregation within the Episcopal Church in Scotland which is in full Communion with all churches of the Anglican Communion.

The following document is designed to give those interested in becoming our Rector some idea of the life of (name) and its congregation.

The Congregation

Size, attendance and on roll.

Description of locality, socio-economic profile of congregation, ecumenical links, vision for the church, etc.

Information and Communication

How you communicate with congregation and all others, (notices, magazines, web site, etc).

Worship and music

Detail regular services and worship resources used. Detail normal pattern of worship during Holy Week and Advent/Chirstmas. Is your church open at all outside of services? Are young church members included in services? Details of choir (if you have one).

Ecumenical Activities

Describe any that you have.

Vestry

Describe make-up of Vestry, how often it meets, and any pendant committees.

Finances

Provide a short textual summary of the finances, including income and expenditure summary for the previous year. Provide info about the date of the last stewardship campaign and any planned significant one-off financial commitments.

Buildings

Give details of the church, and any other buildings, including Rectory.

You may wish to provide some other pictures of the church and other properties here.

Recent History

Provide sufficient information to help an enquirer understand the current context of the church and its congregation. This should be no more than 20 lines.

Ministry Team

Provide information about the numbers of any NSM's or lay members of the ministry team and style of ministry.

Aspirations for the future

Detail the agreed outcome of the congregation's discernment for the future direction of the church and its ministries.

Conclusion

Provide contact details and any concluding remarks.

Appendix 3

(name) SCOTTISH EPISCOPAL CHURCH

(Location)

RECTOR PROFILE

(Date – month and year)

Introduction

An opening introductory set of paragraphs giving an general overview of the type of person you are seeking. In addition to giving a feel for who you currently are, you may wish to highlight the areas of opportunity and aspirations that the congregation developed during the process of discerning their future direction. The new Rector will be expected to lead and serve you in achieving your aspirations as a congregation so it is good that they quickly get a feel of whether this church is a good fit for their calling or not.

Skills and Experience

You should provide a list of the essential skills and experience you would wish your Rector to have. Be careful not to make this too exacting a list or too long. Also be careful about stating previous experience; this is one way to unintentionally discriminate on grounds of age, and experience of something does not necessarily mean the person is an 'expert' in that area.

Other attributes

You may wish to indicate some of the other attributes or areas of interest you are looking for, such as;

- Music
- Spirituality
- Young people / Old people / family etc., ministry
- Ecumenical / inter-faith
- Faith Development, etc
- etc

Appendix 4

SELECTION PROCESS STRUCTURES

1. The Rector's Profile is the starting point for defining the most appropriate selection process. The selection process needs to be designed to capture as much information as possible that directly relates to the Rector's Profile. In some cases, the Bishop may wish to suggest the use of an external assessor/facilitator who is able to assist a Vestry in designing the selection process. Vestry may wish to consider making use of such a resource, if it is available within their diocese. An external assessor/facilitator can also assist in the assessment of candidates, and provide other support based on their specialised knowledge.

2. Not all aspects of the Rector's Profile are capable of being assessed through a formal interview. Vestry will need to consider the most effective method of obtaining evidence that directly relates to the Rector's Profile. For example, to seek evidence about skills in preaching a Vestry may wish to obtain evidence of capability by asking candidates to talk for 10 minutes on a specified biblical text. Less formal sessions will elicit different views and should be incorporated in to the schedule. A tour of the church, grounds and Rectory with a member of the selection committee is a further opportunity for interaction in a different setting. At some point during the process the clergy spouse should be given the opportunity to visit the Rectory.

3. The range of subjects that Vestry may wish to cover in an interview situation may be very wide. Subjects need to be brought together in to logical themes, and candidates need very clear sign-posting when moving from one subject to another.

4. It is recommended that questions are based on the candidate's experiences wherever possible. Open questions (e.g. Can you describe when you have....) are effective ways of starting discussion about a subject. A follow-up question can then pick out an interesting point from the candidate's response to gather more detailed and specific information. Closed questions (those where the answer is likely to be "yes" or "no") can be used to gain specific clarification or to close down a discussion if it is time to move on to another subject.

5. Allow sufficient time to ask the candidate for their opinion about some of the issues and subjects being presented. Also, allow sufficient time towards the end of the selection process for the candidate to ask any questions they may have or to cover any subjects that they wished to raise. Be open for the candidate to offer an insight or vision for the future that you had not previously considered.

6. No questions should be asked that do not directly relate to the Rector's Profile. They consume scarce time with the candidate and can give the candidate the impression that criteria other than those known to them are being used in the selection process. Care must be taken to ensure no candidate is judged on criteria which have no bearing on their ability to undertake the role of Rector. Discriminating against a candidate for an irrelevant reason can lead to very poor

decision-making.

7. Individual members of Vestry should have notes of their views of each candidate, referenced to specific evidence obtained during the process. Only after all candidates have been seen, should these be shared with all members of the selection panel. Members should be willing and able to submit these views to scrutiny by their fellow selectors. Some provisional views concerning the rank order of candidates may be aired and discussed. It is recommended that there is an adjournment of the meeting to enable a suitable time for prayerful consideration of all that has been seen and heard before the selection panel is asked to reconvene to draw firm and final conclusions and make a recommendation to the Bishop. The selection panel should be open to a change of views or perspective at the second meeting if this process is to have any validity.

8. Additional information and guidance on interviewing and the selection process is available from the Scottish Episcopal Church website ([pdf](#)) ([word](#)).

Appendix 5

DIOCESE OF **SUGGESTED GUIDELINES FOR INTERIM PASTORS**

On appointment as an Interim Pastor by the Bishop, a priest would be expected to do the following:

1. Organise all services for the Congregation concerned. The majority of the services could be taken by Non-Stipendiaries, Diocesan Supernumeraries or other clergy, but it might be appropriate for the Interim Pastor to take one service per month. The organisation may best be undertaken with a person or group appointed by the Vestry.
2. Provide pastoral cover for the Congregation during the vacancy. This may include the taking of pastoral offices and consequent visiting. As with 1) above, this should be carried out in conjunction with and using the resources (clerical and lay) of the Congregation.
3. Ensure the preparation of a Congregational profile by the Vestry. This could be based on any of the existing models, for example "The Purpose of your Church" or "Mission Audit", and should outline the strengths and weaknesses of the Congregation, its present and possible future areas of ministry and the expected tasks to be undertaken by a new Rector. For many Congregations, this will be an exercise which they have already undertaken in the past, either during a previous vacancy or as part of on-going auditing. Revising and updating will be required. For others it will be entirely new and will need careful introduction, delegation and supervision.
4. Attend Vestry meetings as required. There may be reports to present on items (1-3) above, or it could be that pastoral guidance is needed on other matters to be discussed. At the discretion of the Vestry, the Interim Pastor may be appointed Chairperson for the meeting.
5. The Interim Pastor will not normally be involved in any of the procedures for the selection of a new Rector, but may wish to offer advice to a Vestry to facilitate the interviewing process.
6. A vacancy is a vital opportunity to examine the condition of the Rectory, and the Interim Pastor should encourage the Vestry to carry out all works required by the Quinquennial Review to that property and any repairs or improvements to the fixtures and fittings. Details of redecoration should await the new appointment, but provisional arrangements can be made with local contractors in advance.
7. Liaise with the Bishop, Dean or other appropriate Diocesan Officer in the preparation for the Service of Institution or Collation. The Interim Pastor would normally be present at and participate in this service.

8. Except for matters relating to the appointment of a new Rector, any queries an Interim Pastor may have should be directed in the first instance to the Bishop, Dean or other appropriate Diocesan Officer.

Appendix 6

STANDARD STIPEND MEMORANDUM

Scottish Episcopal Church

General Synod of the Scottish Episcopal Church
Scottish Charity No SC015962

General Synod Office
21 Grosvenor Crescent
Edinburgh EH12 5EE
Tel: 0131-225 6357
Fax: 0131-346 7247
email: office@scotland.anglican.org



September 2013

To: Paying Officers
From: Malcolm G Bett, *Treasurer*
cc: Stipendiary Clergy
Vestry Treasurers
Diocesan Treasurers

Standard Stipend 2014

The Administration Board has confirmed the 2014 standard stipend figure of **£24,210**.
Corresponding figures for curates are:

<u>Grade A</u>	Priest in 3rd and subsequent years	} 95% of Standard Stipend
	Deacon in 4th and subsequent years	} £23,004
<u>Grade B</u>	Priest in 1st and 2nd years	} 92.5% Standard Stipend
	Deacon in 2nd and 3rd years	} £22,395
<u>Grade C</u>	Deacon in 1st year	} 90% of Standard Stipend
		} £21,789

Payment on Behalf

You are reminded that, when a clergy spouse performs secretarial or other duties on behalf of the Church, it is permissible to pay part of the stipend to the spouse direct as the spouse's own income. This should only be done with the full agreement of the stipendiary concerned, who will need to consider carefully all the implications. (There may be implications in terms of levels of pension contributions to the SEC Pension Fund and in pension payable at retirement. Please consult the Pensions Officer, Daphne Audsley, should you require any further information on this point.)

Allowances

As is customary, you are reminded of the provisions with regard to allowances of the General Synod Digest of Resolutions 6, paragraph 5: -

In addition to the standard stipend and appropriate accommodation or arrangements for accommodation, every Diocese or congregation shall, in accordance with rules made by the Administration Board, pay to or on behalf of each of its stipendiary clergy the following expenses: -

- (a) council tax
- (b) where necessary, expenses for the service of a *locum tenens* during illness and for not more than five Sundays in a year to enable the cleric to be absent on holiday;
- (c) telephone rental and calls incurred in performance of their clerical duties and cost of postage and stationery, plus such administrative expenses as may be approved by the Vestry;
- (d) reimbursement of travelling expenses including a mileage allowance as may be provided for in the said rules;
- (e) contributions to the Scottish Episcopal Church Pension Fund.

Heating, Lighting and Cleaning

It should be noted that full time stipendiary clergy are liable to tax on bills paid on their behalf for heating, lighting, cleaning, contents insurance and some repairs, etc. Clergy may however deduct the proportion of such expenses applicable to 'business purposes' from their taxable income on their annual tax return.

Travel Expenses

Lump sum Travel Allowances should not be paid to clergy. Vestries are encouraged to reimburse clergy timeously for all travel expenses incurred.

Mileage rates

It is recommended that clergy (and others employed by the Church) are paid mileage allowances in accordance with the HM Revenue and Customs approved mileage allowance payments rate. The rate, which is applicable to all engine sizes, is 45p per mile for the first 10,000 miles and 25p per mile thereafter.

The HM Revenue and Customs rates for use of bicycles and motorcycles for 'business purposes' are:

Bicycle	20p per mile
Motorcycle	24p per mile

(The Churches' Legislation Advisory Service publication *Taxation of Ministers of Religion: A Rough Guide* can be accessed online at <http://www.churcheslegislation.org.uk/publications.>)

Pension Fund

Following the Actuarial Valuation of the Fund as at 31 December 2011 the Scheme Actuary recommended maintaining the current contribution level of 34.9%; this was approved by General Synod in June 2012. The rate will remain unchanged for 2014. Contributions are payable by the congregation for all clergy who are members of the SEC Pension Fund. The amount is therefore £8,449.32 for the whole year, or £704.11 per month. *Standing orders for payment of pensions will be sent to you in December.*

(Please note that this sum is payable for those in full-time stipendiary positions, including curates, irrespective of actual stipend paid, from the date of appointment until the date of leaving office. Specific provisions apply for those in part-time stipendiary positions – please contact Daphne Audsley if you require any further information regarding current or prospective part-time appointments.)

(Contributions by clergy to the Church's Additional Voluntary Contribution and Stakeholder Schemes are dealt with individually as appropriate.)

Any queries about pension payments should be made to Daphne Audsley or Anne Brickell at this office.

Summary

The total estimated cost of stipend for 2014 is

Stipend	£24,210.00
Pension Contribution (34.9%)	£ 8,449.32
Employer's National Insurance Contributions (<i>see notes</i>)	<u>£ 2,278.93</u>
TOTAL	<u>£34,938.25</u>

Notes

1. The estimate of Employer's National Insurance contributions is based on current rates and thresholds both of which are subject to change in annual Budget.
2. As explained below Employer's National Insurance contributions could be considerably less for some congregations due to introduction of the Employment Allowance.

Impact of Employment Allowance

The Employment Allowance to be introduced in April 2014 will reduce the National Insurance cost for many (but not all) congregations. The Allowance will reduce the cost of Employer's National Insurance contributions for all "employers" by up to £2,000 a year. It will be administered by HMRC through the PAYE system and each separate PAYE reference will be considered to be an "employer." The benefit of the Allowance will therefore depend on how your payroll is administered and how much Employer's NI you would otherwise be due to pay. If your payroll is separate from that of other congregations

your National Insurance bill will be reduced by up to £2,000 a year from April 2014. If however you are part of a diocesan scheme for the central payment of clergy stipends you are unlikely to significantly benefit from the Allowance. (Your Diocese will contact you to discuss how this change affects you.) If your priest is part-time the Employment Allowance you receive will be limited to the Employer's National Insurance contributions that would have been due on the part stipend paid. (For example Employer's National Insurance Contributions on a half stipend are approximately £600 a year.)

Appendix 7

SCOTTISH EPISCOPAL CHURCH

DECLARATION BY VESTRY MEMBERS

The Charities and Trustee Investment (Scotland) Act 2005 provides that certain individuals are disqualified from acting as charity trustees. Those who serve as vestry members will normally be regarded as “charity trustees” for the purposes of the Act. It is, therefore, recommended that those serving on vestries should confirm their eligibility to act by signing the declaration below. This should be drawn to attention of prospective members before they are elected or otherwise appointed. The notes overleaf explain the categories of individual who are disqualified. Anyone who acts as a charity trustee while disqualified is guilty of an offence punishable by imprisonment, or a fine, or both.

The Scottish Episcopal Church has prepared an Information Note regarding the provisions of the Act and it is recommended that you obtain a copy so that you are aware of the duties and responsibilities of being a charity trustee. A copy of the note should be available from your Vestry Secretary or can be obtained from the General Synod Office, 21 Grosvenor Crescent, Edinburgh EH12 5 EE, tel: 0131 225 6357, email: office@scotland.anglican.org

I, the undersigned, declare that:

- I am willing to act as a charity trustee by serving on the Vestry of (insert name of congregation).
- I am not disqualified from acting as a charity trustee (see sections 69 and 70 of the Charities and Trustee Investment (Scotland) Act 2005).

..... (Signature)

..... (Name in block capitals)

..... (Address)

.....

..... (Date)

CATEGORIES OF DISQUALIFIED INDIVIDUAL

Sections 69 and 70 the Charities and Trustee Investment (Scotland) Act 2005 set out the circumstances that would disqualify an individual. In general terms if a person has been convicted of an offence involving dishonesty, or of an offence under the Act, or is an undischarged bankrupt, they may not serve as a charity trustee. Nor may they do so if they have been removed from serving as a charity trustee, or from acting in a management position within a charity, under previous charity law; nor if they have been disqualified from serving as a Company Director. A person is not disqualified if their conviction is spent by virtue of the Rehabilitation of Offenders Act 1974.

If you are uncertain whether or not you are disqualified, further information may be obtained from the Office of the Scottish Charity Regulator (OSCR). OSCR may, on application from the person disqualified, issue a waiver, which may either lift the disqualification generally, or specifically in relation to a particular charity or type of charity. The specific provisions of the Act are as follows:

Section 69 - Disqualification from being charity trustee

- (1) The persons specified in subsection (2) are disqualified from being charity trustees.
- (2) Those persons are any person who—
 - (a) has been convicted of—
 - (i) an offence involving dishonesty,
 - (ii) an offence under this Act,
 - (b) is an undischarged bankrupt,
 - (c) has been removed, under section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act [1990 \(c. 40\)](#) or section 34 of this Act, from being concerned in the management or control of any body,
 - (d) has been removed from the office of charity trustee or trustee for a charity by an order made—
 - (i) by the Charity Commissioners for England and Wales under section 18(2)(i) of the Charities Act [1993 \(c. 10\)](#), section 20(1A)(i) of the Charities Act 1960 (c. 58) or section 20(1) of that Act (as in force before the commencement of section 8 of the Charities Act [1992 \(c. 41\)](#)), or
 - (ii) by Her Majesty's High Court of Justice in England, on the grounds of any misconduct in the administration of the charity for which the person was responsible or to which the person was privy, or which the person's conduct contributed to or facilitated,
 - (e) is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986 (c. 46) or the Company Directors Disqualification (Northern Ireland) Order 2002 (S.I.2002/3150).
- (3) A person referred to in subsection (2)(a) is not disqualified under subsection (1) if the conviction is spent by virtue of the Rehabilitation of Offenders Act 1974 (c. 53).
- (4) OSCR may, on the application of a person disqualified under subsection (1), waive the disqualification either generally or in relation to a particular charity or type of charity.
- (5) OSCR must notify a waiver under subsection (4) to the person concerned.
- (6) OSCR must not grant a waiver under subsection (4) if to do so would prejudice the operation of the Company Directors Disqualification Act 1986 (c. 46) or the Company Directors Disqualification (Northern Ireland) Order 2002 (S.I.2002/3150).

Section 70 - Disqualification: supplementary

- (3) In section 69(2)(b), "undischarged bankrupt" means a person—
 - (a) whose estate has been sequestrated, who has been adjudged bankrupt or who has granted a trust deed for or entered into an arrangement with creditors, and
 - (b) who has not been discharged under or by virtue of—
 - (i) section 54 or 75(4) of the Bankruptcy (Scotland) Act 1985 (c. 66),
 - (ii) an order under paragraph 11 of Schedule 4 to that Act,
 - (iii) section 279 or 280 of the Insolvency Act 1986 (c. 45), or
 - (iv) any other enactment or rule of law subsisting at the time of the person's discharge.



Model Declaration for Fit and Proper Persons Declaration

Name of organisation in full.....

Name of individual.....

Role in the organisation.....

I, the undersigned, declare that:

- I am not disqualified from acting as a charity trustee.
- I have not been convicted of an offence involving deception or dishonesty (or any such conviction is legally regarded as spent).
- I have not been involved in tax fraud.
- I am not an undischarged bankrupt.
- I have not made compositions or arrangements with my creditors from which I have not been discharged.
- I have not been removed from serving as a charity trustee, or been stopped from acting in a management position within a charity.
- I have not been disqualified from serving as a Company Director.
- I will at all times seek to ensure the charity's funds, and charity tax reliefs received by this organisation, are used only for charitable purposes.

Signed.....

Date.....

Home address.....

.....

Previous address if moved in past 12 months

.....

Date of birth.....

National Insurance number
.....

National Identity Card Number (If appropriate)
.....

If you have signed this declaration but want to make any information known or clarify any points please add them in the space below.