

1/12 Review of the *School Chapels and Chaplains Ordinance 1975*

(A report from a committee appointed by Standing Committee.)

Introduction

1. At the 2012 Session of the Sydney Diocesan Synod, the Synod received the report, *Review of the School Chapels and Chaplains Ordinance 1975* from a committee appointed by the Standing Committee and resolved as follows –

"Synod, noting the report concerning the review of the School Chapels and Chaplains Ordinance 1975 (the Ordinance) –

- (a) encourages Synod members, school councils and the Sydney Anglican Schools Corporation to consider the report and its recommendations and to provide comments on the report to the Diocesan Secretary by 31 March 2013, and
- (b) requested the Standing Committee to bring to the 2013 session of the Synod suitable amendments to the Ordinance having regard to such comments."

2. A letter was sent to all Synod members, school councils and the Sydney Anglican Schools Corporation (and related bodies) following the 2012 session inviting submissions.

3. Submissions were received from the following: Abbotsleigh, Barker, Kings, Tara, Anglican Education Commission, Sydney Anglican Schools Chaplains' Association and the Sydney Anglican Schools Corporation.

Purpose and recommendation

4. The purpose of this report is to summarise the key aspects of the submissions with a view to the Synod requesting the Standing Committee to appoint a new committee to consider the submissions and bring an ordinance to the next ordinary session of Synod to amend the School Chapels and Chaplains Ordinance 1975.

Summary of submissions received

5. The paragraphs which follow summarise the key points made in the submissions to the review report (the "Report").

Paragraphs 1-7 Introduction

6. The current Ordinance is out-dated and requires considerable revision. Schools being extra-parochial and the role of Chaplains are separate issues. The Committee should delay any review of the Ordinance for another year to allow further consideration.

7. The experience of many Chaplains is that very few heads of schools and fewer school council members are aware of the Ordinance. It is the common experience of Chaplains that few schools follow the direction of the Ordinance in practice. Informing heads and school council members of the place of the Ordinance could be an important issue.

8. A significant opportunity to think about the place of school chaplaincy within the overall mission of the Diocese is greatly needed. The Archbishop in his 2009 Isaac Armitage Lecture indicated the lack of Diocesan progress in the area of Anglican schools.

9. Why was only one Chaplain on a Committee to review Chaplaincy? And why was this one Chaplain from an 'Associated' Anglican school, that is, not obliged to follow the Ordinance?

10. The question which led the Standing Committee to appoint the Committee, namely under what conditions should a particular school be granted extra-parochial status, seems to have limited the scope of the review of the Ordinance. While supportive of some of the recommendations proposed by the Committee at #52, a significant opportunity to think creatively about the place of school chaplaincy within the overall mission of the Diocese has been lost. It is thirty-seven years since the School Chapels and Chaplains Ordinance was enacted. Anglican schooling has changed and grown significantly since 1975. The effect of adopting all of the recommendations (in their present form) proposed by the Committee will generally maintain the status quo and not lead to the enhancement of biblical teaching, evangelism and outreach needed through Anglican schools.

Paragraphs 8-31 Extra-parochialism, Mission Areas and Ministry Partnership

11. We are supportive of the position taken in the paper concerning the declaration of schools as being extra-parochial.

12. We support the view that all diocesan Anglican schools should have the opportunity to be declared extra-parochial.

13. The relationship between Anglican schools and local parishes varies greatly as a result of a number of factors that are often complex.

14. A parish based system is still worthwhile but "chaplaincy" style ministries need to be given greater validity. Chaplains have little or no structured representation on Synod. A Senior Chaplain does not necessarily need to be ordained as a presbyter (which may devalue the role). Chaplains are ministering regularly to a community which many parishes only dream about. With greater energy and resources schools in particular are a gold mine.

15. It has been helpful for our schools to be "extra-parochial". It gives the freedom for chaplain's to minister without having to seek permission from the local church. For example it took a lot of unnecessary stress from us when we set up our churches. It could also be stated that extra-parochial schools will have the freedom if they see fit to set up a congregation.

16. Whilst the parochial system still has some life in it for churches, we question how long this will last. It is clear that the geographical boundaries on which the current system is based are becoming less of a determinant of an Anglican church's ministry. That an Anglican school happens to be physically located in a particular parish may be totally irrelevant to the ministry of the school as well as the church. In those situations where there is a fruitful relationship between the school and the nearby church, we hope that the relationship will be maintained. But in those situations where the church and the school do not have a significant relationship with one another, we do not think that this should be a matter of concern to the Diocese.

17. We think it is unrealistic to expect the average parish clergyman to be interested in, let alone competent or have the time to provide a credible ministry within the contemporary Anglican school. We acknowledge that many clergy make a valuable contribution to the governance of Anglican schools through membership of school councils but this is not the same as discharging an on-going responsibility as an 'honorary chaplain' to the school as some have been called upon to do.

18. Paragraph 20 concerning Mission Areas is good in theory but not sure how much of it is happening in practice. Many Chaplains do not know what Mission Area they are in or who their Mission Area Leader is as no contact has been made.

19. We are not convinced that the existence of Mission Areas will have any on-going impact on the Christian ministry of most Anglican schools. There may be some situations in which a school's drawing area coincides with a Mission Area and there can be a fruitful relationship between the school and the clergy and laity associated with that Mission Area.

20. Unless local clergy have had considerable involvement in the ministry of an Anglican school it is unlikely that they would be able to conduct the role of Chaplain in an honorary capacity with any real effectiveness.

21. Our view is that each Anglican school should be fully responsible for the planning, funding and implementation of a contemporary Christian mission strategy to its community comprising staff, existing and past students, and the parents of its students. With more than 45,000 students currently enrolled in Anglican schools in the Diocese, the mission-field just in terms of people is enormous, let alone the extent and potential of its influence on the wider society.

22. Set against this enormous challenge, we question the relevance of Mission Areas for the on-going Christian ministry of most Anglican schools. There may be some situations in which a school's drawing area coincides with a Mission Area and there can be a fruitful relationship between the school and the clergy and laity associated with that Mission Area. But where there is no natural affinity we do not think it should be a high priority for either party to pursue anything as formal as a 'partnership'.

23. We note with approval the concept of schools having a 'shared commitment to partnership in ministry' (paragraph 23 of the Report) with local churches and the relevant Mission Area. However we do not find any definition of 'relevant Mission Area' and wonder if this could be defined to include the main Mission Area or Mission Areas which influence the composition of the students of the school. It may be for example that a school is located at the 'edge' of one Mission Area, but actually draws a significant number of students from a different Mission Area. It may be more appropriate, for instance in paragraph 29, to involve that other Mission Area.

24. School Chaplains do not have a voice on the Synod. We are the only Diocese in Australia which does not invite Chaplains. Currently there is no Chaplain on the Board of the Anglican Education Commission. This means that the Standing Committee should be more aware of the need to include current Chaplains in any discussion about the role of Chaplains in schools.

25. The concern in paragraph 24 of the Report that a school being extra-parochial may mean an end to partnership is in the same realm of fearing neighbouring parishes will also not partner together because we have parish boundaries.

26. It may be difficult for a local minister to plug into the school culture. I would imagine it would also be difficult for the local minister to give much time to the position. But it may even be helpful to have a Chaplain, at least in name only, until a Chaplain can be appointed from the school.

Paragraphs 32-40 The appointment and qualification of chaplains

27. The Committee proposes what might be described as 'some minimal tidying-up of the Ordinance in respect to the appointment, qualifications and responsibilities of chaplains'. It has chosen not to promote a more adventurous approach to meet current and future challenges. It maintains the premise that 'having a chaplain, indeed an ordained chaplain, is the norm by which an Anglican school expresses its Anglican identity'. This may be appropriate in some of the more established schools, though even many of them employ a chaplaincy team, the members of which perform different tasks and bring to their position a variety of qualifications and experiences. The Report maintains the assumption that in the position of the chaplain resides the 'protection of the biblical legacy of the school'.

28. The work of Chaplains is highly valued but the spiritual leadership of the school resides with the Principal and maintaining the heritage of the school is a responsibility the Principal shares with the School Council and the Executive.

29. The Committee has taken the view that the default position is for the school chaplain in an Anglican school to be an ordained clergyman. Not only is this not the current practice in many Anglican schools; it is likely to become less the case in the future.

30. Rather than starting with the premise that every school should have a chaplain, it is suggested that the fundamental premise should be that every school has a Christian ministry strategy supported by sufficient staff who are appropriately experienced and qualified educationally and theologically. What they are called is less important than the skills and experience they bring to the implementation of the ministry strategy.

31. A lot more work can be done in this area. Spiritual leadership in a school is a much debated issue amongst Heads, Chaplains, parents, clergy and school councils. Some believe that the Head of the school is the spiritual leader. Some Heads of schools believe they are not equipped to take on such a role. The variance in opinion can create some issues in setting the direction of the ministry in a school.

32. Given the great diversity among Anglican schools in the Diocese of Sydney, it is not surprising at all that there is great diversity in spiritual practices of the Heads of schools.

33. Presently subclause 8(1) of the Ordinance stipulates that it is the School Council that is to appoint a Chaplain or Assistant Chaplain, with the written approval of the Archbishop. The Report recommends that this be amended, such that the Head of School now appoint such Chaplain or Assistant Chaplain, with the approval of the School Council and the Archbishop. Our concern is that such a change could remove the Council's ability to ensure that the person to be appointed as Chaplain meets requirements concerning the Christian purpose of the school, etc. Whilst the Council still could, in theory, not approve a proposed appointee (as could the Archbishop), in practice, such an action could be deemed a vote of "no confidence" in the Head, or at least a display of poor judgement. Further, we believe that such appointments need the backup of the whole Council. These appointments are too important to leave just with the Head of School. We suggest that the existing provisions not be amended.

34. Chaplains are both lay and ordained. The current Ordinance assumes that the Chaplain is ordained. There may be very little difference in the Chaplain's role with students if the Chaplain is not ordained. If the role requires work with the wider school community (weddings, baptisms, funerals, etc) then there is greater value in the Chaplain being ordained. The relationship of the Chaplain to the wider Anglican Church (Archbishop, Bishop, local parish, Professional Standards, licensing, etc) will be impacted if the Chaplain is ordained.

35. With respect to the appointment of a Chaplain, the person should be either a presbyter or deacon (although as a deacon this is a difficult position so far as administration of Holy Communion is concerned) and this person should be so designated under the licence from the Archbishop as 'Chaplain'. In the event that the person has not been ordained as presbyter it is assumed that the person will be a candidate for appointment as a presbyter.

36. Room should be given that a Chaplain (especially one who is leading a team) should have the provision to be ordained a presbyter.

37. The role of Assistant Chaplain can be lay or ordained and it is a role that is also licensed by the Archbishop. A school should be able to make the decision whether a person is to be employed as an "Assistant Chaplain" if the School desires that this person be licensed to that role. If the person is to have this title and licence then the person should hold the qualifications that the Archbishop stipulates. For a Lay Assistant Chaplain, consideration should be given to a lesser qualification, eg, a ThC or equivalent from Moore College. If however a school wishes to employ such person or persons as a Youth Worker then the Ordinance should not apply and the qualifications should be as determined by the Head (after consultation with the School Council as to the necessary qualifications).
38. Where the Assistant Chaplain is also a Clerk in Holy Orders then we agree that they should also hold a general licence or authority to officiate and be either a presbyter or deacon.
39. We consider it is appropriate for an Assistant Chaplain (a deacon) to have the opportunity to progress to become a presbyter within the school context. For example, where there are approximately 2,000 students and 1,500 families, the Chaplaincy staff minister to each of these students and to a large number of families. Clearly this community is larger than most parishes. In addition there is a demand for regular services, including communion services, baptisms and weddings and the responsibility for these does fall upon the Chaplain or Assistant Chaplain.
40. We express concern as to what pre-requisites may be imposed upon lay people who are fulfilling the role of Assistant Chaplain or are Youth Workers providing religious instruction within a school setting. We consider that the qualifications of such persons should be determined by the Chaplain, Head and the School Council. Such persons do give religious teaching to scholars in the school with respect to the Anglican Church in Australia as well as exercising a general pastoral ministry within the school to both staff and scholars.
41. With respect to paragraph 39 of the Report, we consider that a lay person exercising teaching responsibilities for religious studies should have appropriate teaching qualifications and those relevant qualifications be as determined by the Chaplain and Head, which would be a different set of standards from those for a Chaplain.
42. An additional recommendation is suggested to address the matter of the qualifications of a Chaplain (following from paragraph 39 of the Report). The suggested 'standard' would be the person should possess the qualifications and/or training necessary for appointment as a deacon in a parish.
43. Re Paragraph 40, is it necessary that a Chaplain must have an education degree? Not saying that it is not helpful but it may rule some people out. It also makes the job highly qualified by having to have a double degree (education and theology). Our Chaplain does not have one and has survived quite well as the job is mainly ministry. We have had the luxury in appointing a Head of curriculum though.
44. The role of 'Chaplains' is growing in acceptance in the wider society as a result of chaplains being in demand in a number of sectors including hospitals, jails, sporting teams, defence forces, universities, TAFE, police force and corporate sector. Also, the decision of successive Federal Governments since 2006 to promote school chaplains means that the term 'chaplain' is gaining wider acceptance. There is a good reason to keep the term with acknowledgment that the role will vary greatly in different settings.
45. While remaining a separate issue, it may be useful to recognise that a current Commonwealth Government program funds 'chaplains' in some diocesan schools, some of whom also may be Chaplains in respect of the Ordinance. The required qualifications of a 'chaplain' under the Commonwealth's program include training which does not necessarily form part of a Chaplain's qualifications as envisaged in the Ordinance.
46. The decision of the Howard Government in 2006 to create a species of part-time school chaplains and the subsequent redefinition of their role to exclude evangelism and proselytizing has muddied the waters in respect to the term 'chaplain' and it lends weight to the case for abandoning the term 'chaplain' as it applies to Anglican schools in favour of something else.
47. We would prefer to suggest a range of responsibilities which a school ministry team might assume and the sorts of expertise and experience which the team as a unit should have rather than qualities that should be sought in a School Chaplain. This would be more useful for the future than the development of a job description anchored in the present or the past. Every school is unique and its school ministry needs are unique so a single job description serves no useful purpose.
48. While the Committee comprised a principal and a chaplain and other persons with experience working in and for Anglican schools, it did not reflect the often competing and diverse interests of the multiple stakeholders. Under the present Ordinance, there is considerable scope for individual principals to determine what they want their chaplain/s to do and to be called, what their status should be within the hierarchy of the school, how and by whom their priorities should be set and how they should go about

their work. Likewise, under the present Ordinance an individual chaplain can determine, pretty much without reference to anyone else, what he or she thinks is important. Some chaplains complain about not having a voice on Synod, some feel the Diocese does not value their ministry, yet others feel blessed to be able to do their own thing with minimal interference from anyone else.

49. Given the great diversity among Anglican schools in the Diocese of Sydney, it is not surprising at all that there is great diversity in chaplaincy practices. Many people would say this is a good thing. But it is just possible that too much diversity can mask the void that is quality assurance. In theory at least, teachers accredited in New South Wales by the Institute of Teachers have a set of professional standards by which their performance and professional growth can be measured and appraised. But unless they are employed as teachers, school chaplains have no such standards at the school, state or national levels. There are no standards by which the effectiveness of chaplaincy, the personal growth of the chaplain or their value to the school can be measured. To be fair, there has been minimal research carried out in Anglican or Christian schools in Australia on the measurement of faith and spiritual development.

50. Notwithstanding the good and hard work that Chaplains do, there are significant deficiencies in school chaplaincy within the Diocese. The Diocese does not have a significant recruitment strategy. Each time a vacancy occurs the individual school advertises and in some instances it has taken more than a year to fill the vacancy. There is no approved or formal training program for school chaplains in Anglican schools. There is no planned induction program, nor a program to assist someone moving from a parish ministry position to school chaplaincy. There are no internships through which theologically trained persons can be inducted into a school environment. There is no accredited on-going program of professional development for school chaplains. Needless to say there is no career path for enterprising chaplains and therefore minimal incentive for them to explore more creative avenues of ministry. It is rare for a school chaplain to become a school principal but it should be possible.

51. Too often, in conversations with school personnel about the role of the school chaplain, the focus is limited to work amongst students and invariably much of this is concentrated on the organisation of Chapel and counselling of students. In reality, as some of the older schools have discovered, there is an increasing demand on chaplains to provide theological and spiritual support for the teaching staff. For the past few years we have been promoting the idea that Anglican schools should employ a resident theologian who can help to shape the school's spiritual formation of students through a distinctively Christian approach to pedagogy, curriculum, assessment and student welfare. This is an enormous responsibility in every Anglican school regardless of how many or how few active and mature Christian teachers and executives there are on the staff. Resident theologians do not need to be ordained but they do need to have substantial theological training and educational experience if they are to make a credible contribution to the life of the school. It could be argued that without the input from a resident theologian the capacity of the teaching staff to teach students Christianly will be significantly impaired. Work amongst the staff is as important as work amongst the existing students. There is no reason why the resident theologian could not also be a school chaplain but in most cases it would not be practicable for the only chaplain in the school to also be the only resident theologian.

Paragraphs 41-51 Authority and Role of Head and School Council

52. We note paragraph 41 of the Report which refers to the possibility of dispute between a Head and a Chaplain. We consider more thought needs to be given to this matter, and clarity be given to the interplay between a Chaplain's responsibility to the Archbishop (and the School Council who may have appointed him or her), whilst at the same time being a member of staff under the direction of the Head.

53. We note paragraph 43 of the Report which suggests that the answer is to ensure the Head is a committed Christian, but this may not always be the cause for a dispute.

54. We also question whether paragraph 43 provides that the only ground for appeal to the Archbishop is if 'the Head of the School is curtailing ministry within the School'. Again, we suggest there may be other reasons for a breakdown in relationship between a Head and a Chaplain, and that the provisions need to be clear as to what happens in such situations.

55. Schools are very hierarchical and most Heads see themselves as the head of all (including the Christian ministry). The Chaplain though, in extreme cases, does need a mechanism to appeal if necessary.

56. Presently clause 13(1) of the Ordinance provides that the Head of School is to satisfy the School Council and the Archbishop that 'an adequate amount of time is given to religious teaching in the school curriculum'. Paragraph 50 of the Report notes the Committee's concerns as to whether such wording is too vague, as it could include teaching about world religions and not just Christian education. The Committee recommends replacing the phrase "religious teaching" with "Christian education". We support

this proposal, although we note that teaching about world religions may actually be Christian education, depending on what is taught and how.

57. With respect to the appointment and removal of a Chaplain (or an Assistant Chaplain who is in Holy Orders), we consider that the present position should remain unchanged. That is, the approval of the School Council must be obtained both as to the appointment and to the removal of the Chaplain and also the Assistant Chaplain where the Assistant Chaplain is a Clerk in Holy Orders. We agree that the Head should have the right for suspension but the actual decision for termination should rest with the School Council upon the recommendation of the Head.

58. The School Council agrees that the Chaplain or Assistant Chaplain (where a Clerk in Holy Orders) should have the right to appeal to the Archbishop in limited circumstances and excluding issues in relation to the school curriculum. The Chaplain or Assistant Chaplain (if a Clerk in Holy Orders) should have the right of appeal in relation to matters concerning the conduct of the role as ministers but not have a right to appeal in relation to the curriculum which is a matter for the Head to determine

59. Paragraph 51 of the Report is very helpful.

Paragraph 52 Recommendations

60. We are generally supportive of the recommendations contained at paragraph 52 of the Report, although would like to reserve the right to reconsider our position at the time the full and final outcome is determined by the Standing Committee should the outcome of the review be materially different to these recommendations. We did observe that recommendation (d) at paragraph 52 appears to have inadvertently dropped the reference to consultation with the School that is contemplated at paragraph 29.

61. We recommend that the review be delayed until such time as a new committee is appointed to address the following –

- (i) the role and status of Christian ministry in Anglican schools within the overall mission of the Sydney Diocese;
- (ii) the role and function of the current Ordinance within Anglican Schools;
- (iii) the changing nature of the ministry in schools in light of our changing society; and
- (iv) the elements of a comprehensive recruitment strategy, training, induction and on-going professional development programs for Chaplains and members of school ministry teams

62. We recommend that the Report be noted and that as a temporary measure the Ordinance only be amended in the light of the following recommendations of the Committee: 52 (b) / 52 (c) / 52 (f) / 52 (g) / 52 (h) / 52 (i). We recommend that no action should be taken on items 52 (a) / 52 (d) / 52 (e) until such time as a new committee is appointed to address the following aspects of Christian ministry in Anglican schools –

- (i) the role and status of Christian ministry in Anglican schools within the overall mission of the Diocese;
- (ii) ways in which the Diocese can help each Anglican school within its particular context to develop a comprehensive and contemporary Christian ministry strategy to its existing and past students, its staff and the parents of its current students;
- (iii) the role of school ministry teams;
- (iv) the variety of responsibilities which a school ministry team might assume and the mix of experience, gifts, educational and theological qualifications which its members would require to discharge these responsibilities;
- (v) the elements of a comprehensive recruitment strategy, training, induction and on-going professional development programs for members of school ministry teams;
- (vi) the value of appointing resident theologians in a handful of schools and evaluating their effectiveness; and
- (vii) strategies to assist school ministry teams to enhance the value and significance of Biblical Studies and Chapel within the mainstream agenda of their respective schools.

63. We respond to the recommendations as follows –

- (a) *include an aspirational statement that Anglican Schools, Mission Areas and churches actively pursue partnership in ministry for the good of the Diocesan Mission,*
Supported. Given that other Diocesan organisations may be operating within a given Mission Area, it would be helpful to include reference to such.
- (b) *allow for all Diocesan Anglican Schools to be extra-parochial, when they have the capacity to operate as a “ministry centre” on their own,*

Supported. A definition of 'capacity' may be required to bring further clarity to this recommendation.

- (c) *include definitions of "Chaplain" and "Assistant Chaplain" that refer to a person who is performing or who is to perform any or all of the functions of the Chaplain set out in the Ordinance,*

Supported. It is important to provide for a diversity of arrangements in schools, particularly for those schools which either do not desire the appointment of a Chaplain, or cannot resource such an appointment.

Where a Chaplain is appointed to a school, a clear job description is to be provided for the position by the Principal to ensure that responsibilities and lines of communication are established clearly from the outset.

While not a focus of the Report, the Ordinance is silent on the matter of whether the Chaplain is to be an Anglican person.

- (d) *provide that if a Chaplain has not been appointed by the School with the approval of the Archbishop that such member of clergy holding office in the Mission Area within which the school is located is to be the Chaplain, approved by the Archbishop and subject to the consent of the member of clergy and their parish council,*

Supported. The appointment of the Chaplain should also be with the approval of the relevant School Council.

- (e) *provide that in the event of a vacancy in the position of Chaplain such member of clergy holding office in the Mission Area be the Chaplain until a replacement is appointed,*

Supported. It is suggested that the 'replacement' should be a 'permanent replacement'. This appointment should occur in consultation with the Principal.

- (f) *provide for appointment of the Chaplain by the Head of School with the approval of the School Council (and the Archbishop),*

Supported. However, rather than 'and the Archbishop', it may be preferable to say, 'noting that the Chaplain also needs to be licensed by the Archbishop'.

- (g) *provide for appointment of Assistant Chaplains by the Head of School in consultation with the Chaplain,*

Supported. It is presumed that an Assistant Chaplain might also be licensed by the Archbishop.

- (h) *provide for the dismissal of the Chaplain by the Head of School with the approval of the School Council (and the Archbishop)*

Supported. However, rather than 'and the Archbishop', it may be preferable to say, 'in consultation with the Archbishop'.

- (i) *provide for the dismissal of Assistant Chaplains by the Head of School with the approval of the School Council.*

Supported. Further consideration may need to be given as to the relationship, if any, between the revocation of the Archbishop's licence and any employment/industrial implications that might arise where the Chaplain has been appointed under a particular employment agreement.

TONY WILLIS
Chairman of the Committee

27 August 2013