

Changing Governance Option 3 – Create a Joint Council

A Joint Council can be established for any connected parish (i.e. parishes in the same benefice) under the Church Representation Rules 2020 (CRRs). Some or all of the individual PCCs functions, rights, property and liabilities can be transferred to the Joint Council.

All the PCCs in the benefice have to agree which functions, all or some, are to be transferred to the Joint Council. If only transferring some functions (for example benefice wide matters such as mission, worship and outreach) then the individual PCCs still retain responsibility for all the functions not transferred. If all functions are transferred to the Joint Council, then the individual PCCs cease to exist.

Process: A Joint Council is established under Section C, Rules M37-M42 of the CRRs

- PCCs agree that they want to establish a Joint Council
- PCCs agree whether all or some functions to be transferred to the Joint Council
- If only transferring some functions, PCCs agree which functions to be transferred
- CRR scheme for either a full transfer (Full Scheme) or transfer of some functions (Partial Scheme) drawn up by Mission and Pastoral Secretary (Appendix 1)
- Scheme approved by at least two thirds of persons present at an Annual or Special Parochial Church Meeting
- Approved scheme referred to Bishop's Council and Standing Committee
- Bishop's Council and Standing Committee either approve the Scheme, reject the Scheme or ask for specific amendments to be made
- Once approved, Scheme comes into effect on day specified in the Scheme

Advantages:

- PCCs formally delegate functions to a Joint Council which has the same status as a PCC
- If a Partial Scheme, starts the process of closer co-operations of parishes in the benefice

Disadvantages:

- For a Full Scheme no advantage in this over a pastoral scheme to unite parishes (Changing Governance Option 4)
- For a Partial Scheme, individual PCCs still need to meet so there may not be a reduction in the number of meetings. PCCs need to meet a sufficient number of times to enable efficient transaction of business, so if there is only limited business, then the number of meetings can be reduced

Frequently Asked Questions

1/ Do parishes still have to hold separate PCC meeting?

If it is a Full Scheme, then all functions of the PCC are transferred to the Joint Council, so in effect the PCC ceases to exist so does not need to hold meeting. In a Partial Scheme, the PCCs still need to meet to carry out their retained functions. Each parish would still need to hold a separate APCM.

2/ How many people need to be on a Joint Council?

The number of people on the Joint Council will be determined by the PCCs. The only requirement is that the number of Lay members must be more than the number of clergy members.

3/ What are the Charity Law implications?

For a Full Scheme, the Joint Council becomes the body corporate. If any of the individual PCCs had been registered with the Charity Commission they will need to apply to be removed from the register (Appendix 2). If the Joint Council has an annual income in excess of £100K it will need to apply to register with the Charity Commission in the usual way. For a Partial Scheme, the PCCs continue as before.

4/ What happens if a gift is made to a PCC after a Joint Council has been established?

For a Full Scheme, the gift will be considered to have been made to the Joint Council. For a Partial Scheme, it will depend on what the gift is made for. If the gift is given for a purpose that has been transferred to the Joint Council, then the gift is to the Joint Council. For a gift made to a function retained by the PCC, then the gift is to that PCC.

5/ What about existing restricted and designated funds?

For a Full Scheme, any restricted and designated funds will be held in the same way by the Joint Council.

6/ Does each parish still need a separate electoral roll?

Yes.

7/ How are Churchwardens elected if there is a Joint Council?

Churchwardens are elected at a meeting of parishioners. This still needs to take place in each parish.

Appendix 1 – Template for a Joint Council.

(Note: text in normal to be included in all schemes. Text in italics can be amended/deleted as required)

The Parishes of XXX
In the Diocese of
Leeds Scheme for Joint
Council

Made pursuant to Section C of the Church
Representation Rules 2020

The *Annual (or Special)* Parochial Church meetings of the parishes of XXX in the Benefice of XXX ("the Benefice") in the Diocese of Leeds, in exercise of the powers conferred by Section C (paragraphs M37-M42) of the Model Rules contained in the Church Representation Rules 2020 ("CRR"), hereby make the following scheme:

1. New Joint Council

The Parochial Church Councils of the Parishes of XXX in benefice of XXX and of the Model Rules pertaining to Parochial Church Councils shall be applied to the Joint Council and its members, officers and proceedings as if the Joint Council were a Parochial Church Council. *(For the avoidance of doubt each constituent parish of the Benefice will continue to hold an annual parochial church meeting and a meeting of parishioners but the Joint Council shall appoint an electoral roll officer to have responsibility for the purpose of compiling the electoral rolls for the parishes)*

2. Name of Joint Council

The new Joint Council shall be known as the XXX Council (the Joint Council).

3. Membership of Joint Council

The Joint Council shall have the following membership:

1. the Incumbent of the Benefice
2. any ministers duly licensed to the Benefice
3. *XXX persons from each Parish being lay members of the congregation of that Parish whose names appear on the electoral roll of one of the constituent parishes of the Benefice. These shall be the two Churchwardens of each church and one other lay person from each church congregation who shall be nominated or elected by the annual parochial church meeting of the relevant Parish. If there is a vacancy in the*

office of a churchwarden, the annual parochial church meeting of the relevant parish may nominate or elect a lay person to be a member of the Joint Council until such time as the vacancy in the office of churchwarden is filled. The annual parochial church meeting may nominate or elect a lay person to be a reserve member of the Joint Council so as to attend and vote at any meeting which the full member is unable to attend.

4. *any lay persons holding the Bishop's authority to lead worship in any parish within the Benefice as Authorised Worship Assistants or Readers*
5. *The Joint Council may also co-opt up to two additional members (who may be clergy or lay) if it considers that their particular skills or experience would be of benefit to the Joint Council*

4. Officers of the Council

1. The Chair of the Joint Council shall be the Incumbent or Priest in Charge of the Benefice.
2. *The secretary of the Joint Council shall be any person so elected by the Council for the purposes of recording the minutes of meetings, the holding of all documentation related to Joint Council business, the recording of any resolutions and the monitoring of actions taken on behalf of the Joint Council and the transaction of any correspondence relating to the affairs of the Joint Council.*
3. *The Joint Council may appoint one or more persons to be Treasurer to the Joint Council.*
4. *An Auditor or independent examiner shall be appointed by the Joint Council. This person shall have access to all financial statements of the Joint Council.*
5. *The Joint Council may appoint an Administrator upon such terms as the Council thinks fit.*
6. *The posts of Administrator, Secretary to the Joint Council, Treasurer and independent examiner, may be remunerated at the Joint Council's discretion subject always to the provisions of the Charities Act 2011 and the Church Representation Rules 2020 (or any statutory revision of them).*
7. *The Joint Council shall have the power to appoint further remunerated or unremunerated officers as it thinks fit.*

5. Meetings of the Joint Council

1. The Joint Council shall hold not less than XXX meetings each year as equally spaced as is possible. The first of such meetings taking place on or after 1st June in each year shall be designated the Annual Meeting at which time the Joint Council Officers (other than the Chair) shall be elected by simple majority.

2. The Chair shall at each meeting call for declarations of any potential conflict of interest from members. The Chair shall have the power to bar individual members from votes of the Joint Council where it is considered that a conflict of interest may arise. Rule 5.8 below continues to apply.
3. *The Treasurer's reports detailing the financial transactions of the Joint Council, including payment of parish share to the Diocesan Board of Finance and the finances of any Benefice-wide instrument or activity, shall be presented no less than annually and voted on by members. Such reports shall be made available to the annual parochial meeting of each parish in the Benefice.*
4. Dates for future meetings shall usually be set during meetings. A Joint Council meeting may be convened by the Chair or if requested, by at least a quarter of members at any time, giving at least ten days' notice to members (provided that such notice may be waived if all of the members consent)
5. An agenda and any other documentation to be discussed at a forthcoming meeting shall have been delivered to members not less than seven days prior to the date of the relevant meeting.
6. A point of order may be requested at any time during the meeting in order to amend the agenda but shall require the consent of three quarters of those members present and voting to be carried.
7. No business shall be transacted at a meeting of the Joint Council unless at least one quarter of members are present and voting and the majority of the members present are lay members. No business which is not specified in the agenda shall be transacted except by consent of the Chair excepting 5.6 above.
8. All business of the Joint Council shall be decided by simple majority of those present (noting 5.7 above), with the Chair holding a casting vote in the event of a tie.
9. Any meeting of the Joint Council may be adjourned to such time and place as may be determined at a meeting, at the Chair's discretion.
10. The provisions of the Model Rules set out in Section B of Part 9 of the CRR 2020 shall apply to the proceedings of the Joint Council as though it was a Parochial Church Council provided that if those provisions are inconsistent with the provisions of this Scheme then the provisions of this Scheme shall prevail.

6. Minutes of the Joint Council

1. A record shall be made and retained of those present and voting at any Joint Council meeting.
2. All business transacted, resolutions put to the Joint Council and future actions agreed shall be recorded.
3. The minutes of Joint Council meetings shall be circulated to members of the Joint

Council and to members of the PCCs and may be made available to other persons listed in the electoral roll of any parish in the Benefice.

7. Functions and Powers of the Council

1. *Subject to article 9 hereof, (which makes provision for the manner in which certain property shall be held) all of the property, rights, liabilities and functions of the PCCs of the parishes of the Benefice (whether or not specifically identified in article 9) shall be transferred to the Joint Council on the date upon which this scheme comes into effect, The Joint Council shall be a body corporate and the functions and powers of the Joint Council are subject to the CRR and to any other rules and regulations of the Church of England in force at the time.*
2. *The Joint Council shall have the power to accept on behalf of all Parishes within the Benefice the allocated Diocesan Parish (or Benefice) Share requested of the Benefice.*
3. *The Joint Council shall have the power to authorise, approve, order, manage and dissolve Parish-wide or Benefice-wide activities including those for mission, worship, outreach, fundraising, and for any specific sub-section of the population, all for the common good and in furtherance of the mission and ministry of the Church of England in the Benefice.*
4. *The Joint Council shall have the power to establish a standing committee and subsidiary committees from time-to-time. The composition, financial affairs, minutes and any other proceedings and actions of such committees shall be under the direction of the Joint Council.*
5. *The Joint Council shall be consulted on any matter which affects the membership of any parish of the Benefice.*
6. *The Joint Council shall be consulted on any matter affecting the question of who should be licensed to minister in the Benefice (but shall not have any greater right to be consulted than individual PCC's within the Benefice would have had but for this scheme).*
7. *The Joint Council may authorise the Treasurer to manage such funds as it directs.*

8 Disputes and Ordering

1. Any dispute on any matter relating to Joint Council business shall be raised with the Chair in the first instance. Thereafter it shall be raised as necessary with the Archdeacon and the Area Bishop.
2. The Joint Council derives its powers under this Scheme, which may be varied or revoked subject to the provisions of the Church Representation Rules 2020

9 Assets

1. *The assets listed in Part 1 of Schedule 2 shall vest in the Joint Council on the date*

when this Scheme comes into effect and shall be held for the general purposes of the Joint Council

2. *The assets listed in Part 2 of Schedule 2 shall vest in the Joint Council on the date when this Scheme comes into effect and shall be held for the restricted purposes identified in Part 2 of Schedule 2*
3. *Any remaining assets held by the Parochial Church Councils of the Parishes shall remain the property of the individual Parochial Church Councils and shall not vest in the Joint Council on the date when this Scheme comes into effect*
4. *Assets (other than cash gifts donated as part of the donor's regular church giving) gifted by lifetime gift to a Parochial Church Council of any Parish included in this Scheme shall be held by the Joint Council for the benefit of the Parish concerned as a restricted asset*
5. *Assets (including cash) gifted by a will or other testamentary disposition to a Parochial Church Council of any Parish included in this Scheme shall be held by the Joint Council for the benefit of the Parish concerned as a restricted asset*

10 Date of coming into force

1. This scheme was approved by the constituent parishes in accordance with Model Rule M42 of the Church Representation Rules 2020 at a Parochial Church Meeting of each parish being either an Annual or a Special meeting called for this purpose on the dates specified in Schedule 1
2. This scheme shall come into effect on the first day of the month following ratification of the scheme by the Bishop's Council of the Diocese of Leeds.

Schedule

1

Dates when Scheme approved by Parishes

Parish	Date Approved	Numbers Voting		
		For	Against	Abstained
Parish of				
Parish of				
Parish of				
Parish of				

**Schedule
2**

**Part 1 – Assets vesting in the Joint Council for its General
Purposes**

Parish	Asset
<i>Parish of</i>	
<i>Parish of</i>	
<i>Parish of</i>	
<i>Parish of</i>	

Part 2 – Assets vesting in the Joint Council for Restricted Purposes

Parish	Asset	Restricted Purpose
<i>Parish of</i>		
<i>Parish of</i>		
<i>Parish of</i>		
<i>Parish of</i>		

Approved by the Bishop's Council of the Diocese of Leeds

Signed

Secretary to the Council

Dated

Appendix 3 – Template Email to Apply to the charity Commission to be Removed from the Register of Charities

Email subject line – Re Parochial Church Council for the Ecclesiastical Parish of XXX; Request for removal from the Register of Charities

(Include the following paragraph if the new Joint Council has been registered with the Charity Commission.)

I am writing to inform the Commission that, following the registration of the new XXX Joint Council with the registered charity number of XXX by the Charity Commission on XXX the Parochial Church Council for the Ecclesiastical Pariah of XXX needs to be removed from the register of charities.

On XXX (date new Joint Council was formed) the Ecclesiastical Parish of XXX ceased to exist due to the transfer of all its functions and property to the XXX Joint Council by scheme (attached). As a result of this scheme, this application is being made to remove the Parochial Church Council for the Ecclesiastical Parish of XXX from the register of charities.

A copy of the final accounts for the Parochial Church Council for the Ecclesiastical Parish of XXX is attached.

Should the Commission require any additional information, please contact me.

Yours sincerely