

MEMORANDUM

Date: 10 July 2016
To: **Members of Synod**
From: **Jeremy Johnson, Chancellor**

THE CLERGY APPOINTMENTS BILL

Introduction

1. In 2010/2011 as a Synod we considered replacing the existing Clergy Appointments Statute (**existing Statute**) but it was not felt the time was right for that to occur. At the 2015 Synod we enacted a temporary measure that extended the number of Diocesan Nominators due to a constant shortage.
2. Now seems an opportune time to revisit a replacement to the Existing Statute. There are three reasons for that:
 - a. the existing Statute is not user-friendly and is not easy to follow;
 - b. the temporary measure enacted highlighted how the Existing Statute lacked detail around critical issues (such as how to appoint temporary nominators when there was a temporary rather than permanent unavailability); and
 - c. the existing Statute did not have clear provisions around Letters of Offer and the Licensing Process.
3. As a result leave will be sought to bring a Clergy Appointments Bill (**Bill**) before Synod for consideration. This memo briefly outlines the key differences between the Existing Statute and the Bill. The Bill has been developed from the previous versions and parts of it are modelled on similar legislation in other Dioceses (notably Auckland).
4. I am grateful to the Standing Committee for taking the time to meet with me about this Bill and to provide feedback about the earlier draft. If anyone has any comments or feedback please get in touch.

Different categorisation and new thresholds for decisions

5. The Bill develops the framework of the Existing Statute to create different categories of appointment which are clearly marked so when making appointments the process can be easily identified. In particular the Bill sets out a process for the appointment of each of:
 - a. a Vicar (including a permanent Priest-in-Charge);
 - b. Full-time stipended clergy who are not Vicars;
 - c. Part-time clergy;
 - d. ordinands;
 - e. Ministry Enablers; and

- f. other appointments.
6. There are different requirements with each appointment., For example the appointment of a Vicar requires a Vicar Nomination Board to be formed which includes:
 - a. the Bishop;
 - b. two Clergy Diocesan Nominators;
 - c. two lay Diocesan Nominators; and
 - d. four Parish Nominators.
 7. There is now a requirement that the appointment of a Vicar be agreed to by the Bishop and two of the Diocesan Nominators and two of the Parish Nominators. Previously there was just a need for the agreement of a majority of the Board and the Bishop.
 8. A full-time stipended clergy appointment requires a Full-time Clergy Nomination Board which is the same as a Vicar Nomination Board but with the Vicar sitting as a member as well.
 9. In contrast there are no boards required for the other appointments but there are requirements for consultation and approval from certain persons (for example the appointment of part-time clergy is done by the Bishop with the agreement of the Vicar and two Parish Nominators). Where possible we have attempted to streamline and simplify those processes.

Number of nominators and temporary appointments

10. The Bill makes permanent the temporary extension of the number of Diocesan Nominators to 12. It also introduces three year terms and a limit of two terms for Diocesan Nominators. The consequential amendments set out how the terms of existing Nominators will be determined.
11. There are also more developed provisions around when Diocesan Nominators cease to be Nominators and how replacements are appointed between Synods. There are also provisions for temporary one-off appointments when, due to temporary unavailability, there are insufficient Diocesan Nominators available.
12. The number of parish Nominators remains the same however there is a restriction on election; employees of a parish and family members of clergy licensed to a parish cannot be Parish Nominators.

Letter of Offer and Licensing Process

13. There are now detail provisions around Letters of Offer and the Licensing Process. Clause 13 of the Bill sets out in more detail what needs to be included in a Letter of Offer – in essence all details and conditions relevant to the appointment should be included.
14. Likewise there is now a developed Licensing Process which sets out certain pre-requisites that must be met (namely agreement to supervision, permission for the Diocese to collect and store personal information under the Privacy Act, and making all declarations required by our canons) before a licence will be issued.