

10/97 Guidelines for Vacant Parishes

(A report from the Territorial Archdeacons.)

Introduction

1. Synod Resolution 10/97 is in the following terms -
"Synod requests Archdeacons with territorial responsibility to provide guidelines for parish councils and churchwardens in vacant parishes on the responsibilities, duties and stipend payable to an acting rector who is appointed for a short term and requests the mover and seconder to provide written submissions as to what they consider might be included in the guidelines."
2. In preparing this report the Territorial Archdeacons have considered submissions received from the mover and seconder of Resolution 10/97.

Absence of Minister

3. Clause 59(1) and 59(2) of the Church Administration Ordinance 1990 specify what happens if the minister is absent from the parish. The clauses cover all situations including long service leave, sickness, retirement, resignation and death.
4. It is the Archbishop's responsibility to appoint a replacement minister. He generally consults with the relevant Regional Bishop and Archdeacon.
5. The churchwardens of the principal or only church pay the stipend and other allowances of the minister appointed by the Archbishop.

The Process of Appointment

6. In the case of temporary absence from a parish on long service leave, a replacement minister is appointed by the Archbishop on the nomination of the licensed clergyman. In the case of sick leave, it is not always possible for a clergyman to nominate someone. The nominated replacement minister must hold a General Licence or an Authority To Officiate from the Archbishop. This replacement is called a locum tenens. A nomination for the appointment of a locum tenens must be made by the Incumbent on a form available from the Diocesan Registry.
7. In the case of a vacancy in the parish due to resignation, retirement or death, the initiative for the appointment of a replacement minister (called an Acting Rector or Acting Curate in Charge) lies with the Archbishop on the advice of his assistants. They are generally aware of the availability of suitable people to look after such parishes. The Regional Bishop or Archdeacon will communicate with the churchwardens. Sometimes it is possible to accommodate the request of the churchwardens for a particular person. However even though there might be only a small number of vacant parishes at any one time, there could be quite a number of clergy on long service leave or sick leave and so a particular person might not be available. A locum tenens appointed during long service leave prior to resignation or retirement may be appointed acting rector or acting curate-in-charge by the Archbishop after appropriate consultation.

The Length of Appointment

8. In the case of locum tenens the length of appointment is delineated on the nomination form completed by the licensed incumbent clergyman.
9. In the case of an acting rector or acting curate-in-charge of a vacant parish, the licence generally speaking is for three months. If the parish is filled under the Presentation and Exchange Ordinance 1988 (in the case of a parish which qualifies) or if the Archbishop exercises his right of appointment (in the case of provisional parishes or parishes which have lost the right of presentation) within this period then the position lapses when the duly appointed clergyman is inducted or instituted to his charge. However if the appointment procedure takes longer, then the replacement minister's licence can be extended for a period of time or another person can be appointed.

The Responsibility and Duties of Replacement Ministers

10. The replacement minister holds the Archbishop's Licence which authorises him to read prayers and perform other duties according to the Book of Common Prayer, An Australian Prayer Book, and the canons, constitutions and ordinances of the Church.
11. The Church Administration Ordinance 1990 specifies his rights and responsibilities and needs to be read carefully. The Ordinance details his duties with respect to vestry meetings (Part 2), his rights concerning parochial property and the need to maintain parish records (Part 3), prescribes certain protocols with respect to parish council meetings (Part 5) and indicates he has the control of the policy and affairs of parochial organisations, including the appointment or removal of leaders (Part 6).

12. Notwithstanding the unwritten convention that a Locum Tenens maintains the status quo, Clause 59(1) states that once he is appointed he is to all intents and purposes the Minister with all the responsibilities and powers of that office.

13. Given the fact that most replacement ministers are retired clergy who prefer to work part time, there will need to be a clear understanding between the parties concerning the duties to be performed during the vacancy. Clearly Sunday services and chairing the parish council are priorities as is appropriate pastoral care for the congregation. Other things need to be negotiated.

14. It is always open to the replacement minister, with the consent of the churchwardens and parish council, to appoint an additional person or persons to assist the parish in a time of vacancy.

The Responsibilities and Duties of Churchwardens and Parish Council

15. The responsibilities of churchwardens are outlined in Part 4 of the Church Administration Ordinance 1990. They are responsible to pay the replacement minister, and also report to the Archbishop or Regional Bishop any grave irregularities in the conduct of church services, any wilful neglect of duty or any flagrant misconduct on the part of the minister.

16. The responsibilities of a Parish Council are set out in Part 5 of the Church Administration Ordinance 1990. Among other things the parish council is responsible for fixing stipends, and conferring with the replacement minister about the spiritual life of the church (including adequate assistance for the replacement minister in the time of vacancy). Depending on how it is constituted the churchwardens may function as the parish council in a single church parish.

17. Undoubtedly during any vacancy extra responsibilities for the smooth and effective administration of the parish will fall on the churchwardens and members of the parish council.

Stipends

18. Each year the Standing Committee determines and recommends a schedule of minimum *stipends*, allowances and benefits for ministers. A Circular detailing these arrangements is sent to the minister and churchwardens. Additional copies can be obtained from the Regional Archdeacon or the Diocesan Secretary.

19. The Circular specifies the stipend to be paid in a vacancy but gives freedom for the parties to negotiate. At present the daily rate is \$100 for stipend, but churchwardens may of course pay more if the parish council wishes and there are funds to do so.

20. Alternatively, a parish may agree to an appropriate percentage of the recommended minimum stipend. (This may be particularly advisable when the replacement minister is not a retired person.)

21. Parishes are only constrained by their own budgetary considerations, the notional stipend received from the Long Service Leave Board in the case of a minister on long service leave or the reimbursement paid by the diocesan insurers in the case of those on sick leave.

22. However in the negotiations parishes should be particularly sensitive to the retired clergyman's need to protect his pension or retirement entitlements. Agreement should be reached before the period of service begins, and adequate provision should be made for preparation time in the agreement.

23. The Circular also maintains 'an adequate amount for reimbursement of travelling costs must be negotiated.' The pertinent guideline refers to Occasional Services, with the Circular suggesting an allowance of 65 cents per kilometre for journeys of not more than 75 kilometres. Greater distances require a mutually agreed rate. Obviously these guidelines only apply for travel within the Diocese.

24. Common sense is needed in negotiating your local arrangements. If there are difficulties consult your Regional Archdeacon (or in his absence your Regional Bishop).

Guidelines on the Process of Appointment

25. In times of vacancy an informal review of the parish will naturally take place. The Regional Bishop and/or Regional Archdeacon will consult with the parochial nominators where applicable. Normally it is the Regional Archdeacon who brings the name of a suitable replacement minister to the churchwardens.

26. The parish council should determine the parameters for any stipend negotiation if for some reason the Diocesan recommendations are not being followed. The churchwardens are to finalise the financial arrangements with the replacement minister on behalf of the parish council.

27. The churchwardens should have a checklist of congregational activities, groups or ministries for any discussion with the replacement minister.

28. When the name of the replacement minister is known, the churchwardens should arrange to meet him. They will need to ascertain the extent of his availability and work out the priorities for his temporary ministry (e.g. Sunday Services, pastoral visiting, parish council, parish bible study, etc) given the time he is able to

contribute and bearing in mind the responsibilities and duties of replacement ministers outlined already in this document. Unfortunately some things which have always been done by the minister might need to be temporarily suspended or passed on to others (e.g. any SRE classes). Expectations should be as realistic as possible.

29. Some understanding needs to be reached with the replacement minister about procedures in pastoral emergencies (e.g. funerals). The Area Dean may be a useful resource person in times of emergency. An agreement is especially needed about administrative processes (e.g. clearing the messages on the parish's answering machine).

30. The replacement minister should be briefed by the churchwardens as fully as possible on local ethos and custom. Retired clergy bring a wealth of experience and pastoral sensitivity and will usually seek to accommodate local preferences as much as possible. However sometimes circumstances justify changes, so remember he will hold the Archbishop's licence for ministry in that place.

31. If you need advice do not hesitate to call your Archdeacon, or in his absence your Regional Bishop.

For and on behalf of the Territorial Archdeacons

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14 August 1998