

Anglican Schools Ministry Ordinance 2016

No 41, 2016

Long Title

An Ordinance to regulate ministry within the Anglican schools of the Diocese.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the *Anglican Schools Ministry Ordinance 2016*.

2. Interpretation

In this Ordinance –

“Anglican School” means an Anglican school, not being a Diocesan School, which is situated in the Diocese.

“Assistant Chaplain” means a person who is responsible to and assists the Chaplain in their duties.

“Chaplain” means –

- (a) in relation to a School which is extra-parochial, a person who holds a position within the School that primarily involves the delivery of Christian ministry to the School community, and
- (b) in relation to a School which is not extra-parochial, the person who is the Chaplain in accordance with clause 7 or 9.

“Christian Education” includes the presentation of the whole curriculum within a Christian worldview founded on the gospel of the Lord Jesus Christ, as well as any distinctive Biblical Studies curriculum.

“Diocesan School” means any school that is constituted by or under an ordinance of the Synod of the Diocese or in relation to which the Synod is empowered to make ordinances, and includes schools of the Anglican Schools Corporation.

“Head” means a person appointed to lead a School, who may be titled Headmaster, Headmistress or Principal.

“Parish” means a parish or provisional parish constituted under or recognised as such for the purposes of the *Parishes Ordinance 1979*.

“Rector” includes a person fulfilling the function of rector in a parish on a temporary basis, such as an acting rector.

“School” means a Diocesan School or an Anglican School.

“School Council” means the body having governance responsibility for the School.

3. Relationship between Schools and Parishes

(1) Without limiting the generality of the *Extra-Parochial Ordinance 1918*, where it is deemed beneficial, a School Council of a Diocesan School may apply for its School to be declared extra-parochial under the *Extra-Parochial Ordinance 1918*.

(2) Clause 2 of the *Extra-Parochial Ordinance 1918* does not apply to a Diocesan School which is declared to be and remains extra-parochial pursuant to that Ordinance.

(3) Clauses 4, 5 and 6 of this Ordinance apply only in respect to Diocesan Schools which are extra-parochial.

(4) Regardless of whether a School is extra-parochial, Schools and Parishes are encouraged to have a shared commitment to partnership in proclaiming the gospel of the Lord Jesus Christ to the School and Parish communities.

4. Chaplains and Assistant Chaplains in Diocesan Schools that are extra-parochial: appointment, dismissal and suspension

(1) Subject to clauses 5(2) and 6(1), the Head of any Diocesan School may appoint, with the approval of the School Council, one or more Chaplains or Assistant Chaplains as members of staff in and for the School.

(2) The Head of any Diocesan School may, in consultation with the Archbishop and with the approval of the School Council, dismiss such Chaplains or Assistant Chaplains.

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(3) The Head of any Diocesan School may temporarily suspend a Chaplain or Assistant Chaplain from their duties as Chaplain or Assistant Chaplain, but thereupon must immediately notify the Archbishop and the School Council of such action.

5. Chaplains in Diocesan Schools that are extra-parochial: duties, qualifications and licensing

(1) The duties of the Chaplain in a Diocesan School, notwithstanding any other responsibilities they may have as a staff member, shall be to teach the students the doctrines of Christ and to exercise a pastoral ministry within the school community, especially to staff and students.

(2) The Head of a Diocesan School must apply to the Archbishop for a licence for any person who is proposed to be a Chaplain in the School, and may only appoint a person as a Chaplain in the School if the licence is granted. The licence shall provide that it will cease upon the Chaplain's ceasing to hold such office as a member of the staff of the School.

(3) If at any time and for any reason, a Chaplain in a Diocesan School ceases to hold the licence, they will cease to be entitled to act as Chaplain of the School, and must not thereafter hold themselves out as having this title. This will not of itself have the effect of removing the person from being a member of the staff of the School.

(4) A Chaplain in a Diocesan School –

- (a) may be an ordained or a lay person,
- (b) must hold a qualification in theology, preferably a bachelor degree, commensurate with the position to which they are appointed, that is acceptable to the Archbishop, and
- (c) should, wherever possible, also hold an appropriate educational qualification.

(5) A person must not be given the title of Chaplain in a Diocesan School unless the requirements of this clause have been satisfied.

6. Assistant Chaplains in Diocesan Schools that are extra-parochial: qualifications and licensing

(1) The Head of a Diocesan School must apply to the Archbishop for a licence for any person who is proposed to be an Assistant Chaplain in and for the School, and may only appoint a person as an Assistant Chaplain in the School if the licence is granted. The licence shall provide that it will cease upon the Assistant Chaplain's ceasing to hold such office as a member of the staff of the School.

(2) If at any time and for any reason, an Assistant Chaplain in a Diocesan School ceases to hold the licence, they will cease to be entitled to act as Assistant Chaplain of the School, and must not thereafter hold themselves out as having this title. This will not of itself have the effect of removing the person from being a member of the staff of the School.

(3) An Assistant Chaplain in a Diocesan School –

- (a) may be an ordained or a lay person,
- (b) must hold, or be in the process of obtaining, a theological qualification that is commensurate with the functions they are to perform, and,
- (c) should, wherever possible, also hold an appropriate educational qualification.

(4) A person must not be given the title of Assistant Chaplain in a Diocesan School unless the requirements of this clause have been satisfied.

7. Chaplaincy in Diocesan Schools that are not extra-parochial

(1) Subject to this clause, in the case of a Diocesan School which is not extra-parochial, the Rector of the Parish in which the School is situated or, if situated in part, the Rector of the Parish in which it is predominantly situated, is the Chaplain of the School.

(2) The Archbishop may, on application from such Rector and with the approval of the School Council of the School, license another person –

- (a) as the Chaplain in place of the Rector, or
- (b) as an Assistant Chaplain to assist the Rector in his duties as Chaplain, and

if that licence is granted, the Head may appoint the person as a Chaplain or Assistant Chaplain in accordance with the terms of the licence.

(3) In the case of a person licensed under clause 7(2) the Head may –

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- (a) temporarily suspend the person from duties, but thereupon must immediately notify the Archbishop, the Rector and the School Council of such action, and
- (b) dismiss the person as a Chaplain or Assistant Chaplain of the School, in consultation with the Archbishop and the Rector, and with the approval of the School Council.

8. School Ministry Plans for Diocesan Schools

The strategic planning process of each Diocesan School should incorporate a ministry plan which includes –

- (a) the delivery of Christian Education,
- (b) the delivery of Biblical Studies to all years of the School,
- (c) strategies for providing pastoral care to staff and students, and
- (d) strategies for presenting the gospel to the school community.

9. Chaplains of Anglican Schools

(1) The Archbishop may license a person to be a Chaplain or Assistant Chaplain of an Anglican School on application of such School.

(2) Subject to subclause (3), no member of clergy of the Anglican Church of Australia other than the Rector of any Parish in which an Anglican School is situated, or predominantly situated, is to act as Chaplain or Assistant Chaplain in any Anglican School unless licensed as Chaplain or Assistant Chaplain of such School by the Archbishop.

(3) If an Anglican School is situated, or predominantly situated, in a Parish and the Archbishop licenses a person other than the Rector of the Parish to be a Chaplain of the School, the right of the Rector to act as Chaplain ceases while that person is so licensed.

(4) A licence for a member of clergy who is proposed to be a Chaplain or Assistant Chaplain of an Anglican School must provide that it will cease upon the Chaplain or Assistant Chaplain's ceasing to hold such office as a member of the staff of the School.

10. Chapels

(1) The Archbishop may license any building or part of a building as a Chapel in or for any School on application from its School Council.

(2) The safe custody of all records and Registers of Chapel services for a Diocesan School shall be the responsibility of the Chaplain.

11. Interaction with School Constitutions

The constituting Ordinance of a School prevails over the terms of this Ordinance to the extent of any inconsistency.

12. Transition

(1) All persons who, immediately before this Ordinance commences, hold the position of Chaplain or Assistant Chaplain in a Diocesan School which is extra-parochial are deemed to comply with clauses 5 and 6 to the extent they are applicable to the Chaplain or Assistant Chaplain in that School.

(2) Any Diocesan School which was declared extra-parochial under the *School Chapels and Chaplains Ordinance 1975* shall be deemed to have been declared extra-parochial under the provisions of the *Extra-Parochial Ordinance 1918*.

(3) Any reference to the *School Chapels and Chaplains Ordinance 1975* in any ordinance is to be taken to be a reference to the *Anglican Schools Ministry Ordinance 2016* unless the context otherwise requires.

13. Delegation by the Archbishop

The Archbishop may delegate any of his functions under this Ordinance to an Assistant Bishop.

14. Repeal

The *School Chapels and Chaplains Ordinance 1975* is repealed without affecting the validity of any action that has been taken under the terms of that ordinance.

15. Commencement

This Ordinance commences on 1 January 2017.

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I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

R TONG
Chair of Committees

I Certify that this Ordinance was passed by the Synod of the Diocese of Sydney 11 October 2016.

R WICKS
Secretary of Synod

I Assent to this Ordinance.

GN DAVIES
Archbishop of Sydney
19/10/2016