

DIOCESE OF ABERDEEN AND ORKNEY

Review of the role of the Standing Committee

The remit of the review

The under-signed were asked by the Bishop to undertake a review of the role of the Standing Committee, in particular in the context of its role alongside the leadership of the Bishop, and to make recommendations for change should such change seem desirable.

In addition to reviewing relevant documentation, we also interviewed a number of persons with relevant experience or expertise. These included the Bishop, the Diocesan Registrar, some current and former members of the Standing Committee, three other Bishops of the Scottish Episcopal Church, and a former Archbishop of Armagh and Primate of All-Ireland (to gain a comparative perspective). All very generously gave of their time, for which we are very grateful.

Canons of the SEC and the Diocesan Constitution

Of relevance to our review are the following canons of the Scottish Episcopal Church. Canon Six sets out the role and responsibilities of the Bishop, stating that ‘the Bishop is the Chief Pastor of all within the Diocese and their Father[/Mother] in God,’ that the Bishop is the ‘principal minister of Word and Sacraments,’ and that the clergy shall ‘take direction’ from the Bishop.

Canon Fifty sets out the provisions on Diocesan Synods, stating that the Bishop presides at the Synod and that any resolution passed by the Synod shall have no effect if the Bishop indicates disagreement with it.

The Canons do not set out the role and responsibilities of Diocesan Standing Committees, though there is an oblique reference in Canon Four to their existence. Reference is also made in Resolution 7 in the Digest of Resolutions.

The Constitution of the Diocese provides for a Standing Committee in Article 7: ‘the general control and management of the administration of the Diocese shall be in the hands of a Standing Committee.’ The Article then sets out the duties and powers of the Committee, which are extensive and include questions of resources, strategic objectives, protection of the interests of the Diocese, the establishment of ‘Task and Area Groups’, and staffing. The Bishop is *the ex officio* Convener. Article 8 provides for ‘Pendant Boards’, these being the Finance and Property Board, the Mission and Ministry Board, and the Faith and Order Board.

The Constitution makes no reference to the role and powers of the Bishop, save the reference to the Bishop’s role as Convener of the Standing Committee, but the Constitution must be read together with the Canons of the Church and clearly cannot be incompatible with the Canons.

The nature and essence of episcopal governance

The Scottish Episcopal Church, as its name clearly implies, is based on the idea of Episcopal leadership. Historically, this is an essential part of the nature of the Church, and it retained the threefold ministry inviolate, as of Divine Institution, following its disestablishment at the Revolution of 1689 (Canon One). The history of the Church dictates that its operations must be seen in that context, and a primary objective needs to be the maintenance of effective leadership of the church through its Bishops, of course with the inclusion of due safeguards. This system has in SEC terms frequently been described as one that is ‘Bishop-led and synodically governed.’

Diocesan leadership and management

Seen in this way, the Bishop is not merely the chief pastor of each Diocese, but also its chief officer with ultimate leadership over all relevant matters, duly assisted by committee and other structures. The Diocesan Synod, and with it its standing committee, should therefore be seen as playing a vital supportive role, safeguarding the leadership of the Bishop as well as the integrity and good running of the Diocese.

It is also worth noting that the Scottish Episcopal Church is smaller than other sister churches, in particular than the Church of England, and this is reflected in leaner structures both at provincial and Diocesan level. This should clearly be a factor in assessing the viability of local management and governance structures. For example, a Diocesan personnel establishment of three or four people will need to be handled differently in human resources terms than one of 30 or 40, that you might find in larger establishments in other provinces. It should also mean that where difficulties or disputes arise, these should ideally be subject to more informal resolution processes, avoiding overly complex methods of dealing with them.

Safeguarding integrity

Of course all of the above is subject to the usual requirements of integrity and probity, which may be said to be well expressed in the by now well-established Nolan principles of good governance. This should in particular require all those involved in decision-making to indicate as a matter of course whether they may have a conflict of interest in relation to any matter being considered or decided, and to recuse themselves from any such consideration or decision.

Recommendation 1: At the start of each meeting of the Standing Committee each member present should be asked to declare, individually, whether they have any interest in or connection with any item on the agenda, and this declaration should in each case be recorded in the minutes.

Episcopal approval of decisions

As the Canons of the SEC provide that no resolution of a Diocesan Synod can stand if the Bishop indicates disagreement with it, this should also apply to any resolutions or decisions of the Standing Committee, provided that the Bishop declares any such disagreement before the conclusion of the meeting at which it is taken.

Recommendation 2: The Bishop should declare where she disagrees with a decision of the Standing Committee at the meeting where it is taken, and where the Bishop so declares the decision shall fall.

Office and staff management

As noted above, the lean establishment of Diocesan structures and staffing makes it important that there is a direct line of management and accountability between staff and the Bishop. This means that the Bishop should be the prime mover in decisions on hiring and firing, though with appropriate safeguards to ensure the integrity of these processes. The latter in particular should require that the Bishop inform the Standing Committee of any personnel decisions taken and the reasons for them, while also maintaining the necessary confidentiality that such processes typically involve. The Bishop may of course delegate such functions if that is more appropriate in specific circumstances.

Recommendation 3: At every meeting of the Standing Committee there should be an agenda item headed 'personnel matters', at which the Bishop, or any other person to whom the Bishop has delegated the task, shall report on any decisions taken, or confirm that none have arisen.

The terms of reference of 'Pendant Boards' and their relationship with the Standing Committee

It was suggested to us in the course of some interviews that there was some uncertainty regarding the terms of reference of Boards and their relationship with the Standing Committee. This may have become an issue in some recent decisions, with some uncertainty as to where those decisions are taken and to whom they are reported, and with what level of detail. A good case can be made for a review of committee structures required, the reporting to Standing Committee, and a refresh of the relevant terms of reference.

Recommendation 4: In due course the Bishop, assisted by members of Standing Committee, should conduct a review of its sub-structures and relevant terms of reference.

Diocesan Strategy

Over recent years the Diocese has experienced a number of very high-profile issues and problems, and this suggests that the time is right for a new Diocesan strategy, formulated and published to the Diocese as a whole. It would be right for members of

the Standing Committee to play a role in discussing and drafting a strategy, bearing in mind however that the strategy must be owned by the Bishop. This would also allow the Diocese, and with it the Episcopal Church, to have a high level of local and national visibility, thereby facilitating and promoting its Christian mission.

Recommendation 5: The Bishop could consider the establishment of a strategy group, consisting of members of the Standing Committee and others, and convened by her, with a remit to present a draft strategy within a defined timeframe.

Trusteeship

Under the current structures of the Diocese, members of the Standing Committee are charitable trustees, and this raises issues of their collective and individual responsibilities. It is not totally clear to us whether all members of the Standing Committee are fully conversant with these rules.

Recommendation 6: There should be an annual workshop for members of the Standing Committee refreshing them on matters of charity law and trusteeship responsibilities.

Alternatively, there could be a re-consideration of trusteeship, bearing in mind in particular the potential confusion between concepts of ‘property trustees’ and diocesan trustees through Standing Committee membership.

Constitution of the Diocese

In the light of our above recommendations, it may also be advisable to look again at the Constitution of the Diocese, which was framed some time ago and which could be revised in the light of experience and new insights and legal provisions.

Recommendation 7: In due course there should be a review of the Constitution of the Diocese.

Ferdinand von Prondzynski (Honorary Diocesan Secretary)
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