

38. Trustees for Methodist Church Purposes (TMCP)

Contact names and details	The Revd Dr Keith Davies, Chair of the Board kjs.davies63@btopenworld.com Mrs Anne Goodman, Chief Executive goodmana@tmcp.methodist.org.uk
Subject and aims	This report provides a brief overview of the service and work undertaken by the Trustees for Methodist Church Purposes (TMCP) in its role as Custodian Trustee and in support of Managing Trustees across the Connexion.
Background context and relevant documents	A full copy of the Trustees Report and Accounts for the year ended 31 August 2019 is available from TMCP's website: www.tmcp.org.uk/about/publications

Section 1: Building a sustainable future together

The purpose of the Board (TMCP) is to serve the Methodist Church in the advancement of the Christian faith in accordance with its doctrinal standards and discipline, and any charitable purpose of the Methodist Church or church organisation.

Our mission is to serve the Methodist Church

Our mission is to support and strengthen the Methodist Church, both by providing practical support to Managing Trustees and by working closely and effectively with our colleagues in the Connexional Team.

We aim at all times to:

- Work within an ethical and Christian framework.
- Act with integrity and patience.
- Listen carefully and communicate effectively.
- Value and nurture the talents of those within the organisation.
- Continue to assist Managing Trustees as much as we can through guidance and training.

Our Vision and Goals:

Our Vision is:

- To continue to fulfil our principal duty to act as custodian trustee of all properties held on model trusts of the Methodist Church Act 1976, to better help the Church to achieve its mission.

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- To provide a comprehensive role as the corporate body of the Church.
- To continue with our specific areas of specialism such as sharing agreements, trusts, data protection and burial grounds.
- To ensure that the TMCP team is utilised in the most effective and efficient way, while still maintaining clarity about its particular role within the Connexion.

Our Goals are to:

- To fulfil our responsibility to Managing Trustees through guidance and training.
- To provide appropriate and adequate assistance to the Methodist Connexion.
- To ensure that resources match the need now and on an ongoing basis.
- To support our staff in their ongoing training and development

In partnership we hope to help and support Managing Trustees across the Connexion to build a sustainable future.

Structure

The Board is a corporate body and was incorporated by the Methodist Church Act 1939. Our governing documents are the 1939 Act, our Trust Deed of 1939 and the Methodist Church Act 1976. The Board is served by four sub-committees: the Executive, Audit and Risk Committee, Grants Committee and Investment Committee.

Board members

Our Board members are members of the Methodist Church and appointed by the Conference on the nomination of the Board. Nominations are assessed in terms of experience, skills and expertise. A skills audit is performed annually by the Chair in consultation with all Board members.

Working together with Managing Trustees

TMCP are the custodian trustees for all property held on the Model Trusts of the Methodist Church Act 1976 (except for that in the Channel Islands or the Isle of Man which are held by their own boards of trustees) and this includes nearly all of the property held by over 4,000 local churches, 352 Circuits and 30 Districts.

The Board is also custodian of the funds held in 5,986 trusts, a small number of which are under the direct management of the Board and discretionary grants are given from these in accordance with the terms of the trusts.

It is important to distinguish our role as custodian trustees from that of Managing Trustees:

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TMCP as Custodian Trustee:	Role of Managing Trustees:
<ul style="list-style-type: none"> ● We hold legal title. ● We have a duty to ensure Managing Trustees do not act in breach of trust. ● We do not get involved in the day-to-day management. ● We can only act under the lawful direction of Managing Trustees 	<ul style="list-style-type: none"> ● They are responsible for the day to day management of the property ● They exercise power or discretion in respect of the property

The activities of the Board for 2018/19 include, but are not limited to:

- Effecting all sales, purchases and leases of property by Church bodies and checking legal documents before signature by Managing Trustees.
- Investing funds received from sales or bequests and transmitting funds for purchases or to meet the cost of projects as instructed by Managing Trustees
- Fulfilling any other duties or responsibilities required of, or appropriate for, the corporate body acting on behalf of the Methodist Church.

Working together with the Methodist Council

Under SO 931(3) the Methodist Council has delegated to TMCP the role of inspecting and approving contracts. The Council may instruct TMCP to undertake additional work.

TMCP as a Corporate Body

TMCP has corporate status and it has been found to be useful as a vehicle beyond trusteeship as such, where certain legal functions need to be vested in a corporate person, rather than a group of individuals. Examples of where TMCP's corporate role has been of benefit to the Methodist Church include holding shares in Methodist controlled trading subsidiaries and entering into the framework agreement and management of the Panel of Solicitors on behalf of the Methodist Church.

Panel of solicitors

This was established in May 2018 and use of the services offered by the Panel has continued to grow.

A feedback questionnaire is forwarded from the Panel firms to Managing Trustee bodies at the end of a transaction. TMCP collates the feedback and continues to hold quarterly reviews with Panel representatives.

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Data protection

TMCP continues to act as the Data Controller for all churches, Circuits and Districts who are deemed to be Data Processors; with the exception of the two areas now covered by the Connexional Team registration - safeguarding and complaints and discipline issues.

Working together with the Methodist Church and partners

TMCP puts Managing Trustees at the centre of all it does and it has close working relationships with many parts of the Methodist Church and its partners.

Key stakeholders include:

- Managing trustees including the Methodist Council
- District Chairs
- District Property Secretaries
- Circuit Superintendents
- Conference Office, connexional Property team and the Property Development Committee
- The Panel of Solicitors
- External Solicitors and Surveyors
- The Central Finance Board (CFB)
- Other Methodist Church related organisations (self-accounting entities) such as MIC Ltd

Section 2: Outcome Focused

Full details of the volume of property transactions undertaken in 2018/19 and the financial transactions processed can be found in our full Annual Report and Accounts, available on our website.

The Finance team supports the Board's role as custodian trustee by planning and performing all financial operations relating to the receipts and payments of Model Trust monies as well as the investment of funds on behalf of Managing Trustees.

The Trust Information System provides online access to trust statements, balances and other information. There were 2,797 users at the end of 2018/19.

The Legal team continues to help Managing Trustees across the Connexion to secure income from their property to fund mission, including granting non-residential leases, residential tenancies and entering into licences and one-off booking forms. During the connexional year 2018-19, they continued to assist Managing Trustees with guidance on new major redevelopment projects, property sales and purchases of new property as well as trust matters, bequests, ecumenical issues and other queries.

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Grants awarded by the Board during the 2018/19 year from the discretionary trusts managed by TMCP totalled £989,611 covering 40 different projects and other requests for funding assistance.

Section 3: Resources and Investment

The Board carefully considers the cost of operations when calculating management charges made to the Connexion and Connexional Team. The Board decided not to increase the management charge when signing off the 2018/19 and 2019/20 budgets, accepting that a contribution from reserves would be necessary in line with the parameters as stated in the current Reserves Policy.

The Reserves Policy was agreed in 2014 and is being reviewed in the Financial Year ending 31 August 2020 alongside a five year budget. The Board will take whatever steps are necessary to bring the amount of reserves it holds into line with target reserves.

This year the Board is committing investment for the proposed matter management system as well as an IT Strategy review which will include the purchase of new hardware and updated operating systems for the team.

Section 4: The Future

Partnership working remains at the heart of what we do.

Service Level Partnership Agreement / collaboration with key stakeholders

TMCP has been working closely with the Methodist Council to establish an agreement which focuses on the support offered to Managing Trustees and promotes collaborative ways of working. The aim is to maintain effective relationships and ensure high quality of service that is outcome focused.

TMCP and the Connexional Team have been consulting with each other in order clearly to outline our roles and clarify parameters within our organisations. The Partnership Agreement and its annexes outline the full list of activities undertaken by TMCP, target times for completion of work, risk and assurance framework as well as background information. We are integrating the key performance indicators into a matter management system. This project has involved reviewing our existing systems and identifying the most appropriate ways of capturing data to monitor the services we provide. This will ensure that we achieve the efficiencies we want to deliver to Managing Trustees.

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Information Technology

Following an external review of our IT systems and strategy, we are embarking on a major project to digitise necessary property and trust records so that these are more accessible. This will tie in with the matter management system and also the remodelling of our infrastructure to accommodate new and flexible ways of working.

Grants

We continue to encourage grant applications to be made in respect of the discretionary funds for which we have responsibility. The protocols and details of how to apply are on our website.

***RESOLUTION

38/1. The Conference receives the Report.

SECTION B

Membership of the Board

The Board is required to report to the Conference if any members have resigned, died, become bankrupt or made an assignment with their creditors, resided outside the United Kingdom for more than twelve months, refused or become unfit to act or ceased to be members of the Methodist Church so that new appointments can be made by the Conference on the nomination of the remaining members of the Board.

Changes in Office

1. Resignations

The Revd Dr Keith Davies has indicated his intention to resign as both Chair and a member of the Board from September 2020 and has contacted the Secretary of the Conference accordingly. Keith's long-standing service and commitment to TMCP is recognised with much gratitude. The Board is indebted to Keith for his wise stewardship and clarity of vision during a period of change and development.

2. Board Membership as at 28 February 2020

The Revd Rosemarie E G Clarke
The Revd Dr Keith Davies (*Chair*)
The Revd Paul Davis

Mr Gerry Davis OBE
Mr Ralph Dransfield
Dr Ian Harrison

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The Revd Rodney Hill
The Revd Jennifer A Impey
The Revd Gill Newton

Mr John Jefferson
Ms Alethea Siow
Mr Ian White

3. Nominations for appointment to the Board

Further to Section 4(3) of the Methodist Church Act 1939 the Board nominates:

The Revd Simon Leigh, who is Superintendent Minister of the Plymouth and Devonport Circuit, Safeguarding Governor Methodist Independent Schools Trust and Member of the Connexional Complaints Panel.

The Revd Philip Wagstaff, who is Superintendent Minister of the South Petherton and Crewkerne Circuit, Co-opted member of the Free Church Education Committee and Board member of the DR Company (Rural Development).

Mr David James, who is a circuit steward (treasurer) for the Bramhall and Wythenshawe Circuit, Synod Secretary for the Manchester and Stockport District, district representative to the Methodist Conference and GDPR Data Champion for the Manchester and Stockport District.

***RESOLUTION

38/2. The Conference appoints the Revd Simon Leigh, the Revd Philip Wagstaff and Mr David James as members of the Board of the Trustees for Methodist Church Purposes.

Nomination of new Chair of the Board

The TMCP Board nominates Mr Ian White to serve as Chair of the Board from the Conference of 2020.

Mr White is a solicitor by profession, having retired in 2012. He was a Managing Partner in a large provincial law firm and specialised in strategy, staffing and compliance. He was appointed in 2002 to be the first Law Society Council Member for commercial property, representing 18,000 solicitors across the country. He went on to initiate and then chair the Law Society's Property Section. Mr. White has also served as Chair of Governors for a large Comprehensive School and has significant experience in leading large organisations through change and development. He has served on the Methodist Council and was a member of the connexional Network Committee. He is currently Synod Secretary for the Chester and Stoke-on-Trent District, offers advice to Circuits on property matters, is a GDPR Champion in the

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District, and line manages a number of Circuit Lay Workers. He is a member of the District Strategy Team and is an active Local Preacher.

Mr White was appointed to the Board in 2017 and soon after to the TMCP Executive. He chairs the TMCP Grants Committee and has been a key member of the TMCP Strategy Group working to implement the recommendations of the Conference Working Party report.

The Board has complete confidence in Mr White's abilities to lead TMCP through a process of significant change and development. He has shown himself to be a collaborative leader, who has a clear understanding of the particular role of TMCP in serving the Church. He is a person of vision and drive who will be proactive in facilitating change in a way that engenders trust and commitment from both the Board and the staff. His pastoral care of TMCP staff is greatly valued and he will have their complete support. Mr White combines the qualities of being an effective and efficient leader as well as being a sensitive and supportive colleague.

The Board has no hesitation in recommending that the Conference appoint Mr Ian White to serve as Chair of the TMCP Board.

*****RESOLUTION**

38/3. The Conference appoints Mr Ian White as Chair of the Board of the Trustees for Methodist Church Purposes.

Section C

Declarations under the Methodist Church Trust Deed 1939

From time to time property is bequeathed to the Trustees for Methodist Church Purposes where no express or special trusts are declared by the legatee or where those terms are uncertain or are wishes only. In such cases clause 2 of the Trust Deed of 1939 adopted by the Conference further to Section 11 of the 1939 Act empowers the Conference to declare the trusts upon which the Board is to hold the property.

Clifford Ernest Dadson Deceased

Clifford Ernest Dadson, by his Will dated 13th April 2016, bequeathed a 50% share of his residue estate "to the Methodist Church (RCN 1132208) and I express the wish that these funds are used for the religious and other charitable work of the last Church attended by me before my death".

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The value of the bequest is currently £123,130.16.

Firstly, because the Will only expresses a 'wish', this is a case where it falls to the Conference to declare the trusts further to the Deed of 1939.

Secondly, as to the 'Methodist Church', legal advice received in the past from the former Connexional Solicitors is that such references and similar wording are to be read as referring to the Board as the incorporated body capable of holding such bequests on behalf of the Church.

Thirdly, it has always been policy to reflect, as far as possible, the wish of the legatee in any Directions which the Conference gives to the Board. In this case, Clifford Ernest Dadson wishes to benefit "the religious and other charitable work of the last Church attended by me before my death". Following enquiries, the Board has ascertained from the solicitors who administered the estate and the Superintendent of the Kendal Circuit that Clifford Ernest Dadson was an active member of the Levens Methodist Church prior to his death.

*****RESOLUTION**

38/4. The Conference hereby directs that the bequest of Clifford Ernest Dadson shall be held by the Trustees for Methodist Church Purposes for the benefit of the Managing Trustees of the Levens Methodist Church.