

CONGREGATION MEETING - Sunday 5th February 2017

A meeting of the congregation will be held after the service on Sunday 5th February 2017 in order to vote on a decision taken by the Trustees to change the Constitution of the Church.

Introduction

There are two main systems of Church Governance, the Model Deed of Constitution and the Unitary Deed of Constitution, in common use in the Church of Scotland at present. A number of churches have changed from Model Deed to Unitary Deed in recent years. At the 2016 General Assembly congregations currently on the Model Deed, the one we are on, were asked to consider changing to the Church's preferred form - the Unitary Deed.

At its meeting of Monday 14th November 2016, the Trustees of Bennochry Church discussed this issue and voted to move to the Unitary Deed of Constitution. The next stage is to hold a meeting of the congregation when the decision of the trustees will be put to the meeting with the recommendation to support and approve their decision. If the congregation votes to agree with the decision of their Trustees the request to change the Deed of Constitution will be forwarded to Kirkcaldy Presbytery for approval. Given the lead from the General Assembly this should be a formality.

What do we mean by Governance?

Governance is about who gives direction, has authority, makes decisions and takes responsibility for decisions and actions taken. The names of trustees are listed on the Annual Financial Report which goes to Presbytery, the Church of Scotland and OSCR, the Office of the Scottish Charity Regulator. Trustees are responsible to these bodies, in effect.

What it is not is dealing with day to day management of the many, many things that go on in our church, such as financial matters, building maintenance and improvement, health and safety, protection of children and vulnerable adults, pastoral care, supporting charities, etc.etc. All this happens under either type of Deed.

The Main Difference

Model Deed - Kirk Session deals with Spiritual Matters
- Congregational Board deals with Temporal Matters
Unitary Deed - The Kirk Session deals with Spiritual **and** Temporal Matters. In other words there is no Congregational Board.

Some Implications of changing from Model Deed to Unitary Deed

Clearly, as there is no Congregational Board, the Kirk Session has **direct responsibility** for everything that happens, including Finance and Fabric matters. All Trustees will be members of the Kirk Session and current Board members elected by the congregation **cease** to be Trustees. In other words all elders, and only elders, will be the charity trustees for Bennochry Parish Church of Scotland.

The Kirk Session **must** appoint a Clerk, a Treasurer and a Fabric Committee. They may appoint any number of committees, from Kirk Session members **and Congregation members**, and delegate powers to them. However, the Kirk Session is still responsible for any decision made on its behalf.

A Few of the Reasons for Deciding to Change.

- Office-Bearers increasingly have to deal with civil laws and regulations such as Health and Safety, Charity laws, Equal Opportunities legislation, Data Protection and the safeguarding issues re children and vulnerable adults, as well as an ever-growing number of Church of Scotland Deliverances and Regulations.
- It has become very difficult to find members of the congregation willing to serve on the Congregational Board. There are currently several vacancies, meaning that in practice most of the Board members are Elders.
- An effective and efficient committee structure can be established whereby committees have clearly defined responsibilities and are given proper authority to make decisions within clear guidelines. Additionally, any working group can be formed for a specific time from Kirk Session, congregation members and others with particular skills to tackle any specific issue.
- Committees will report to a single body - the Trustees.
- One group of Trustees avoids duplication of business as happens at the present time.
- There will be more opportunities for individual members of the congregation with specific skills to be added to a committee, even for a specific project or period of time.

Vote taken at a Meeting of the Congregation

A meeting will be held after the service on Sunday 5th February 2017 to vote, by means of a secret ballot, on the following recommendation from the present Trustees:

The Congregation of Bennoch Parish Church of Scotland agrees that its constitution, presently the Model Deed of Constitution, shall be changed at the earliest opportunity to the Unitary Deed of Constitution.

Trustees ask that you support them in this change.

Presbytery of Kirkcaldy

If this recommendation is accepted (by a simple majority of those present) the matter will be referred to Kirkcaldy Presbytery for action and advice on the date of implementation.

Further Information

If any member of the congregation wishes to have any question answered before or at the proposed meeting written questions can be placed in the box in the vestibule or given to a member of the welcome team at the Church door. If you wish to receive an answer before the meeting please give your name, address and telephone number.

Full details can be found on the Church of Scotland website www.churchofscotland.org.uk Search for "Deeds of Constitution".