

## 21. Methodist Council, part 3

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### **SECTION I GENERAL REPORT (2)**

These reports contain those items considered by the Council and not reported elsewhere in the Agenda.

#### **1.1 Governance responsibilities**

In accordance with its governance responsibilities, the Council:

- made various nominations and appointments;
- received a report from the Strategy and Resources Committee at each meeting of the Council;
- approved the policy and guidance in relation to external grant funding;
- adopted a data protection policy for the Connexional Team, and agreed to the principle of a requirement being included within Standing Orders for managing trustees to adopt the precedent policies and notices of the Trustees for Methodist Church Purposes as the data controller;
- adopted a policy in relation to Model Trust 20, and directed that work be undertaken to make proposals for a policy on the minimum terms for a disposal under paragraph 20 of the Model Trusts;
- made appointments to the Methodist Lay Employees' Pension Trust Limited;
- agreed to augment the benefits of members of the Pension and Assurance Scheme for Lay Employees of the Methodist Church, in cases where the salary was not increased or increased by less than 2.5% on 1 September 2017;
- received a report relating to the possible re-shaping of the two Synods in Wales and appointed a scrutiny group to work on its behalf if appropriate;
- received a report which followed up Memorial M21 (2016) relating to the provision of accounting software;
- approved amendments to the Safeguarding Policy in line with the General Data Protection Regulation;
- approved amendments to the Risk Assessment Policy and Procedures in line with the General Data Protection Regulation (2018);
- approved guidance for the purposes of SO 1104(4A), 1121(7)(b) and (c);
- considered points for discussion about the classification of a replacement project prior to the presentation of a connexional property strategy.

### 1.2 Other business

The Council received annual reports from:

- Southlands Methodist Trust.

The Council also:

- heard reflections from the President and Vice-President on their year of office;
- witnessed the attestation of the Journal of the 2017 Conference.

The Council approved a workplan for 2017/2018 allocating work commissioned by the Conference to various groups within the Church. The workplan allocates a substantial amount of work to various parts of the Connexional Team. Members of the Conference are advised that the Team also engages in an additional amount of regular work and further descriptions of that wider brief can be found on the website at [www.methodist.org.uk/contact-us/](http://www.methodist.org.uk/contact-us/)

At each of the three meetings of the Council over the past year, the Council has received a report from the Connexional Team containing a summary of work in progress in the Team. Should members of the Conference wish to view them, these reports are also available on the website at [www.methodist.org.uk/council](http://www.methodist.org.uk/council)

### Methodist Church House

As the Trustee body charged with the ultimate care of Methodist Church House the Council received a detailed report on the future of the building. The Council made its decision based on the following report from the Strategy and Resources Committee (SRC).

#### 1. Historical Background: how we came to Marylebone Road

- 1.1 The Centenary Fund of 1839 celebrated 100 years since the foundation of the first Methodist societies in 1739. The major allocations from the fund in 1840 were for foreign missions and for the purchase of a new home for the missionary society, a mission house, called Centenary Hall. This was in Bishopsgate and was rebuilt in 1902-03. Work on a new mission house in Marylebone Road was started in 1939 and the Methodist Missionary Society moved in in 1946.
- 1.2 During the late 1980s and early 1990s several reports on connexional buildings were received by the Conference and the decision to retain offices in London was consistently agreed. Subsequently the Divisions were restructured into one Connexional Team and from 1996 the offices (other than those related to property) were centralised at Marylebone Road. Since 1996 therefore the mission house has

## 21. Methodist Council, part 3

been known as Methodist Church House (MCH) and in 1998 the decision to remain in London was again agreed.

- 1.3 It is perhaps noteworthy that there have been two rebuilds of the mission house, the first at Bishopsgate and then a new build at Marylebone Road. It should also be noted that part of the cost of the upkeep at both sites has always come from lettings.
- 1.4 MCH is held on The Centenary Hall Trust, of which the Methodist Council are trustees, the main purpose of the Trust being to provide a home for overseas missionary work, as was originally the case in 1839. Clearly that is still part of the work of the Connexional Team.

### **2. Recent history of the fabric and maintenance of the building**

- 2.1 Completed in the 1940s, the existing building was designed to be an innovative building and constructed to the latest standards of the time comprising a steel framed building enclosed in concrete. The entrance at the junction of Nottingham Place gave access to a reception area with steps up to a ground floor above street level. All floors had small segregated offices and narrow corridors served by a grand curving main staircase and two lifts. In the 1990s, a significant development took place, updating the building to open plan with modern air handling and conditioning units. Technological developments such as computing have resulted in still more adjustments to allow these new technologies to be incorporated.
- 2.2 The responsibility for the maintenance of the building has been with the Methodist Church House Management Committee (MCHMC). In recent years professional surveys have always stated that the building has been maintained in good general condition thanks to those who have served on the MCHMC over the years. However in 2012 the then MCHMC was becoming concerned about the long term maintenance in terms of the renewal of various essential systems. The conclusions of a number of professional surveys in 2013/2014 were that necessary work was needed to comply with fire regulations and to the drainage system. The Strategy and Resources Committee (SRC) agreed that the MCHMC should arrange for this necessary work to be undertaken at an estimated cost of £2.0m plus VAT.
- 2.3 In 2013 it was also noted that there were likely to be long-term problems with the heating and ventilation systems, with fulfilling energy requirements and with the electrical systems. It was estimated that the cost of these renewals would be likely to be £5.0m plus VAT which would allow a 15-20 year occupancy.

- 2.4 The last significant work therefore was carried out during 2015/2016. This involved achieving compliance with new fire regulations by removing asbestos throughout the building and improving fire compartmentalisation. It also involved the renewal of virtually all of the internal vertical water and drainage pipes, alongside which the opportunity was taken to renew all toilet facilities. Some cosmetic changes were made to the reception area, and a new staff room was created on the seventh floor, providing increased meeting room capacity on the lower ground floor. In some places, enhanced and more energy efficient lighting was provided. The total cost was £2.5m, in line with the 2013/2014 estimate.

### **3. The current situation**

- 3.1 On completion of the works in 2016 and in view of the outstanding long term issues identified, the SRC, at its meeting in February 2016, requested a full building condition survey and the MCHMC engaged Tuffin Ferraby and Taylor (TFT) to carry out such a survey.
- 3.2 The TFT reported to the MCHMC in September 2016 and stated that the heating, air conditioning and handling units were reaching the end of their useful life, that the electrical and IT systems were running at full capacity and that the water pressure in the area was being reduced. There was concern over some of the structure, especially around the plant room and that some health and safety systems, including the fall restraint systems and fire alarm were not functioning correctly. Although not currently unsafe, correction of these defects would be costly and required in any refurbishment. The server room was also of significant concern as the air system to this room is at risk since it is always running at 'full load' and therefore no further IT or telephone developments could be installed. Overheating here would seriously curtail Connexional Team activities, causing the shutdown of the connexional database, finance systems, the online suite and the servers which hold most of the Team's documents. Significant investment to replace these systems was urgently required. The total estimated costs for this work would be in the order of £4.0m, plus VAT. In addition, the report indicated that further continuing maintenance of the order of £650k and replacement of the windows and roof covering (£240k) over the next 10-15 years would be required.
- 3.3 What the TFT report did not address was the design of the building, and, in particular, the experience of those with reduced mobility. The reception area being lower than the ground floor has resulted in a disabled platform being placed to one side of the entrance area. In addition, the current main lifts are too small not only to accommodate comfortably a standard wheelchair with a companion but also to accommodate an electric wheelchair or mobility vehicle. The lift size, and the dark interiors, give an unacceptable experience to those who may be affected by such

## 21. Methodist Council, part 3

small spaces.

- 3.4 There is a larger 'goods lift' at the back of the building, but this does not serve all the floors, and in particular does not serve the first or second floors. Although it serves the lower ground floor, because it stops at a higher level than the floor, access to the meeting rooms is prevented.
- 3.5 These problems with accessibility mean that the current building no longer complies with the Equality Act and, as a consequence, the MCHMC believes that it does not adequately reflect the sentiments expressed in the 'Learning and Caring' elements of *Our Calling*.
- 3.6 The TFT report did not address the problems of the basic construction with services hidden within ducts that are inaccessible without major building work. Due to the construction of the building, it is not possible to replace the lifts without substantial and expensive building alterations nor is it possible to provide a level entrance to the lifts from the ground floor. Equally, only 53% of the building is useable office space, 47% is dedicated to stairs, lifts, corridors, common passages, etc (more modern buildings provide a considerably greater useable space, indeed, in a new building one would now expect the useable space to be virtually 75%). In addition, the floor-to-floor heights are irregular and low in many places with insufficient ceiling void space to run additional or new services.
- 3.7 The MCHMC regarded that doing nothing was not an available option. The current heating, air conditioning and handling units were installed in the 1990s with a life expectancy of 15 years. The survey estimated that there was a maximum of three years life remaining; ie to the end of 2019. It also noted the difficulty in obtaining spare parts, making even a 'make do and mend' regime until that time a risk due to a major component failure. It is now clear that some of the small power distribution systems are overloaded and not in accordance with modern standards. Equally, the fire alarm and CCTV/security systems now need to be fully replaced. Terminal failure of any of these systems would close the building.
- 3.8 The current Energy Performance Certificate indicates that the building is rated as 'G'. New legislation in force in April 2018 prevents a building with a rating less than 'E' being let. This may hamper the use of the building and may prevent, if legally challenged, the building being used as a base for the partner organisations, All We Can, Methodist Ministers' Housing Society and Methodist Schools who currently occupy space in it. If these organisations were forced to find alternative accommodation it could lead to an increase in costs for them and thus a reduction in funds available for their day-to-day activities and a reduction in income to the Methodist Church Fund.

3.9 After due consideration of all these factors the MCHMC presented the TFT report to the SRC in February 2017 and the MCHMC was asked to look at the possibility of a full redevelopment for 25 Marylebone Road and bring a report on this option after the necessary feasibility study. At its meeting on 30 November 2017 the SRC agreed that the Council as managing trustees should be provided with two options to consider. One option would be to undertake a refurbishment with all the maintenance work required, the other would be to demolish the existing building and replace it with a new purpose built property. The SRC gave permission for the MCHMC to make a pre-planning application to the Westminster City Council in order to test the possibility of a rebuild option.

#### **4. Two options**

##### **4.1 Option 1**

4.1.1 This option is one of refurbishment of the existing building. It would mean carrying out the repairs and replacements as outlined above in paragraphs 3.1-3.9. Essentially replacing the air conditioning and heating systems, the electrical systems, dealing with the changes necessary to ensure the water supply and sustaining the ongoing maintenance programme over a 15-20 year extended life. The estimated cost of this is £4.89m plus VAT.

4.1.2 After considering the extent of the disruption involved in this work the MCHMC and the SRC both recommend that the building should be vacated for the duration of the work of refurbishment which would be 15-18 months. Knight Frank Ltd (Chartered Surveyors) estimate the cost of leasing temporary accommodation in the area of Marylebone, plus the associated moving costs both ways to be £1.75m plus VAT per annum. For 18 months this would be £2.625m.

4.1.3 The total estimate for option 1 is therefore £7.515m plus VAT.

4.1.4 A valuation of the current building by Knight Frank gave the present building a value of around £23.75m.

4.1.5 MCHMC comments on Option 1

This option is obviously the cheaper option although still considerable. It does not address the issues associated with accessing the building nor fully overcome the difficulties with energy efficiency. The refurbishment would only raise the rating to just meet the target 'E' rating although even this cannot be guaranteed.

This option would mean that the Church could not recover any of the expenditure and

## 21. Methodist Council, part 3

that the running and maintenance costs would continue, with presumably increases for inflation. There would thus be ongoing financial support required from the Connexion and the large sum laid out for the refurbishment could not be recouped and there would be no appreciation of the building in accounting terms. The building would be nearing the end of its natural life and the poor space usage and energy inefficiency would remain, somewhat short of the Church's commitment to the environment as stated in *Hope in God's Future*.

### 4.2 Option 2

- 4.2.1 This option is one of full redevelopment which would include the demolition of the current building to ground level and a full rebuild to a new design. Much in the same way as the current building was modern for 1940s, so the new building would follow the same principles, suitable for all that takes place within and constructed of the latest materials and highest standards of design.
- 4.2.2 There are items of Methodist heritage in and on the current building and some of these would be saved so that they could be repositioned and featured in the new building. This includes the frieze above the front door by David Evans, the main door and its surround, the stone sculptures above the windows in the Richmond Room, various items of internal wood furnishing and the stained glass windows in the current chapel.
- 4.2.3 An indicative design has been developed to test the model against the policies and demands of the City of Westminster Council. Further work has been undertaken, including a design and access statement, a statement of need, and a heritage assessment. On 9 February, an application for pre-planning advice was submitted, as authorised by the SRC in November 2017. A response from Westminster Council has indicated that an application would be viewed favourably, although they were not supportive of the additional storey that had been proposed. The figures that follow therefore reflect the revised figures that take account of this.
- 4.2.4 The proposed new build would yield a building that would accommodate the current occupants of MCH plus offering significant lettable space, with the useable space ratio rising to nearly 75%. This flexible accommodation could be partially let commercially to pay for the whole project and then produce a surplus to be used for Church purposes.
- 4.2.5 The initial cost of the reconstruction is approx. £17.5m, although some items such as VAT (which would partially be at 0% and partially at 20% and anticipated to be approx. £1.75m), design fees, local authority fees and section 106 Town and Country Planning Act 1990 and section 278 Highways Act 1980 legal agreements

are currently excluded. It is anticipated that the final build cost will be in the region of £22.5m.

- 4.2.6 These figures are based on the current sketch design by Cullinan's (architects) so should be regarded as indicative.
- 4.2.7 During this work, the occupants of MCH would need to be relocated for up to 36 months, returning eventually to the brand new building. Based on the figure provided earlier by Knight Frank Ltd, this would add up to £5.25m plus VAT to the total project cost.
- 4.2.8 A redevelopment of the type envisaged would also increase the value of MCH due to it being a modern building of high quality with eminently lettable space and in a desirable location. The new building would measure about 6,027 m<sup>2</sup> (64,874 ft<sup>2</sup>). Of this almost 75% (4496 m<sup>2</sup> or 48,395 ft<sup>2</sup>) would be usable space. If the Connexional Team and partner organisations used 25% of this usable space (1,124 m<sup>2</sup> or 12,100 ft<sup>2</sup>) this would leave 3,372 m<sup>2</sup> (36,296 ft<sup>2</sup>) available for rental. We would elect to charge VAT on rentals so that the VAT spend on the build could be reclaimed. Knight Frank report that the Marylebone average rental is around £70 per ft<sup>2</sup> giving, for this available space, an annual rental of approx. £2m plus VAT. This gives a basic payback period of about 12-15 years, although this may rise depending on the finance option adopted. Based on a rental yield of 7%, this would give a value of the new MCH of about £37m.
- 4.2.9 With a net income gained from renting five floors, including the service charge, the final redevelopment cost of MCH to the Church would in effect be zero, once the rebuilding costs had been paid off. With the ongoing income stream from lettings and the reduced costs of ongoing maintenance there would be no expected financial support from the wider Connexion, and indeed the income would be to the Methodist Church Fund, potentially reducing the district assessment.
- 4.2.10 Although initially there would be a carbon cost due to demolition and construction, long term there would be a significant reduction in carbon emissions through provision of a much more efficient building. It would feature an intentionally environmental design and sustainability strategy including renewable energy usage, rainwater harvesting, a high performance building envelope and better daylight penetration.
- 4.2.11 There are further benefits, although less quantifiable, resulting from open balcony spaces, a roof terrace, café, heritage exhibition and meeting spaces, a better presence on Marylebone Road, the use of green living materials, views from the top floor meeting room and chapel over Regent's Park and increased building security.

## 21. Methodist Council, part 3

Such features are noted by the Royal Institute of Chartered Surveyors as being crucial for staff well-being and in-staff retention. A new building of the type envisaged would also give a greater flexibility with regard to the floor spaces, thus an increase, or decrease in the number of people within the Connexional Team would not be critical to the rental potential of the building.

4.2.12 In December 2017 Sadiq Khan, Mayor of London, published his London Local Plan. It specifically noted that there was a lack of office space in Marylebone and in the Marylebone Road Central Development Zone.

4.2.13 The total estimated cost for Option 2 is £27.75m.

4.2.14 MCHMC comments on Option 2

The MCHMC is strongly in favour of this option. At a purely financial level it believes that this is the best option which will provide a new and sustainable building, ultimately producing an income for the work of the Church, rather than an asset that will be an increasing financial liability.

A new building will be a better working environment for the staff and for the continued use by many in the wider Connexion. It will be an example of how the Council is embracing the new connexional property strategy. It will be a bold testimony by the Methodist Church of its faith in the future.

### **5. Concerns and comments from the SRC and the Council**

5.1 The SRC and the Council recognised that this is an extremely important issue for the wider Church. Both bodies considered many of the concerns they perceived will be in the minds of members of the Methodist Church.

5.2 First they raised the question of selling the site with its current building. The current valuation is £23.75M. The advice received is that to move within London to a cheaper area or building would still consume most of the capital released and we would be at a less advantageous site. It is highly likely that travelling to a different area would be more difficult for staff and those attending meetings. In 2017 there were more than 1,000 meetings held at MCH that involved non-Connexional Team members travelling to the building. Marylebone Road has excellent travel links and is in walking distance of many main line stations.

5.3 Next, there is the question of a location outside London. Inevitably this would mean another major centre, although travel from all areas of the UK to places other than London is more difficult and usually more expensive. A building in another city/

town would be cheaper but the amount of capital released combined with the costs incurred in moving staff and the potential rental income do not make this as attractive an option as one might think at first.

- 5.4 Further, moving out of London would inevitably result in the loss of staff with their expertise and knowledge. Relocation costs and redundancy payments would be considerable, an estimate of unrecoverable costs is £1-1.5m excluding the capital cost of the sale and purchase of any connexional manses which may be necessary. Staff costs outside London may be less but not significant enough to favour a relocation.
- 5.5 Moreover, links with other partners and organisations would be more difficult since most are based in London. The senior leadership of the Church and Team would need a London base to deal with strategic contacts. Manse provision for ministers in the Connexional Team would probably need to be changed.
- 5.6 It is worth noting that these questions have been raised on several occasions and always the decision has been to stay in London. This was the case in the late 1980s and early 1990s as well as in 1996. In 2012 and 2016 the SRC reconsidered the question and determined that our site in Marylebone Road was still the best place for MCH. This was reported to the Council on both occasions with no requests to re-open the question.
- 5.7 The Council, the SRC, and the MCHMC, are fully aware that either of these options is enormously expensive compared to local church and circuit building schemes. It should be remembered that members of these committees are all members of a local Methodist Church and are aware of the financial pressures on many congregations as they struggle with the costs of maintenance, repairs and replacements. So these discussions have not taken place in isolation.
- 5.8 The SRC suggested that Option 1 is funded by use of reserves and income within the Connexion. It would favour, and the Council concurred that a bank loan be obtained for Option 2, to be paid back over a 12-15 year period from income generated by a new building.

### 6. **Decision**

The Council, after careful consideration of all the factors, decided to pursue Option 2, a rebuild on the present site. In arriving at this decision, the Council wanted to signify its hope and faith in the future of God's kingdom and that the Methodist Church has a part to play in the life of the world as it lives out *Our Calling*. The Council also took seriously its responsibility as trustees of the Church's resources, and considers that

## 21. Methodist Council, part 3

option 2 is the more financially viable option.

### **\*\*\*RESOLUTION**

**21/1. The Conference receives the General Report of the Council.**

### **SECTION J**

#### **CHAIR OF THE COUNCIL**

The Council brings the name of Mrs Jill Baker to the Conference, for appointment as Chair of the Council from 2018-2022 (subject to the Conference's approval of resolution 3/18).

#### **Reasoned statement**

Jill Baker is the Vice-President of the Conference for 2017/2018. She is a local preacher and a local preachers' tutor. She has served as President of Methodist Women in Britain (2011-13), a Mission Partner (1994-2001), a member of a District Policy Committee, and as a member of several connexional working parties. She is currently a member of the Ministries Committee and the Worship Leaders and Local Preachers Studies Board. She has extensive experience of attending and speaking at the Conference.

Jill brings a broad theology and an openness to hearing and appreciating different theological approaches and differing views on matters of business and policy. Jill is committed to a collaborative approach to decision-making and discernment and to listening to the range of voices represented by the Council. Jill is a clear thinker and articulate speaker, able to assess information as presented and respond appropriately.

Above all, Jill's priority is to hold all the business of the Methodist Church in Britain before God in prayer and to seek the mind of God in all its decision-making.

The Council therefore believes that Jill Baker is well placed to chair the Council, and to represent it at the Conference and elsewhere.

### **\*\*\*RESOLUTION**

**21/2. The Conference appoints Mrs Jill Baker as Chair of the Council for 2018-2022.**  
***[This resolution will be amended if 3/18 falls.]***

### **SECTION K THE CHAIR OF THE STRATEGY AND RESOURCES COMMITTEE**

The Council noted that Professor Peter Howdle completes six years as Chair of the Strategy and Resources Committee (SRC) in 2018. In accordance with SO 213(2A), the Council agreed to support an extension to this appointment of one year.

#### **Reasoned Statement**

Professor Howdle is a retired Consultant Gastroenterologist at St James' Hospital, Leeds and Professor of Clinical Education and subsequently Clinical Medicine at Leeds Medical School.

Peter Howdle was Vice-President of the Conference in 2002 and was a co-Chair of the Joint Implementation Commission of the Anglican-Methodist Covenant. He has served as both chair and member of many other Methodist working parties and committees, including the Medical Committee and the group bringing to the 2010 and 2011 Conferences recommendations about ill-health and well-being in respect of Methodist ministers. Peter is a local preacher in the Leeds (North East) Circuit. In 2017, he was awarded the Lambeth Cross for Ecumenism, in recognition of his outstanding contribution to Anglican-Methodist relations.

The Council recommends that the Conference approves the extension of the appointment of Professor Peter Howdle as Chair of the SRC for a further year, until 2019. This will provide the Committee with the continuity it needs, and will ensure that the Chair of the Council and the Chair of the SRC do not change at the same time.

#### **\*\*\*RESOLUTION**

**21/3. The Conference extends the appointment of Professor Peter Howdle as Chair of the Strategy and Resources Committee for a period of one year until 2019.**

### **SECTION L LEARNING AND DEVELOPMENT FORUMS**

1. The Council noted that, following the work of the training review, further consideration needed to be given to the purpose and function of the Regional Learning and Development Forums. These were conceived originally in 2008 and have been through a number of changes since then. SO 340 sets out the current, but no longer relevant responsibilities of the forums. The Council approved the revised purposes of the Forums, as follows:

The purposes of the Learning and Development Forums are:

- To make best use of the resources available within each District, across the region and connexionally in achieving the aim stated above.

## 21. Methodist Council, part 3

- To intentionally focus available resources into a priority list for learning and development for the region and each District within the region.
  - To work collaboratively so as to agree and own the regional and District learning and development work plan/training diary
    - sharing resource across the region
    - taking into account priorities and dates
    - including annual events, new initiatives and issues raised by Circuits.
2. The Council recognised that the constitution of each forum will need to be flexible so as to take into account the nature of and existing structures in the Districts. As a guide the following is suggested:
- Chairs of the Districts within the Learning and Development Region (*core*)
  - Relevant Connexional Team staff serving the Districts (*regional coordinator core, officers desirable*)
  - Persons in paid District roles (eg evangelism enablers, mission enablers) (*desirable*)
  - Any key volunteers in applicable roles at the invitation of District Chairs (*core*)
  - A Chair of the forum should be appointed who should be a Chair of one of the Districts.
  - The forum should agree who will facilitate the forum meetings – this will normally be the Learning and Development Coordinator for the region but it may be a Chair of one of the Districts.
3. The Council recognised the importance of each forum making an annual report at the start of the connexional year through the relevant member of the Connexional Team. The report should include: a summary of the last year’s learning and development events/initiatives, and any areas of concern in regards to enabling Districts to be places of lifelong learning.
4. In light of this the Council recommends to the Conference that Standing Order 340 be amended as follows:

**340 Methodist Training Learning and Development Forums. (1)** The Methodist Council shall approve the establishment of a Methodist Training **ensure that provision is made from within the Connexional Team for a Learning and Development** Forum for each network of training institutions (‘Regional Training Network’) set up by the Conference **regional grouping of Districts**. Each forum shall make an annual report to the appropriate connexional bodies, as directed by the council, in order to:

- (i) indicate the training needs identified across the region covered by the network;
- (ii) indicate how it is planned to meet them;

(iii) report on the distribution of funding and training work carried out through the forum;

(iv) submit a development plan for the next year's work of the forum, including financial proposals;

(v) report the named members of the forum under the categories in clause (2) below.

(2) The membership of the forum shall consist of:

(i) a chair, who shall be the Chair of one of the Districts relating to the network;

(ii) a representative of each institution in the network which contributes to Methodist training, including any ecumenical Regional Training Partnership;

(iii) the Chair of each District relating to the network or his or her designated representative;

(iv) the Training Officers relating to the network;

(v) a member of the Connexional Team;

(vi) up to three other individuals as determined by the forum itself to be necessary to ensure appropriate representation of other relevant concerns, one of whom shall be a representative of an ecumenical partner if none is appointed under (ii) above.

***The purpose of such a forum is to support Circuits in being places of lifelong learning and sharing, so as to encourage and inspire the Methodist people in all aspects of their calling, in worship, caring, service and evangelism in response to God's love, so that they may live out their discipleship and make known the love of God.***

(3) **The Council shall be responsible for:**

(i) ***determining the grouping of the Districts into regions;***

(ii) ***approving the purpose of the forums;***

(iii) ***issuing guidance on the constitution of the forums;***

(iv) ***directing each forum to make an annual report to the relevant member of the Connexional Team providing a summary of the last year's learning and development events and initiatives, and any areas of concern as to enabling Circuits to be places of lifelong learning.***

### \*\*\*RESOLUTIONS

**21/4. The Conference receives the Report.**

**21/5. The Conference amends Standing Order 340 as set out in the Report.**

### SECTION M

#### THE FUTURE OF THE SENIOR LEADERSHIP GROUP OF THE CONNEXIONAL TEAM

1. Since 2008 the senior leadership of the Connexional Team has operated in a number of different modes. The first outworking of the Team Focus process envisaged a clear split between leadership and management, with leadership exercised by the Strategic

## 21. Methodist Council, part 3

Leaders and operational management exercised by the Senior Managers. These two groupings met separately, with joint meetings taking place less frequently.

2. Subsequent reviews led to the 2012 Conference amending SO 304, and establishing a single Senior Leadership Group of the Connexional Team. The current SO 304 is prescriptive in its definition of this senior leadership group, and includes the Secretary and Assistant Secretary of the Conference, the Connexional Secretary and the three cluster heads (reflecting the configuration of the clusters at that time). It does not mention the Conference Officer for Legal and Constitutional Practice, though SO 116C defines this post as being a 'senior member of the Team'.
3. Ways of working over the last two years have confirmed that the leadership and management of the Team is not the same thing as the leadership of the Church. The Church has a Connexional Leaders' Forum and a number of decision-making bodies which make or recommend strategy and policy to other bodies, with ultimate responsibility resting with the Conference. The Senior Leadership Group of the Connexional Team should not be confused with the leadership of the Church. Therefore, to refer to a 'Senior Leadership Group' which is focused entirely on the management of the Team or supporting the decision-making bodies of the Church, is a misnomer.
4. The Connexional Team requires a 'senior management team' whose responsibility is to oversee the work of the Team and to contribute to the work of leadership bodies. Such a team needs to have the Heads of Cluster, the Assistant Secretary of the Conference, the Connexional Secretary, and the Conference Officer for Legal and Constitutional Practice present at the table, with the Directors in the Team, such as those of Finance & Resources and Human Resources when that is appropriate. The group should be chaired by the Connexional Secretary with an open invitation for the Secretary of the Conference to attend whenever s/he wishes. Indeed, it would be important for the group to hear reflections from the Secretary as s/he in turn fulfils his/her role of playing a principal part in (amongst other things) the strategic management of the Church's affairs (see SO 114(1A)). There is no question that the Senior Managers provide leadership to the Team, and this would continue. However, it needs to be very clear that the leadership of the Church is located in the Connexional Leaders' Forum, the Council and the Conference. Clarity on this point enables a greater understanding of the way the Team is accountable through the Secretary of the Conference and the Connexional Secretary via the SRC to the Council as the employing/appointing body. Furthermore, the Council concurred that the Heads of Cluster and other managers in the Team could be more effectively deployed within these clear lines of accountability if they were to attend meetings such as the SRC, the Council and the Conference as and when the business of such bodies would benefit from their advice and input, rather than the current pattern of each post holder being

expected, or in some cases required, to attend a large number of meetings.

5. It would be for the Secretary of the Conference to meet with her/his direct reports and the Heads of Cluster whenever was required, to discuss particular aspects of work or to contribute towards strategic development as required by the decision-making bodies or the Secretary. It is believed that this arrangement would render the idea of a 'Senior Leadership Group' as defined in SO 304 unnecessary and would clarify that the leadership of the Church lies outside the normal management of the Team but includes a number of the senior management team.
6. The proposed amendments to SO 304 are therefore as follows:

**304 The Connexional Secretaries and the Senior Leadership Management Group of the Connexional Team.** (1) The Connexional Team shall include Connexional Secretaries, appointed to that office, who shall assist the Secretary of the Conference in the execution of his or her overall responsibilities. Under his or her direction they shall have responsibility, together with the other members of the senior **leadership management** group defined in clause (5) below, for the work of the Team and ensure that it is effectively carried out, in accordance with the Deed of Union, Standing Orders and the directions from time to time of the Methodist Conference and the Methodist Council, and, with the wider senior leadership of the Church, shall support him or her in leading the development of the Church's vision of unity, mission, evangelism and worship. They are authorised when so required to act as his or her representative.

[...]

(5) The senior *leadership management* group of the Connexional Team shall consist of the Secretary of the Conference, the assistant secretary of the Conference, the Connexional Secretaries ~~and the three senior members of the Connexional Team with overall responsibility, under the Secretary of the Conference, for the work of the Team in the respective areas of:~~

~~(i) discipleship and ministries;~~

~~(ii) mission and advocacy; and~~

~~(iii) support services , **the Conference officer for legal and constitutional practice, and such other members of the Connexional Team as the Strategy and Resources Committee shall approve.**~~

The following consequential amendments are also required:

## 21. Methodist Council, part 3

### 102 Representatives of Connexional and Other Bodies

[...]

(7) Any member of the senior leadership group as defined in Standing Order 304 who is not appointed as a representative under this Standing Order shall be entitled to attend and speak at the Conference, but shall not be a voting member.

### 210 The Methodist Council

[...]

(7) The chair of the connexional Audit Committee appointed under Standing Order 213A, the secretary of the Faith and Order Committee, **and** the Youth President elected under Standing Order 250(10) and the members of the senior leadership group as defined in Standing Order 304 not appointed as members of the council under clause (1) above shall have the right to attend and speak at meetings of the council, but shall not be voting members.

**213 Strategy and Resources Committee.** (1) The Conference shall each year appoint a Strategy and Resources Committee of the council consisting of:

[...]

(vii) the Secretary and the assistant secretary of the Conference, **the Conference officer for legal and constitutional practice and** the Connexional Secretaries and the other members of the senior leadership group as defined in Standing Order 304 as non-voting members.

**Other members of the senior management group of the Connexional Team may attend as the business of the Committee shall require. Staff so invited to attend shall have the right to speak but not vote.**

### 230 The Connexional Leaders' Forum [...]

(2) The Connexional Leaders' Forum shall consist of:

[...]

(vA) the members of the senior leadership **management** group as defined in Standing Order 304 not otherwise forming part of the Connexional Leaders' Forum under this clause;

### \*\*\*RESOLUTIONS

**21/7. The Conference adopts the Report.**

**21/8. The Conference amends Standing Orders as set out in the Report.**

## SECTION N MINISTRIES COMMITTEE

The Council received a report on the work of the Ministries Committee.

### 1. Worship Leaders and Local Preachers

- 1.1 The committee recognised the priority of equipping and encouraging Local Preachers and the potential of the Local Preachers' Meeting to be a place of encouragement and renewal. The Connexional Team will work to ensure that high quality resources for continuing development are available to all Local Preachers' Secretaries. Work is also underway to provide clearer guidance to Local Preachers of their responsibility for continuing local preacher development (CLPD), in particular what the Church expects of them under Standing Orders 563(3)(iii) and 561(v). The committee stressed the value of an annual service at which Local Preachers are invited to reaffirm the promises made at admission and asked the Faith and Order Committee to draft a liturgy for this service.
- 1.2 The importance of Local Preachers reflecting on their ministry was linked in a response to a memorial in 2013 with the length of appointment of worship leaders.

M9 (2013) Length of appointment for worship leaders

*The Gordano Valley (7/15) Circuit Meeting (Present: 33; Voting: 24 for, 6 against) draws the Conference's attention to the three-yearly appointments of Worship Leaders by local churches and asks the Conference to direct the Faith and Order Committee and/or the Discipleship and Ministries Cluster to review this period taking into consideration the lifetime admission of Local Preachers to their office.*

*There has been growing participation of Worship Leaders in the conduct of worship over the last 20 years. The 2012 report to the Conference, The Fruitful Field Project, acknowledged that "Local Preachers and Worship Leaders make an immense contribution to the life of the Connexion".*

*It is the view of this Circuit Meeting that this level of acceptance is not reflected in the requirement for a three year review of a Worship Leader's appointment.*

*Reply*

*The Conference thanks the Gordano Valley Circuit Meeting for its memorial and for raising the issue of the term of service of Worship Leaders between reviews.*

## 21. Methodist Council, part 3

*As noted in The Fruitful Field Project report to the 2012 Conference, flexible and accessible pathways are currently being developed under the oversight of the Ministries Committee for Local Preachers and Worship Leaders. These pathways are currently being developed within the framework of existing Standing Orders; however, the Conference acknowledges that it would be appropriate to revisit these Standing Orders in the future in the light of this work. The Conference is grateful for the feedback of the Gordano Valley Circuit Meeting in this process, and acknowledges that in revisiting Standing Orders it would be helpful to reconsider the period of time between reviews. The Conference therefore refers this memorial to the Ministries Committee to consider as part of their work on Worship Leader training and directs the committee to report back to the Conference no later than 2015.*

In 2015, the Conference adopted the following further reply from the Ministries Committee:

*The Ministries Committee recommends that no changes be made to the current length of appointment of Worship Leaders noting that there is already provision to extend appointments subject to review. In the light of increased expectations related to the initial training of Worship Leaders, the Committee recommends that Circuits pay careful attention to who is appointed to the role of Worship Leader noting that a Worship Leader is someone who regularly takes a leading or coordinating role in the conduct of worship. The Ministries Committee also recommends that the possibility of a quinquennial review of Local Preachers be included as part of a consultation process with Local Preachers' Meetings during 2015-16 with recommendations to the Ministries Committee in 2016-17 and, as appropriate, to the 2017 Conference. [2015 DR 7/13/1]*

- 1.3 Following consultation with Local Preachers' Meetings, the Ministries Committee recommends that all preachers should undertake peer review of their ministry every three years and that those refusing to participate in a review would be deemed unavailable to take appointments. Guidance on the listing of those who were not available to take appointments will be issued by the Connexional Team.

- 1.4 The consultation also took in the requirement to respond to M7 and M8 of 2013:

M7 (2013) Local Preachers on trial

*The Glossop (19/21) Circuit Meeting (Present:22; Voting: unanimous) suggests to the Conference that the title 'Local Preacher on trial' (sic) is outdated and ambiguous and asks the Conference to find a name that more appropriately reflects the nature of the role, for example, 'Preacher in Training' or 'Student Preacher'.*

## Reply

*The Conference thanks the Glossop Circuit Meeting for its memorial. The development of new flexible and accessible pathways for Local Preachers (as outlined in The Fruitful Field Project report to the 2012 Conference) will provide the best opportunity to reconsider the title 'Local Preacher on Trial'. The Conference directs the Ministries Committee to continue to oversee work on the development of these new pathways. The pathways are currently being developed within the framework of existing Standing Orders (including terminology); however, the Conference acknowledges that it would be appropriate to revisit these Standing Orders in the future in the light of this work. The Conference therefore refers this memorial to the Ministries Committee to consider as part of their work on Local Preacher training and directs the committee to report back to the Conference no later than 2015.*

In 2015, the Conference adopted the following further reply from the Ministries Committee:

*The Ministries Committee recommends, at this stage, that no changes are made to standing orders but that consideration of the appropriate title form part of a consultation process with Local Preachers' Meetings during 2015-16 with recommendations to the Ministries Committee in 2016-17 and, as appropriate, to the Conference of 2017. [2015 DR 7/13/1]*

- 1.5 The Ministries Committee has returned to this memorial on a number of occasions in the past few years. A consultation was undertaken with superintendents, Local Preachers' Secretaries, Chairs of District and District Local Preachers' Secretaries in 2016 and the results have been carefully analysed by the Ministries Committee. Whilst it is clear that many people surveyed agreed with the sentiments of the memorial that the title "preacher on trial" should be changed there was far less agreement about what a revised title might be.

Standing Orders refer to a "person on trial" not a preacher, as a way of indicating that a person has not yet been admitted into the fellowship of preachers. The *trial* in question refers to the person trialling (or trying out) whether a call to the office of Local Preacher is the right one for them as well as signifying the role of the Local Preachers' Meeting as it seeks to assist a person to discern their call through training, trial services, conversation and appraisal via *Worship: Leading and Preaching*. The suggested title Preacher in Training fails to capture the nuances of what is happening during the trial period. The Ministries Committee unpacked numerous other suggestions made through the consultation process, none of which quite managed to sum up what is happening in the process of becoming a Local

## 21. Methodist Council, part 3

Preacher. It is of course true to say that a person on trial is also a preacher in training and it might well be appropriate to use that title in certain contexts. However, on official documents, such as the preaching plan, the Ministries Committee believes that on balance, despite its limitations “on trial” offers a better summary of the various elements of becoming a Local Preacher in the Methodist Church.

The Committee therefore recommends that no formal change be made to the title ‘person on trial’.

### 1.6 M8 (2013) Responsibilities of Worship Leaders

*The Sheffield (West) (25/1) Circuit Meeting (Present: 21; Voting: unanimous) draws the Conference’s attention to the current situation relating to Worship Leaders and their relationships with presbyters and Local Preachers and asks the Conference to take the following actions:*

*To review the responsibility of Worship leaders within Methodist worship, taking into account the variety of gifts now offered by Worship Leaders and the considerable variety of patterns of worship in current Methodist practice and to provide guidance as to the Worship Leader’s relationship to and with the planned presbyter or Local Preacher.*

*To review the membership, agenda and title of the Circuit Local Preachers’ Meeting to include Worship Leaders as members of that meeting and to enable them to participate in and to vote on appropriate parts of the agenda. To revise Standing Orders as necessary.*

#### *Reply*

*The Conference thanks the Sheffield (West) Circuit Meeting for its memorial and for raising the issue of the responsibilities and relationships of Worship Leaders. Since the introduction of Worship Leaders, their role has changed. We believe that the new pathways for Local Preachers and Worship Leaders that are currently under development will reflect these changes, including a “greater emphasis on the skills required for preaching and leading worship” (The Fruitful Field Project report to the 2012 Conference, para 134). As noted in The Fruitful Field Project report, the new pathways will present an opportunity for far greater shared training and development for Local Preachers and Worship Leaders. These pathways are currently being developed within the framework of existing Standing Orders (including the responsibilities of Worship Leaders and the constitution of the Local Preachers’ Meeting); however, the Conference acknowledges that it would be appropriate to revisit these Standing Orders in the future in the light of this work. This may include*

*a review of the membership, agenda and title of the Local Preachers' Meeting. The Conference notes that many Circuits already invite Worship Leaders to be present and participate at Local Preachers' Meetings.*

*The Conference therefore refers this memorial to the Ministries Committee to consider as part of their work on worship leader training and directs the committee to report back to the Conference no later than 2015.*

In 2015, the Conference adopted the following further reply from the Ministries Committee:

*SO 685 reads as follows: At each service in which a worship leader shares the person appointed on the circuit plan of preaching appointments shall retain overall responsibility for the act of worship, but shall seek to work collaboratively with the worship leader appointed to share in that service by the Church Council.*

*(See also SO 681(1), which draws attention to the role of Worship Leaders in assisting in the leadership of God's people in worship.)*

*The Ministries Committee believes that the current Standing Order is clear in identifying the nature of the working relationship between a Worship Leader and those who retain overall responsibility for an act of worship. The Committee recognises that this is not always the case in practice and recommends that consideration of a Code of Practice form part of a consultation with Local Preachers' Meetings in 2015. The Committee notes that in future Worship Leaders and Local Preachers on Trial will share in significant parts of their training together (Modules 1-4 of Worship: Leading and Preaching). The new pathway for Local Preachers and Worship Leaders includes examples of good practice in collaborative working and the Committee encourages Local Preachers' Meetings together with Worship Leaders to make use of the relevant part of these resources.*

*The Ministries Committee recommends that a consideration of the title and agenda of the Local Preachers' Meeting form part of a consultation process with Local Preachers' Meetings during 2015-16 with recommendations to the Ministries Committee in 2016-17 and, as appropriate, to the 2017 Conference. [2015 DR 7/13/1]*

- 1.7 The consultation process carried out in 2015/2016 raised few objections to changing the name of the Local Preachers' Meeting to something more inclusive. However, a number of responses led the Ministries Committee to review the roles and training of Local Preachers and Worship Leaders. The review reinforced the need for clarity around the oversight of both: Local Preachers are overseen by the fellowship of Local

## 21. Methodist Council, part 3

Preachers through the functions of the Local Preachers' Meeting whilst Worship Leaders are overseen by the local Church Council (taking advice from the Local Preachers' Meeting). The Ministries Committee therefore continues to encourage Local Preachers' Meetings to invite Worship Leaders to join them for fellowship and continuing development and has instructed the Ministry Development Team to develop guidelines and suggested agendas in order to develop creativity and best practice. The Ministries Committee was not minded that the name of the Local Preachers' Meeting should be changed.

- 1.8 A number of queries had been raised with the Connexional Team about the training of worship leaders. The committee agreed that there should be some flexibility allowed and that a local tutor could recommend to the Local Preachers' Meeting selected parts of modules 1-4 of *Worship: Leading & Preaching* to be studied. These should be selected to best meet the needs of the potential worship leader and local congregation. In these cases it is still the responsibility of the Local Preachers' Meeting to monitor the candidate's progress in and completion of training and probation and the assessment of their suitability for appointment (SO 680(iii)). The committee noted that SO 710 requires those wishing to candidate for diaconal ministry to have completed units 1-4 in full.

### **2. The Ministry of Supernumeraries**

- 2.1 The committee received the conclusions of a consultation around the ministry of supernumeraries. The consultation confirmed the value of the continuing ministry of those who have sat down and the different stages of life that those who have retired experience and the varying care that they should be offered. The committee asked that revised guidance be offered to superintendents and District Chairs about the pastoral care of supernumeraries and their involvement in the life of a Circuit, to circuit stewards and Circuit Meetings about the remuneration and letters of understanding for those supernumeraries offering significant time to a Circuit, and to supernumeraries themselves about how to decide where to live after sitting down and how to be accountable for the ministry in which they are engaged. There was a general feeling that this stage of ministry has not attracted the theological resources that it needs and the committee asked that there be a section of the Methodist Church website devoted to supernumerary ministry. Overwhelmingly, those consulted were resistant to the withdrawal of the supernumerary's preaching fee and the committee reported that to the Connexional Allowances Committee.

### **3. The Purpose, Frequency and Duration of Ministerial Sabbaticals**

- 3.1 Introduction  
The committee presents recommendations on the purpose, frequency and duration

of ministerial sabbaticals in response to memorials M7 (2016), M11 (2015), M7 (2009) and M8 (2009), following an online survey of ministers, chairs of district, district sabbatical officers and senior circuit stewards, conducted during April and May 2016.

### 3.2 Background

#### *Current Practice*

Current practice in relation to the purpose, frequency and duration of sabbaticals is enshrined in Standing Order 744: "A presbyter or deacon in Full Connexion stationed in an appointment within the control of the Church shall (in the performance of his or her duties as a minister) at intervals undertake a sabbatical, that is a period of release from the ordinary duties of the appointment, in addition to normal holidays, for the purpose of pursuing an approved programme of study, research, work or experience. Normally the length of the sabbatical shall be three months. Special permission is required for any longer period. Subject to Standing Order 807A(6), the years in which sabbaticals may be taken shall normally be the tenth and each seventh year of travel after it, but sabbaticals may for good reason be taken one year earlier or later and in particular shall not be taken in the first year of a new appointment. Special permission shall be required for any greater departure from the normal dates." (Standing Order 744(1)-(3)).

#### *Memorials to the Conference*

Memorial M11 (2015) from the Plymouth and Exeter District Synod asked the Conference to review the duration and frequency of ministerial sabbaticals to provide a greater measure of flexibility, proposing that participants accrue two weeks of sabbatical entitlement a year, with each sabbatical to be taken between three and seven years after the last and with entitlement to a sabbatical to commence three years after reception into Full Connexion. The memorial suggested that such additional flexibility would:

- allow ministers the possibility of following through particular areas of interest/study on a more regular basis;
- prevent some ministers coming to their sabbatical exhausted, and provide a pattern of rest;
- offer better provision for those in the last years of their active ministry;
- facilitate better dovetailing between sabbaticals and ministers moving between appointments;
- enable ministers to take a sabbatical before the current ten years;
- prevent the difficulties some ministers experience transitioning into sabbaticals and then re-entering work afterwards, and the loss of focus and questioning of role some experience through prolonged absence;

## 21. Methodist Council, part 3

- enable sabbaticals to fit more easily into ministers' personal and family circumstances; and
- be less disruptive to the life of the churches, Circuits and local communities, and less onerous on the provision of cover.

A subsequent memorial M7 (2016) from the Bradford North Circuit Meeting asked that consideration be given in a review to:

- i) extending the time interval between sabbaticals beyond seven years, in order to reduce financial strain on circuit resources and reduce strain on the other circuit ministers and congregations; and
- ii) reducing the duration of sabbaticals to two months, in order to obviate the difficulties some ministers suffer when returning to circuit duties after a long break and to reduce strain on the churches.

Previously, memorial M7 (2009) from the South Ribble Circuit Meeting had proposed amending Standing Order 744(3) in order to entitle ministers to their first sabbatical in their seventh (rather than tenth) year of travel. A similar memorial – M8 (2009) – was received from the Bolton and Rochdale Synod. Both memorials were referred to the Methodist Council for report and consideration and then subsequently referred to the Ministries Committee.

In response to these memorials, an online survey of ministers, chairs of district, district sabbatical officers and senior circuit stewards was conducted during April and May 2016, and literature was reviewed, investigating perspectives on the purpose, frequency and duration of ministerial sabbaticals.

### 3.3 Context

#### *a) The Purpose of Sabbaticals*

There is scope to explore ways in which sabbaticals could currently better 'enhance the whole ministry of the people of God'. In their survey responses, ministers identified a wider set of key benefits of sabbaticals than those already itemised in online and hard copy connexional sabbatical guidance (reporting, for instance, that sabbaticals strengthened relationships with friends and family). This suggests that the benefits of sabbaticals could be more comprehensively described in connexional guidance. Also, there may be better ways of communicating to lay people the purpose and benefits of ministerial sabbaticals, especially in view of the fact that church members generally do not receive sabbaticals in their own working lives.

When identifying the key benefits of sabbaticals, surprisingly, ministers tended not

to refer explicitly to how this affected their relationship with God. Equally 'retreat' and 'time to simply be with God' were not prioritised when they described the nature of their sabbaticals. Ministers may need greater encouragement and help, via, for instance, Ministerial Development Review (MDR) and ongoing supervision processes, in ensuring that this dimension is a key part of their sabbatical. Such processes could also make sure that there is due accountability in the process so that ministers can properly account for their sabbatical activities. Similarly, the process of agreeing sabbaticals might benefit from the introduction of benchmarks, linked to any Continuing Development in Ministry (CDIM) benchmarks which may, from time to time, emerge, to ensure proper coverage and balance.

Ministers sometimes reported that they had spent their sabbatical dealing with a substantial personal pastoral issue, including such things as: caring for ill/aged/dying relatives; recovery from pregnancy loss/illness/accident/burnout; and developing physical fitness prior to an operation. It is significant that a number of these personal pastoral issues might have warranted a period of compassionate leave, rather than sabbatical leave. Ministers also suggested that more work should be done on enabling healthy re-entry to ministry after sabbaticals.

### *Recommendations*

- That a review of sabbatical paperwork be undertaken with a particular focus on:
  - the benefits of sabbaticals for both the individual and the wider Church;
  - identifying mechanisms through which the fruits of a sabbatical can be shared more widely;
  - reflection on the use of sabbaticals as an opportunity to deepen relationship with God and neighbour;
  - the integration of CDIM benchmarks into sabbatical aims and objectives;
  - development of links between sabbaticals, supervision and MDR;
  - ensuring that the literature is clear concerning when periods of compassionate leave should be sought rather than a sabbatical;
  - suggestions on successful re-integration into circuit life after a period on sabbatical.

### *b) Frequency of Sabbaticals*

It is noteworthy that the memorials presented to the Conference point in different directions regarding frequency with arguments made both for more and less frequent sabbaticals. The survey evidence across a range of people surveyed, including both circuit stewards and ministers, expressed a strong preference for the gap between sabbaticals remaining at seven years. There is at present no strong *prima facie* evidence for a change in the current system regarding frequency of sabbaticals.

## 21. Methodist Council, part 3

There is currently a lack of clarity about accrual of sabbatical entitlement on the part of ministers who are serving, or who have served, in appointments outside the control of the Church. In particular, there is evidence that Standing Orders concerning sabbaticals have been interpreted in different ways once ministers have returned into an appointment within the control of the Church. There are arguments which point to different conclusions in assessing this evidence. On balance, however, it should be noted that in a period in an appointment outside of the control of the Church, a minister serves under quite different terms of service from those serving in appointments within the control of the Church. Bearing this in mind, ministers should accrue entitlement on the basis of numbers of years served in appointments within the control of the Church with sabbatical accrual being paused when ministers undertake appointments outside of the control of the Church.

M7 (2009) from the South Ribble Circuit suggested that SO 744(3) should be amended to enable ministers to undertake their first sabbatical after seven rather than ten years of travel. The literature review indicates that the current position is slightly anomalous dating back to a period when years of travel were calculated according to the date on which someone entered ministerial training rather than the date on which someone entered their first station. There are also arguments that the ministers would be better served by a sabbatical in the earlier years of ministry contributing to well-being and resilience at what is for some a critical point on their journey.

### *Recommendations*

- SO 744(3) should be modified to enable a first sabbatical after seven years and every seven years thereafter. Consultation with the Connexional Allowances Committee has taken place on this point and the effect on the sabbaticals budget overall is manageable.
- The guidance on frequency of sabbaticals should make clear that the qualifying period for sabbaticals relates to the number of years spent in appointments within the control of the Church.
- There are special provisions for ministers from other Conferences and Churches. Although Standing Order 744 refers only to ministers in Full Connexion, SO 732(5) states that ministers who are 'Recognised and Regarded' serve under the same terms and conditions as those who are in Full Connexion. Hence, they should be expected to take a sabbatical in the seventh year of their travel in the Methodist Church in Britain (and every seventh year thereafter), regardless of any sabbatical provision in their previous appointments. Those who transfer into Full Connexion should be expected to take a sabbatical in the seventh year of travel in the Methodist Church in Britain (and every seventh year thereafter).

### *c) Duration of Sabbaticals*

Survey evidence expressed a preference for sabbaticals of fixed length, largely opting for the current three months. Although some favoured a variable length, a majority still expressed a preference for fixed length sabbaticals.

#### *Recommendations*

- There is broadly a consensus around the current duration of sabbaticals. Given the lack of a strong desire to change the current system, and the provision within the current Standing Order which indicates simply that three months is the 'normal' rather than mandatory length of a sabbatical, it is recommended that no change take place to SO 743(2) regarding the duration of sabbaticals.

### *d) Date of First Sabbatical and Impact Assessment*

#### *Recommendations:*

- The Ministries Committee recommends a change in the date of first sabbatical from the tenth to the seventh year of travel.

The proposed amendments to Standing Order 744(3) are as follows:

**744 Sabbaticals. (3)(a) Subject to Standing Order 807A(6), the first year in which a minister may take a sabbatical shall normally be as follows:**

**(i) for ministers whose year of entry is in or before 2010, the tenth year of travel;**

**(ii) for ministers whose year of entry is 2011 or 2012, the year 2019-2020;**

**(iii) for ministers whose year of entry is in or after 2013, the seventh year of travel.**

**(b)** Subject to Standing Order 807A(6), the years in which **subsequent** sabbaticals may be taken shall normally be the tenth and each seventh year of travel after it **that specified in sub-clause (a) above.**

**(c)** sabbaticals **A sabbatical** may for good reason be taken one year earlier or later than **that specified in sub-clause (a) or (b) above**, and in particular shall not be taken in the first year of a new appointment. Special permission shall be required for any greater departure from the normal dates.

Calculations have been undertaken on the premise that the new scheme would begin in the connexional year 2019/2020. In that year, those whose 'year of travel' began in 2013 will be eligible for a sabbatical as 2019/2020 will be their seventh year. In order to bring things into line, those whose year of travel is 2011 will have their

## 21. Methodist Council, part 3

sabbatical brought forward one year (ie to the ninth year of travel) and those whose year of travel is 2012 will have their sabbatical brought forward two years (ie to the eighth year of travel). They will then be eligible for sabbaticals every seventh year thereafter. This will mean an increase in the numbers of ministers taking a sabbatical in 2019/2020 but the numbers will stabilise thereafter with increases every seventh year until these cohorts work through.

In 2019/2020 (when those who started in 2011, 2012, 2013 would have sabbaticals to equalise the system) there would be on average about 50 potential extra sabbaticals per year group (ie up to 150 in total). Thereafter there would be an average increase of between 40-50 each year with an increase every seventh year until this worked through the system. The potential numbers would then begin to drop reflecting the fall in accepted candidates (approximately 30 per year). There would also be a significant drop off in numbers with the increase of retirements over against those entering probation although there is currently no way of quantifying these numbers.

### *e) Financial Impact*

Conversations have been ongoing with the Connexional Allowances Committee (CAC) throughout this period – the financial review of sabbaticals is the responsibility of the CAC. The CAC estimates that if these proposals are accepted, there will be an additional cost of approximately £120,000 in 2019/2020 to the Sabbatical Fund. This could be funded by bringing forward an existing proposal to increase the levy level from £60 to £100 in September 2018 rather than September 2019, ie a year early. This would bring in an extra £50,000 in 2018/2019. However, a further payment will be required from somewhere else (eg the Methodist Church Fund) of about £70,000 to fund the proposed catch up which is equivalent to another year's worth of sabbaticals. Further, the shortening of the period before the first sabbatical leads to more sabbaticals being taken overall and this will cause the levy to increase. Whilst formal recommendations are not being made at this point – there are far too many uncertainties – a rough indication might be an increase in the levy to £120 in September 2020.

## **4. Transferring Ministers**

- 4.1 Last year the Ministries Committee reported on the extensive work of the Transferring Ministers Policy Review group. The Conference asked the Connexional Allowances Committee (CAC) to consider one of the recommendations in response to a concern that the financial demands placed on Circuits would be unreasonable. The CAC suggested that rather than the cost of a minister's removal to a Circuit being borne by the Circuit, SO 528(4) be invoked. SO 528(4) provides for the Methodist Church Fund

(MCF) to pay removal costs to/from mainland Britain when ministers move to/from the islands, Malta and Gibraltar, leaving the Circuit to pay only the mainland element of the costs (ie port and airport to/from manse). This would extend a policy designed to apply to ministers being stationed within the Methodist Church of Britain to those of other Conferences and Churches.

- 4.2 On the advice of the CAC, the committee concurred that when a minister who is recognised and regarded ends her/his appointment, the costs of removal are not the responsibility of the MCB, unless the minister is sitting down in which event some discretionary help can be made available from the Fund for Support of Presbyters and Deacons (FSPD) to cover removal expenses.
- 4.3 On the prompting of the CAC, the committee looked at the fact that ministers whose right to work in the UK is a Tier 2 (MoR) visa are not entitled to make any demand on the public purse. It agreed that the Connexional Team should spell out clearly to ministers from other Conferences and Churches in the Guidelines document their entitlements to UK state benefits, not least those they may not receive, so that they do not arrive in the UK with unreal expectations of their financial situation. However, it seems unjust that a minister from outside the EU should experience hardship that his/her peers do not and therefore recommends that the Methodist Church Fund should pay the equivalent state benefit substitutes (child benefit and tax credit) until Ministers of other Conferences and Churches (MOCCs) can legitimately claim them.
- 4.4 The Committee also asked members of the Connexional Team to review the guidance offered to Circuits looking to receive a MOCC in order to encourage the development of suitable appointments.

### **5. Update on response to Memorial M1 to the 2016 Conference - Qualifications for Candidating for the Ministry**

#### 5.1 M1 (2016) Criteria for candidating for the ministry

*The Wales Synod, Presbyteral Session (Present: 71; Voting: 69 for, 1 against) recognises the hurt and disappointment felt when for a variety of reasons and at a very late stage in the process a candidate for presbyteral ministry was unable to appear before the Ministerial Candidates' Selection Committee because of not meeting the three year membership qualification required under Standing Order 710.*

*Accordingly, the Synod requests the Conference to:*

- (a) *ensure that all future information about candidating for ordained ministry makes it clear that the three year membership qualification (under SO 710) refers to membership of the Methodist Church in Britain;*

## 21. Methodist Council, part 3

- (b) *clarify the end date by which this period of qualification needs to be completed; and*
- (c) *ask the Ministries Committee to examine whether the current period of qualification (three years) is the best one and whether there may be some flexibility allowed where a candidate has been a member of another Methodist Church.*

### Reply

*The Wales Synod raises some important questions for which the Conference is grateful. That the memorial was prompted by a particular and unfortunate circumstance has been noted and the connexional officers concerned have already acted to ensure that as far as possible ambiguity around the requirement of Standing Order 710 (1)(a) is removed from the candidating documentation.*

*Standing Orders are silent on the question of the date from which the three year period is calculated. Given that the date determined by the Ministerial Candidates' and Probationers' Oversight Committee (MCPOC) under Standing Order 711(3) is 30 September, it would seem appropriate that that be the date by which a person should be qualified to candidate. It would, however, make sense for the Conference to bring the membership requirement into line with the other requirement of SO 710(1) that the candidate be a fully accredited local preacher or (if not local preacher and offering for the diaconate) a Worship Leader by stipulating that these qualifications should also be met by 30 September in the connexional year in which the candidate offers.*

*The period of qualification as a member was examined by the 2011 Conference which decided not to change current practice. Offering for ministry requires a level of embeddedness in the life of the Methodist Church in Britain which can only come with time and engagement as a member in the life of a Circuit or a number of Circuits. The 2011 debate was prompted by the desire of recently baptised Christians to offer for ordained ministry. A slightly different question is raised by this memorial in relation to those coming into the Methodist Church in Britain from another Conference. The Conference directs that this question be referred to the Ministries Committee but asks that committee to note that any who train for ordained ministry without being fully conversant with the life and mission of the Methodist Church in Britain will enter a comparatively brief period of formation at a disadvantage compared to their peers.*

*The Conference also notes that membership is used as a measure of a person's involvement in the life of the Church. There is growing anecdotal evidence of resistance to or even neglect of the opportunities and discipline of membership*

*amongst those who count themselves as Christian and part of the Church. As this memorial demonstrates in one instance, membership frees a baptized person to answer a call to serve the church in a number of ways. The Conference would therefore encourage all Circuits to review the ways in which they encourage those who have not already made the commitment to explore becoming full members of the Church and the ways in which the joys and privileges of membership are celebrated.*

*The Conference accepts the memorial and directs that the Ministries Committee bring a considered response to the 2017 Conference. The Conference further directs MCPOC to bring a proposed revision to SO 710(1) to the 2017 Conference in accordance with the second paragraph of this reply.*

- 5.2 The Ministries Committee has considered the memorial accepted by the 2016 Conference and the response on which that acceptance was based.

The Ministries Committee remains minded of the value of a period of committed service in the life of the Methodist Church in Britain (MCB) before a person offers as a candidate for ordained ministry and of membership as the appropriate measure of that commitment. It notes that members of other Methodist Churches resident in Britain can transfer their membership under SO 051 and are encouraged in that SO to do so. However, it also notes that (in spite of SO 055) there has often been an apparent reluctance to transfer membership between churches within the Connexion and suspects that the same has been true when the member in question is from another autonomous Conference. It therefore urges that all ministers encourage the transfer of membership to a church in the locality of the member's home and where s/he is a regular worshipper and that where appropriate the provisions of SO 051 for dual membership be taken into consideration.

For the sake of clarity, the Ministries Committee understands that those who hold dual membership can offer as candidates for ministry in the MCB but only if that dual membership has been held for three years or more. This will still mean that an enthusiastic potential candidate from another Conference would need to live and be a member here for three years prior to candidating, unless she or he has been recommended by their own Conference and can transfer under SO 730.

The 2016 response noted that one reason that this qualification has proved challenging has been the apparent hesitancy of some worshippers in Methodist churches to embrace the opportunities of membership and that there is anecdotal evidence of churches in which membership preparation is not offered on a regular basis. The committee therefore asks the Conference to urge all churches to encourage those who are not members to consider the joys and benefits of

## 21. Methodist Council, part 3

membership and to draw on the resources available through the Connexional Team and elsewhere in this work of encouragement.

The Ministries Committee agrees that the date from which the three-year period is calculated should be 30 September in the connexional year that the offer is made and that this be included in SO 710(1). It also proposes that with the introduction of the new training course for worship leaders and preachers the other minimal requirements of SO 710 also be achieved by 1 February in the connexional year that the offer is made.

### 6. Criteria and Competencies

6.1 The Criteria for Selection approved by the 2016 Conference revised the existing criteria by expanding the six headings of the 2003 version into eight and clarifying that the first has two important dimensions. Each criterion needs to be visibly met in the life and practice of a presbyter or deacon at every stage of her/his ministry in order that the presbyter or deacon might continue to affirm a continued sense of call in the Presbyteral Session of the Synod or the Convocation of the Diaconal Order.

6.2 At its March meeting, the Ministries Committee received a report on work done since the 2016 Conference to produce a set of competencies for particular roles in the life of the Church, to cover the Church's expectations of:

- Those requesting a note to preach
- Those to be received onto Full Plan as Local Preachers
- Those recommended for pre-ordination training
- Those entering their first appointment in the MCB (as probationers or MOCCs)
- Those to be received into Full Connexion
- Those to be stationed as Superintendents
- Those to be designated District Chairs.

The committee approved the competencies for use in different ways. Those for those in formation for ordained ministry are binding requirements against which the suitability of a student for initial stationing or a probationer for reception into Full Connexion is assessed by MCPOC and those reporting to MCPOC. Those proposed for Superintendents and Chairs are to guide those presbyters considering whether or not they might be called to that ministry and to assist the task of discernment by others (formally or informally).

The criteria for selection will come into force for the candidates in 2018/2019. The Committee agreed that the competencies be brought into use by asking the MCPOC to adopt the revised competencies for initial stationing and reception into

Full Connexion from 2021 onwards. Those for Local Preachers, Superintendents and District Chairs can be used forthwith.

### **7. Supporting Local Ministry**

7.1 A new set of pages went live on 12 December 2017 on the Methodist Church website entitled, 'Supporting Local Ministry'. The pages can be found at: [www.methodist.org.uk/supportinglocalministry](http://www.methodist.org.uk/supportinglocalministry)

7.2 It is hoped that the site will continue to evolve and provide a hub for resources supporting Local Churches and Circuits in nourishing local, lay ministry. The development of work in this area required a definition of local, lay pastoral ministry. The following is a working definition of local lay ministry:

Those engaged in lay ministry authorised by a Local Church or Circuit and acting in a pastoral and mission leadership role in a local congregation. They may be paid or voluntary, full-time or part-time. They are commissioned to engage in pastoral ministry and mission on behalf of, and in collaboration with, local church members, for specified periods of time. An individual's ministry will vary according to their gifts and skills, and the local situation.

7.3 Much work has been done to help to equip people for these local lay ministries and the Ministries Committee discussed a set of competencies which would assist in the design of job descriptions and person specifications, the provision of district based induction programmes supporting local, lay pastoral ministry and related lay ministries, and the work of communities of practice which will offer a broadly based diet of learning and development over a period of time.

7.4 Related to this is the significant work that has been undertaken with ecumenical partners on the development of an Apprenticeship Standard for local, lay ministry. The 'trailblazer' group is now working on a single standard for ministry which apprentices can enter at the start of HE levels 4, 5 or 6, providing opportunities for those in local, lay pastoral ministry to enter training (funded through the Apprenticeship Levy) through an apprenticeship degree at a level appropriate to their needs and experience and with a variety of exit points. At this stage, the University of Durham is open to the possibility of the Common Awards being used to support a standard which would enable The Queen's Foundation to offer provision if it chose to become an apprenticeship provider. A number of conversations have taken place with Cliff College in recent months and the college is keen to respond creatively to this developing opportunity.

## 21. Methodist Council, part 3

### 8. Fresh Expressions

- 8.1 The Fresh Expressions Ecumenical Team has made a number of changes this year as it prepares for the next quinquennium of activity with a smaller core team and more resources deployed within the partner denominations, as embedding becomes a more central theme. This has led to a review of all activities as the resourcing for the movement is reduced; the Team sees its work now as a catalyst encouraging others to develop resources and helping them to be publicised widely.
- 8.2 Research has been completed and will shortly be published into the recent developments in Fresh Expressions. The Ministries Committee has been made aware both of the success stories that are narrated from fresh expressions and some of the tensions that have been reported. In order to oversee some of the processes of change, the Ministries Committee has agreed to the establishment of a guiding team to be appointed by and report to the Ministries Committee on developments in fresh expressions and the ways in which those developments contribute to the mission of churches and Circuits.
- 8.3 The Ministries Committee receives each year a report on the work of those pioneers who are part of the VentureFX scheme. The scheme has proved a fruitful way of engaging with people who would be unlikely or reluctant to engage with the Church in its more conventional forms. The learning and experience which has emerged from VentureFX has contributed significantly to the formation of Methodist Pioneering Pathways (MPP) within the Discipleship and Ministries Learning Network. Around sixty pioneers around the Connexion have been identified and are now supported by MPP through the DMLN regions. Vocational discernment is offered both to those exploring a call to pioneering and those already exercising it. Pioneer communities of practice gather across the Connexion for mutual learning and support and a cohort of coaches has been created and trained to help pioneers develop themselves and their work in a healthy way. Formal learning opportunities are being made available to help pioneers grow in their ability to reflect theologically on their work, and MPP has been working with Cliff College and The Queen's Foundation to develop new courses. The most recent development has been the creation of 'MPP Central' a virtual environment for pioneer learning, sharing and encouragement. In these and other ways, VentureFX and its pioneers continue to seek to fulfil their task of exploring the most appropriate ways of pioneering in a Methodist context and help to embed pioneering at the heart of the Church's mission and ministry.

### \*\*\*RESOLUTIONS

#### 21/9. The Conference receives the Report.

**21/10. The Conference adopts the further replies contained in section 1 of the report to Memorials M7, M8, M9 (2013).**

**21/11. The Conference adopts the recommendation set out in paragraph 1.3 that all local preachers be required to engage in a process of peer review every three years.**

**21/12. The Conference amends SO 563 and 567 as set out below:**

**563 Duties and Rights of Local Preachers**

(3) As to fellowship and training, it is the duty of local preachers:

(i) *[unchanged]*

(ii) *[unchanged]*

(iii) if admitted as such after the year beginning ~~1<sup>st</sup> September 1995~~, **to regularly review their preaching and to** participate in a programme of continuing local preacher development **which reflects the guidelines annually produced by the Ministries Committee;**

(iv) *[unchanged]*

**(ix) to attend the annual Service of Reaffirmation of their call to preach;**

**567 Accountability and Review. (1) *[unchanged]***

(2) *[unchanged]*

**(2A) A local preacher found by the meeting to be unable or unwilling to fulfil the duties set out in Standing Order 563 shall not be planned to preach. Any local preachers unavailable for that reason to be planned shall be identified in the circuit plan, either by a mark in the full list of preachers or, in a separate list. The meeting shall regularly review their status in that regard.**

(3) Subject to clause (2) above, if a question or concern is raised about the fidelity to doctrine of a local preacher or his or her fitness for the work (including his or her calling, commitment to fulfil his or her duties or his or her competence as a local preacher) the meeting shall follow the guidelines for such circumstances produced by the Connexional Team. The guidelines shall include guidance on the circumstances in which Part 11 applies **and on the operation of clause (2A) above.**

(4) *[unchanged]*

**21/13. The Conference amends SO 744(3) as set out in section 3.3 of the Report.**

**21/14. The Conference adopts section 7 of the report as its further reply to Memorial M11 (2015).**

**21/15. The Conference directs the Connexional Allowances Committee to ensure that the Methodist Church Fund pays the equivalent state benefit substitutes to**

## 21. Methodist Council, part 3

**those ministers from other Churches and Conferences who are unable to claim them from the state.**

**21/17. The Conference adopts section 9 of the report as its further reply to Memorial M1 (2016).**

**21/18. The Conference amends SO 710(1) as follows:**

(1) (a) A candidate for the diaconate or the presbyterate in the Methodist Church shall have been baptized and shall have been a member of the Church in good standing for at least three years **as at 30 September of the relevant year.**

### **SECTION O TRAINING FOR ORDAINED MINISTRIES**

#### Introduction

1. Following the decisions of the Conference in 2012, The Queen's Foundation is responsible, under the oversight of the Ministerial Candidates and Probationers Oversight Committee (MCPOC), for the initial ministerial training of all accepted candidates for ordained ministries, as well as working with probationers and some others referred to Queen's oversight. In the connexional year 2017/2018, the Foundation has worked with 68 student presbyters and deacons (30 part-time and 38 full-time; 9 deacons and 59 presbyters) and 46 probationer ministers. For the purposes of comparison, the numbers in initial ministerial training in 2016/2017 were 65 (35 full-time and 30 part-time; 9 deacons and 56 presbyters) and, in 2015/2016, 78 (37 part-time and 41 full-time; 10 deacons and 68 presbyters). They form about 40% of the Foundation's learning and formational community, alongside a similar number of Anglican ordinands and curates, and a smaller number of Anglican Readers, Pentecostal ministerial candidates and pastors, and independent students, including those undertaking continuing ministerial development programmes and PhD students.
2. The majority of Methodist student ministers on programmes of initial ministerial training at The Queen's Foundation are accepted candidates of our Conference. A small number each year are at Queen's as recommended candidates from other Churches or Conferences, or transferring ministers for whom a transfer panel has identified a particular training and formational need.
3. There are three basic pathways, among which there is considerable flexibility to respond to the needs of student ministers and the Church.

- On the full-time pathway, student ministers may move to Birmingham, or they may commute daily from nearby areas, or commute weekly, to engage with the Monday-Thursday timetable of courses and activities. Student ministers are able to engage in the weekly commuting pattern from a large area of the country, with some arriving on Sunday afternoon to help with travel. This pathway is supported by a bursary given by the Methodist Church, in ways currently unchanged from the system before 2012, though the Ministries Committee has recently approved changes which are due to take effect from September 2018, to give further support to groups who have found the financial constraints particularly difficult, especially families with children.
  - The part-time pathway, the Queen's Connexional Course (QCC), enables student ministers to engage with initial ministerial training through periods of residence and online/distance learning. The course consists of seven weekends and one residential week each year, with a pattern of online learning including seminars via Skype, as well as other elements of engagement with local churches. The course is named as 'connexional' not only because it is designed specifically for the learning and formation of Methodist student ministers, but also because it is designed to enable access to learning and formation from across the whole of the Connexion. In the last three years, student ministers from the Channel Islands, the north of Scotland, Cornwall, the north-east of England, Kent – and all places in between – have been enabled to undertake ministerial training through this pathway.
  - The third pathway is the Circuit-based Learning Pathway (CBLP). This pathway began in September 2016 and is still developing, in a pilot phase. Students are initially allocated a place on the full-time or part-time pathway (as above) but may express an interest in CBLP, either at allocation or early in their training. Following a discernment process student presbyters can be given permission to continue their ministerial formation through CBLP. This involves them in intensive learning in two contexts: first, in a Circuit chosen for this purpose, where they engage in planned ministerial practice and learning for about half their time; second, in learning through Queen's, again for about half their time. As full-time learners they are supported by a bursary. All learning pathways engage with ministerial practice in Circuits, but CBLP gives a particular extended opportunity for this, strengthening the partnership in learning between a Circuit and Queen's, and strengthening a way of learning that particularly benefits some students.
4. The staff team at The Queen's Foundation consists of nine Methodist members of staff (seven of them full-time; six presbyters, two deacons and a lay person) as well as 11 others (Anglican; Pentecostal; a mix of lay and ordained). Three tutors have particular responsibilities for supporting BAME students. The Principal is an ordained Anglican and has served the Methodist Church in an authorised category

## 21. Methodist Council, part 3

for over 20 years. The Director of Methodist Formation is stationed to The Queen's Foundation as an appointment under the control of the Council. The Methodist staff at the Queen's Foundation are involved to varying degrees with local Circuits, through preaching appointments, particular targeted pastoral support, and responding to requests. Many are involved connexionally with a number of committees (including Faith and Order; Safeguarding; Ministries and Heritage), projects and one-off events. The staff team is in these varied ways a resource for the whole Connexion.

5. With all student ministers now at The Queen's Foundation for their ministerial training and formation, it has been noted, by members of the committees concerned, that processes of the Allocations Panel and the Initial Stationing Sub-Committee have become more efficient and more focused. Overall strategic planning is also more straightforward. This has led to developments for instance in probation studies and in the development of new proposals for financial support for those on full-time pathways.
6. At the request of the Ministries Committee in 2015, consultation began on the development of a programme of probation studies that could take advantage of the larger, gathered cohort of probationers who had trained at Queen's and build coherently on their initial ministerial training. This includes enabling those who choose and are given permission to do so to continue to completion of a BA or MA with the Common Awards programme (or in a small number of cases a Newman University MA programme). The programme began in September 2016 and was fully operative by September 2017. The programme, which fulfils the requirements of probation studies, is built intentionally around the shape and dynamics of the experience and practice of ministry in its early years. It consists of two residential periods of 3-4 days each in the year, and this pattern of gathering probationers together for residential periods has enabled support, the sharing of experience and a deepening of theological reflection that is rooted firmly in the ministerial practice of probationers. Most probationers choose to follow this programme because it provides continuity of learning and because of the value of being part of a cohort which was developed during initial training. In formal terms the programme consists of two modules per year, which can be taken for academic credit or not. Some probationers take the option of one module each year which structures their engagement with the 'Orientation Project' (in year one of probation) and 'Gospel in Context Project' (in year two) required by Standing Orders, rather than both modules. For those working for academic credit with Common Awards/Durham University or Newman University, this study programme represents a reduction in workload from some previous patterns. Since this is a programme of probation studies, all matters of the oversight of probation remain in the hands of District Probationers' Committees and MCPOC.

## The nature of ministerial formation

7. The programmes of initial ministerial training and other programmes at Queen's operate with a number of key formational principles:
- Queen's is an ecumenical foundation and values diversity in many forms. Most students at Queen's come from the Methodist Church, the Church of England and Pentecostal or independent churches. There is also a smaller number of independent students and research students who come from wider denominational backgrounds. Queen's has an explicit commitment to supporting the leadership of Black and Minority Ethnic Christians and church leaders, especially through partnership with Pentecostal and Black Majority Churches in the region and beyond.
  - Ministerial formation at Queen's is designed to integrate many elements: the study of theology that is vocationally-focused; the worshipping community; links to ministry in local situations through weekly engagement and more concentrated periods of placement; attention to mission through all the 'five marks of mission' drawing together cross-cultural awareness, practices of evangelism and commitment to leadership in social justice; and personal development.
  - Queen's has a long history of engagement with World Church partners. It has a particular relationship with the Theological College of Lanka, through a capacity building programme in theological education where faculty members have been enabled to study at post graduate level with four completing MA studies and two currently undertaking doctoral research, studying 'at a distance' but coming to Queen's for periods of intensive learning. Queen's is also active in MTSE (the Methodist Theological Schools in Europe) with two members of staff having been its chair in the last 4 years. This enables us to build connections with European Methodism which is beginning to foster student exchanges and the possibilities of some shared learning through the e-academy. A Global Christianity programme is designed to support student exchanges and encounters, capacity building through partnerships with other theological colleges, especially ecumenical institutions in hard pressed circumstances, and a leadership development programme of opportunities for sabbatical and scholarship study. Stringent visa regimes and reduction in funding for these programmes make sustaining this work a challenge, but it is essential to the learning for student ministers to be engaged with, learning from and belonging to the wider world church.
  - Teaching and learning at Queen's are designed to enable students from very varied educational starting points to develop and learn in ways that suit them. In Methodist terms, Queen's takes all accepted candidates through programmes which enable them to be ready for stationing and for continued formation and

## 21. Methodist Council, part 3

training in probation. It is an educational principle that students are on a path where they learn to learn, and begin to practise enabling others' learning.

- Every student is supported and challenged by a personal tutor, and all tutors are skilled in responding to the needs of individuals as well as the work of forming a learning and worshipping community.

### Academic programmes

8. Most student ministers at Queen's and a number of probationers follow a suite of awards validated by Durham University. This is known as 'Common Awards': programmes designed in conjunction with theological education institutions, with the involvement and endorsement of the Methodist Church and the Church of England, to engage theological study with mission and ministry. A small number of student ministers and probationers engage with Newman University programmes, particularly the MA in Theology and Transformative Practice, for those with particular specialist interests. For the majority, accredited programmes are an effective way of shaping rigorous and accountable learning, but in a small number of cases (six in 2017/2018) a student minister may have a more flexible, bespoke programme designed for them, which ensures that they cover a good range of disciplines and approaches and continue to engage with their formational cohort. There is also a range of mechanisms for learning support, for instance English language tuition and support for students with specific learning needs, such as dyslexia or dyspraxia. Provisions for learning support have been made for eight students this year.
9. The Common Awards programme enables student ministers to study for academic credit towards a Certificate or Diploma in Higher Education and towards a BA. There is also a range of other programmes available for those with prior learning – a Graduate Diploma, a Post Graduate Certificate, and a Post Graduate Diploma. Those who have previously studied to Diploma or degree level in theology may be able to pursue Masters programmes, either through Common Awards or through Newman University. (Post-graduate programmes are more easily accessed by those on a full-time pathway.) Most student ministers study up to Diploma level over the course of either 2 years' full-time or 3 years' part-time, and those who continue learning with Queen's as probationers have opportunities to complete a BA or a PG programme. There are currently 8 Methodist student ministers and 15 probationers on postgraduate programmes.
10. Decisions about the suitability of particular programmes are made through admissions processes with advice from the Methodist Church's Allocations Panel. There is also regular review as student ministers engage with theological study so that some may be encouraged to progress from engagement with the Certificate in Higher Education straight to a Masters programme, or from the successful

completion of a Diploma to Masters studies. Such decisions are always guided by the overarching priority of determining what constitutes the best way to prepare a person for ordained ministry.

11. Programmes at The Queen's Foundation are supported by a strong focus on research. A Director of Research oversees not only the PhD programme but also supports all staff in their continued research and scholarship. Queen's is unusual among the Churches' theological education institutions in having a strong PhD programme, with typically 30 students pursuing doctoral research at any time over the last 20 years. They are supported by Queen's staff as supervisors as well as others engaged in our research community as Honorary Research Fellows and International Research Consultants, including seven Methodist scholars. Senior Methodist Scholars, such as Professor Frances Young and Professor Clive Marsh, are involved in forming a strong research culture of seminars and public events. The PhD programme is possible because of the creative partnership with the Vrije Universiteit (VU) Amsterdam, whose theological faculty of over 30 professors and 400 PhD students is ranked 5<sup>th</sup> in the world in the latest listing.<sup>1</sup> The research culture also enables the identification and support of those with the potential to study at higher levels and develop as theological educators. Through and beyond Queen's, staff are involved with the Methodist Studies Seminar and with a range of theological societies and conferences.
12. Queen's is one of the few Alternative Providers of Higher Education among Churches' theological education institutions. This means that Queen's is subject to exactly the same academic oversight and accreditation as a university, with accreditation by the QAA and institutional oversight by the Higher Education Funding Council. The benefits of this are that Queen's is rigorous and focused about quality assurance, that it can access public funds for Disabled Students' Allowance and Student Finance (for self-funding students), and is licensed as a Trusted Sponsor for Tier 4 student visas. All of these are of direct benefit to the Church but the financial costs and administrative burdens of compliance with the regulatory framework have increased hugely over the last five years.

### Length of training

13. Since the ending of Foundation Training in 2007<sup>2</sup>, there has been a basic pattern

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1 In the QS Top Universities ranking for Theology, Divinity and Religious Studies: <https://www.topuniversities.com/university-rankings/university-subject-rankings/2018/theology-divinity-religious-studies>.

2 'Talking of God, Acting for God: Report of the Training Institutions Review Group', par.3.2.1, *Agenda of Conference*, 2007

## 21. Methodist Council, part 3

of two years' training for full-time students (effectively 21 months) and three years' training for part-time students. The Allocations Panel may allocate to a different pattern where it sees particular reason to do so, for instance to an expected three year full-time pathway for someone beginning doctoral studies as happened in recent years. The period of training can also be extended for formational reasons, including the potential for further study, where the local Oversight Committee and MCPOC deem it appropriate. This would happen after a student minister has begun their formation.

14. The Training Review Group recommended that the standard expectation for length of ministerial training should extend by one year for each of the pathways. There was a positive response to that recommendation from the Methodist Council. While that proposal could prove helpful for some students, the Ministries Committee would need time to consider all the implications of such a change. The question of whether *all* student ministers, regardless of their previous background and experience, need longer in training should be examined. There would be questions about how the extra year could most profitably be used (it is not necessarily obvious that requiring full-time students to study to degree level in that further year would be of benefit to all student ministers and to the Church). There would also be financial and other resource implications to be examined if student ministers spent longer in initial ministerial training.

### Governance and accountability

15. The Queen's Foundation prepares Methodist student ministers for initial stationing under the oversight of two (local) Oversight Committees, accountable for their work to MCPOC. 45 lay and ordained people from beyond Queen's itself are involved in this work, most as accompanists for individual student ministers. Together they examine and make recommendations on the progress of individual students and offer critical companionship and advice to the Methodist tutorial staff in the work they undertake.
16. The curriculum and learning pathways are developed to meet the learning outcomes for those at the point of stationing and ordination which are stipulated by the Church, using the framework of Common Awards, whose modules and programmes have been created by practitioners for this purpose. The pathways and programmes offered by Queen's are validated and reviewed through the Quality in Formation processes and practices which the Methodist Church is part of; through the processes agreed with the University of Durham of external examiners and annual reporting; and through the processes determined by the QAA for Higher Education Alternative Providers. Queen's institutionally is subject to Periodic Review (often called inspection) by the Quality in Formation panel (the last review was conducted in 2013 with a team of Methodist and Anglican reviewers).

17. The Foundation and the Methodist Church share a Memorandum of Understanding to define and describe their partnership, which is currently under review.
18. The Foundation is governed by a governing body of 14 people. The Methodist Council nominates two governors; the Church of England nominates two governors. The remaining governors are co-opted to provide the range of skills and experience necessary, and to maintain ecumenical balance. There are currently four Methodist governors, four Anglican governors, and three governors from other Churches (and three vacancies). The Articles of Association were amended in 2013 to ensure this strong Methodist representation, the nominating role of the Methodist Council, and to ensure that the Articles cannot be changed without the consent of the four nominated governors. The current President of Governors is a senior Methodist minister, the Revd Ken Howcroft. The Principal and Director of Methodist Formation currently report to the Network Committee and the Ministries Committee.

### **\*\*\*RESOLUTION**

#### **21/19. The Conference receives the Report.**

### **SECTION P METHODIST SCHOOLS COMMITTEE**

#### **1. Introduction**

The Methodist Schools Committee was established by Resolution 29/3 at the 2017 Methodist Conference. Its primary purposes are to ensure positive and constructive collaboration between the Methodist Academies and Schools Trust (MAST), the Methodist Independent Schools Trust (MIST), the Wesley Trust and their schools, to share resources, to encourage the development of the Methodist ethos in all our schools and to provide annually a coordinated report to the Conference through the Methodist Council on behalf of all Methodist Schools.

#### **2. Joint Working and Planned Initiatives**

- 2.1 Considerable work has been involved over many months in translating the 2012 Education Commission's call for ever closer working between Methodist Schools and the Trusts responsible for them. This culminated in the first joint report to the Conference in 2017 and has been continued since then in the following ways:

1. The Methodist Schools Committee has been established and the Council appointed the Revd Dr Roger Walton to be the Chair of the Committee.

## 21. Methodist Council, part 3

2. The Methodist Schools office has been reviewed to better serve the administrative needs of the Trusts and identify opportunities for joint working for mutual benefit.
3. A new Methodist Schools website has been launched: [www.methodistschools.org.uk](http://www.methodistschools.org.uk). This website, for the first time, brings together information, teaching resources and governance guidance for people involved directly with or interested in finding out more about Methodist Schools across the country, across age groups and across maintained and independent sectors. Various resources have been added to the website since it was launched including: Reforming Christianity (a teaching resource developed in collaboration with the Free Churches' Group) and a presentation to help people interested in or working at our schools to understand the foundation of the schools and the influence of Methodism on school ethos and values.
4. The documentary film, 'Doing All the Good We Can' shown at the 2017 Conference, is on the website together with other edits of the filming undertaken in six schools last summer to capture the life of each school and especially the views of pupils, parents and staff.
5. An Ethos Development Group has been established and is working on a number of initiatives of cross-sector relevance. In due course, the Group intends to establish a working party looking specifically at Religious Education and meeting the ambition that our schools will be centres of excellence in this curriculum area.
6. MIST has seconded one of its Heads to be the inaugural CEO of the Wesley Trust and provided seed-corn funding to support the initial costs of getting the Wesley Trust off the ground.

2.2 Although the 2012 Education Commission report established a number of goals for the development of Methodist education, it was not asked to suggest an educational strategy for the Methodist Church for the development of its schools' work. The lack of such a strategy has hampered our ability to assess the activities of the three Trusts. Therefore, the Methodist Schools Committee is willing to use its position and opportunities to draw on expertise from its schools and wider networks to lead and coordinate a project to articulate the Methodist Church's educational strategy and policy. It considers that it would be able to report to the Conference in 2020.

### 3. MAST

#### 3.1 Facts and Figures

- There are currently 66 Methodist maintained schools under the Council's oversight, educating approximately 15,000 children.

- 26 of our schools are solely Methodist and the rest held in partnership trusts, most commonly with the Church of England. All are in the primary phase.
- About a half of our schools are in the North West of England (predominantly in the Districts of Lancashire and Bolton and Rochdale), with the rest scattered across England covering, in all, 40 different Local Authorities and 18 Dioceses.
- Currently 20% children are taught in schools which have become academies in non-Methodist groups; this requires a particular kind of MAST oversight to ensure that the academy chains are honouring the schools' Methodist Trust.
- In OFSTED terms, just over 93% of Methodist schools are currently judged good or outstanding
- In the Statutory Inspections of Anglican and Methodist Schools (known as SIAMS) 97% of our schools are good or better; 58% are outstanding. Amongst church schools across the country, this is a particularly good marker.

- 3.2 In September 2017, Alan Davies succeeded the Revd Dr David Deeks as Chair of MAST. With the creation of the Wesley Trust as a separate vehicle for the academies developments, MAST has been able to refocus its work and concentrate on its primary responsibilities, as delegated to it by the Methodist Council, of securing standards and ethos across all the Methodist schools in the maintained sector. Within this, priority has been given to ensuring that the schools are visited, their health is monitored and that they are supported when they encounter periods of difficulty or transition. MAST schools have high standards of performance as a group overall, which is testimony to the quality of their work; where they have gone through periods of vulnerability, MAST can demonstrate a creditable track record of being able to support schools to improve. This is particularly important as, in most parts of the country, Local Authorities no longer support school performance.
- 3.3 A particular project for MAST this year has been the development of SIAMS, in partnership with the Church of England. This is the primary means by which the Council's responsibilities for the Christian character of its schools is secured. Although both churches have shared a strong inspection regime for a number of years, cumulative changes in education and wider society have led to the development of a deeper schedule with questions structured around wisdom, vision, hope, community and dignity. The Methodist appendix has been reworked to give schools and inspectors a richer language with which to talk about our distinctive perspective. Although schools are busy and change is always challenging, initial consultation suggests that the more reflective approach has been welcomed.
- 3.4 The issue for MAST is fundamentally one of capacity as the infrastructure is very small; giving high quality support to a small number of schools sometimes means that the range of other schools do not experience the same level of relationship with the organisation centrally - although links with the local Methodist communities are

## 21. Methodist Council, part 3

generally helpful. Since September 2017, 80% of the schools have been visited either by the Chair of MAST, the Executive Officers or the Connexional Director of Education and a number of new Headteacher appointments supported, while a handful of schools have received more in-depth support and challenge. There has also been local governor training. MAST has offered two major events to help schools prepare for the new SIAMS framework and two national MAST conferences will be taking place in July.

### 4. MIST

#### 4.1 Facts and Figures

- There are currently 22 independent schools linked in some way to MIST: Trust Schools (9), Acquired Schools (6), Associated Schools (3), Affiliated Schools (4) – a full list and details can be found on the website: [www.methodistschools.org.uk](http://www.methodistschools.org.uk)
- MIST is directly responsible as Trustees for the 9 Trust Schools and as Sole Member of the Trusts of the 6 acquired schools; the General Secretary of MIST is a Governor at the Associated Schools and one of the Affiliated Schools.
- There are over 10,000 pupils on roll in Methodist Independent Schools
- Sixteen of the schools have boarders as well as day pupils
- Four of the schools are for children of nursery and primary age only, two have pupils from 11 to 18 only and the rest offer continuity of education from 3 to 18.
- All of the schools are inspected by the Independent Schools Inspection Service (ISI) which reports to OFSTED; all such inspections in the past academic year have confirmed high standards in all the schools. Copies of independent school inspection reports are published on each school's website and at [www.isi.net](http://www.isi.net)
- Chairs of District are ex-officio Governors of any Methodist Independent Schools in their District

4.2 The Revd Dr John Barrett succeeded the Revd Dr David Deeks as Chair of the Methodist Independent Schools Trust (MIST) in September 2017. The Annual Schools Conference in April each year and the annual strategy day in September, which includes a Service of Dedication, provide opportunities for school leaders, governors and Trustees to enjoy fellowship, worship together and discuss actions required to help schools meet their challenges and rise to opportunities. Such joint events include the nine Trust Schools which are part of MIST under the new legal structure, the Acquired Schools that have joined MIST recently in order to benefit from collaboration opportunities and shared best practice, the Associated Schools, whose land and buildings are held by the same Trust deed, and the Affiliated Schools. In addition to these events, MIST has organised training and sharing days in the past year for Coordinators of G2L AIMS (Global to Local Action in Methodist Schools), Designated Safeguarding Leads and Governors, HR Managers and Heads of MIST

junior/prep schools; at the latter we were pleased to be able to welcome a number of Heads from MAST schools.

- 4.3 MIST has reviewed its governance arrangements as part of the legal structure project and has implemented a comprehensive Governance Manual setting out the delegation of responsibilities between MIST and its schools and providing definitive guidance to the schools in respect of key legislation. MIST has also extensively reviewed the Financial Procedures Manual to which all schools operate. These documents are available on the new Methodist Schools website. Responsibility is delegated to the schools in line with the Governance Manual. Each school establishes its policies, monitors compliance and takes direct responsibility for the day to day operation of the school.
- 4.4 Following the Church's publication of *Courage, Cost and Hope*, a Schools Safeguarding Review and Audit (SSRA) was undertaken by MIST in the 2016/2017 academic year by independent experts. This review led to the development of group policies which inform operational policies and procedures at school level. There is a Designated Safeguarding Trustee at MIST and there are Designated Safeguarding Leads at each school. There is very close scrutiny by School Governors and formal reporting to the Trustees via the Annual School Reports (ASR). The Trust has a safeguarding adviser available to all schools. This year, she is undertaking visits to all schools to follow up progress since the SSRA audits of 2016/2017. The Trust now runs an annual training day for Designated Safeguarding Leads and Designated Safeguarding Governors. All such initiatives have the objective of not just ensuring compliance but also of encouraging and celebrating a culture that keeps children safe and encourages their personal development in a caring and positive school community.
- 4.5 Methodist Independent Schools are determined to continue to provide an all-round education infused with a strong Christian ethos informed by their Methodist foundation in an era of political, economic and social scepticism, uncertainty and change. They are committed to doing everything within their power to increase the number of bursaries available to enable the offer of places to as wide a cross section of the community as possible, though several schools are currently working within the constraints of deficit budgets. Moreover, the possibilities of business rates relief being withdrawn from independent schools and VAT being applied to school fees threaten to make them less, rather than more, affordable.

### **5. The Wesley Trust**

- 5.1 The Wesley Trust was created in 2017 to provide a home for maintained Methodist schools to become academies: to provide support and services where Local

## 21. Methodist Council, part 3

Authorities no longer have the capacity, whilst being more closely associated with the Methodist Church. It is unusual in being accepted by the DfE as a new Multi Academy Trust with aspirations to cover the whole of the UK while encouraging its schools to maintain and develop flexible local relationships as they choose. Since its establishment it has brought together an impressive Board of Trustees with an appropriate range of skills including eminent educationalists and those with expertise in law, HR and finance both from within and independent from the Methodist Church. Its inaugural Chair is Alan Davies, who provides a useful overlap (along with a number of other Trustees) in also chairing MAST (Methodist Academies and Schools Trust).

- 5.2 A small but dynamic Executive Team has been established with expertise in the running of schools and school improvement as well as the financial and legal aspects required in establishing academies and Multi Academy Trusts.
- 5.3 The Wesley Trust was approved in principle by the National Schools Commissioner, but acquiring formal approval initially in the North West region, has taken a lot of effort and diplomacy and patience. A great deal of work has been undertaken to resolve various issues but following applications first submitted in the summer 2017, The Wesley Trust and its first two schools were finally approved by the Regional Schools Commissioner's Office (North West) in March 2018. The first two academies are Nutgrove School (St Helen's) and Rosehill Methodist School (Oldham).
- 5.4 A number of other discussions are continuing with schools in the North West who have approached us about potential academisation in the next year. A particular area of work is being undertaken with local Dioceses to find a way forward for jointly founded Anglican/Methodist Schools. Work has also progressed in other areas of the Connexion for The Wesley Trust. Meetings with governing bodies of schools have been undertaken in the South East region, particularly around Canterbury and Ashford, and in Telford, Yorkshire and Nottinghamshire.
- 5.5 Another potential opportunity for The Wesley Trust is in the creation of new schools in line with the Education Commission's recommendations to the 2012 Conference; initial discussions have taken place with Districts and Circuits in Northamptonshire and Cornwall. The Wesley Trust continues to work closely alongside MAST in order to support all the Methodist maintained schools and to provide them with the opportunity to academise if they wish.

### **6. *Our Calling* is lived out and reflected in the life and work of the Trusts and the Schools**

- 6.1 Each of the schools' groups gives serious thought to its Christian character and the living out of what it means to be a Methodist school operating in each particular

context. The joint Ethos Group oversees this, giving an opportunity for each sector to grow together: reflecting on practice, sharing, challenging and being challenged.

- 6.2 Our schools offer frequent, moving and creative opportunities for children to worship in formal and informal settings. For example, at Kent College (Canterbury), youngsters have this year experienced both the majesty of their candlelit Cathedral carol service and the creativity of Prayer Spaces in Schools workshops – enriching the schools’ spiritual life at both corporate and personal level. At Rosehill (Ashton-under-Lyne) children regularly take part in their own version of the Love Feast; the service concludes as each child receives their piece of pitta bread and a grape to think about the love of God for the world. Worship is very often described as ‘the beating heart’ of the life of our schools.
- 6.3 The fellowship of community, and the possibility of being a Christian community, is an important hallmark. This provides the context for our learning and caring. All our schools offer a liberal broad and balanced curriculum and all pride themselves on the extent to which they emphasise opportunities for rounded human development by expanding children’s horizons through co-curricular experiences. Religious Education is in a challenged state in many English schools but we aim for Methodist Schools to be beacons of good practice and this is an identified area for future development. The new Methodist Schools website hosts the Reforming Christianity resource as well as the digitised and updated version of the Methodist teaching resources, first published in 2012 but now available to download free of charge. There are additional resources for world citizenship education, particular links with All We Can, and opportunities for teachers to share ideas across the full curriculum. The website is also home to a range of bespoke worship resources and helpful links. Both MIST and MAST offer a fellowship for all those involved in the leadership of Methodist Schools; in MAST this is an area under greater development but is an established part of belonging to the MIST family. MIST’s April conference this year shared this fellowship with several leaders of Methodist schools from across the world and the annual MIST Chaplains’ Conference is a further annual opportunity to reflect with colleagues within and beyond the group.
- 6.4 Service is a strength of all our schools and one which is widely valued, regardless of individual faith conviction. Our schools have strong relationships with local charities as well as creating a global perspective through links with All We Can, Edukid, JPIT and Christian Aid particularly. Within MIST, G2L AIMS (‘Global to Local’ Action in Methodist Schools) is now building on the work of World AIMS and giving schools opportunity to maximise local contacts and staff special interests as a recognised part of their service and outreach. The new SIAMS inspection schedule requires that schools do not just collect money for charity but that they also challenge children to ‘courageous advocacy’ through opposing injustice. We are making new links with the

## 21. Methodist Council, part 3

work of Action for Children and at least two of our MIST schools have given places to refugee children from Syria, in both cases through links with the activities of local Methodist churches and/or charities.

- 6.5 Our schools do not proselytise and are non-confessional. Nevertheless, they are chosen by families often because of their Christian foundation and their deliberate focus on values and rounded human development. With around 25,000 children and 5,000 staff and through them, a relationship with families and the wider school community, it is reasonable to assume a reach of our schools of about 100,000 people, week in, week out. Some people say, 'For us, this is our church'; through international boarding, the influence of this 'church' spreads more widely than might be imagined. Although our schools are not the setting for evangelism in its narrow sense, they are informed by the Christian narrative which is supported by the increasing emphasis on ethos in both MAST and MIST. The schools create almost 90 Methodist communities through which Christian human values and an awareness of the gospel perspective infuse the lives of children and adults and reaches out, through them, into local communities.

### \*\*\*RESOLUTIONS

**21/20. The Conference receives the Report.**

**21/21. The Conference directs the Methodist Schools Committee to develop a schools' educational strategy for the Church, reporting to the Conference in 2020.**

### SECTION Q

#### EQUALITY, DIVERSITY AND INCLUSION COMMITTEE - STANDING ORDER CHANGES

##### 1.0 Background

- 1.1 Since 2015, the Equality, Diversity and Inclusion (EDI) Committee has had the responsibility for making nominations to the Council for persons to fulfil SO 102(1)(i)(g) and 210(1)(ix) and analysing and monitoring the impact of both these Standing Orders. The 2017 Conference affirmed the EDI Committee's recommendation to amend SO 102(1)(i)(g) as follows:

*Six persons representing the concerns of racial justice-equality, diversity and inclusion, at least two of whom shall represent the concerns of racial justice and at least two of whom shall be under the age of 26 at the date fixed for the commencement of the Conference.*

1.2 SO 210(1)(ix) is the equivalent SO for the Council and currently reads:

two representatives, not being members of the Connexional Team, representing the concerns of racial justice;

### 2.0 Considerations

2.1 The rationale for amending SO 210(1)(ix) is the same as that for the amendment to SO 102(1)(i)(g). Though not formally designated as such, the appointment of two persons representing the concerns of racial justice could be seen as a 'positive action' initiative under the Equality Act 2010. In practice, apart from since 2016, only individuals who are Black, Asian and Minority Ethnic (BAME) have served in these roles and their presence has helped to ensure the diversity of the representatives at the Methodist Council.

2.2 At the time of its inception this may have been seen as a good start in beginning to tackle the thorny issue of diversity and inclusion at the Methodist Council. However, the EDI Committee now believes that this sole focus on ethnicity skews the ethnicity data for the Methodist Council hiding the challenges it faces with regard to inclusivity.

2.3 In reaching its conclusion the EDI Committee considered the following information: apart from since the 2016 Council, over the past twelve years most of those representing the concerns of racial justice at the Methodist Council came from the same pool of people. So to some extent if this was a positive action initiative then the impact for BAME individuals has been limited. Also, the focus on racial justice as a connexional process may have inadvertently hindered some Districts from identifying BAME individuals through the process for nominated district representatives.

2.4 The EDI Committee concludes that rather than the current focus on targeting single protected characteristics, the focus needs to shift to the wider question of; what needs to change so that the Methodist Council becomes diverse and inclusive and hence truly representative of the Church's composition? The EDI Committee will continue to support the Methodist Council in progressing this.

2.5 SO 417/(2), which pertains to the district representatives to the Conference reads as follows:

Subject to clause (2B) below the election shall be made by the Synod by ballot vote after nomination. In electing such representatives members of the Synod shall have regard for the composition of the membership of the District as a whole with regard to age, sex and ethnic origin.

## 21. Methodist Council, part 3

The EDI Committee recommends that the SO relating to the Council is brought into line with this and that a similar amendment should be made to SO 210(1)(iv) and (2)(a) to encourage Districts to have regard to age, sex and ethnic origin when nominating representatives to the Council.

- 2.6 In recommending these amendments, the EDI Committee is signalling that the issue of diversity and inclusion at the Council is a mainstream issue rather than an issue that is only pertinent for protected groups.

### \*\*\*RESOLUTIONS

#### **21/22. The Conference receives the Report.**

#### **21/23. The Conference amends Standing Order 210(1)(iv) as follows:**

one representative of each home District, being either a lay person or a minister (other than a district Chair), ~~appointed~~ **nominated** in accordance with clause (2)(a) below;

#### **21/24. The Conference amends Standing Order 210(1)(ix) as follows:**

two representatives, not being members of the Connexional Team, representing the concerns of ~~racial justice~~ **equality, diversity and inclusion;**

#### **21/25. The Conference amends Standing Order 210(2)(a) as follows:**

The persons appointed under head (iv) of clause (1) above shall be nominated by their respective Synods for a period of four years, **having regard to age, sex and ethnic origin, and** being in each case a person who would be entitled under Standing Order 417(1) to be a representative of that District to the Conference...

### **SECTION R**

#### **THE UNFINISHED AGENDA**

The 2017 Conference received a report from the Council on 'The Unfinished Agenda – Racial Justice and Inclusion in the Methodist Church'. The Conference directed the Council to request the Equality, Diversity and Inclusion (EDI) Committee to consult with the Belonging Together Ministers' Group, the Fellowships Sub-Committee of the Ministries Committee and the World Church Relationships office in order to develop and implement measurable and time-bound plans that will increase participation and inclusion, and to report to the 2018 Conference on how the plans are progressing (Resolution 27/9(b), Daily Record 6/12/1).

The Council received a report from the EDI Committee, and heard that it has met and reflected on this. Unfortunately, the work has been delayed, partly due to the post of EDI Adviser being vacant for a number of months (due to staff changes in the Connexional Team

as well as a concern to ensure that the role had been properly reviewed and reflected on before it was advertised).

The Council is aware that these issues need to be addressed in dialogue with other areas of ongoing work, such as the work to develop a connexional vocations and ministry strategy and the work arising from the Larger than Circuit process in respect of development of a programme of identification, encouragement and mentoring for potential candidates for appointment as a District Chair, bearing in mind the need to increase gender and ethnic diversity among the District Chairs. It is also noted that there are helpful resources produced by other Churches and Conferences, which could be adapted.

The committee identified some key questions for consideration in a wider context, including:

- What might we reasonably believe to be God's design in bringing together in the Methodist Church in Britain today preachers and members of such diverse cultural and ethnic backgrounds?
- What might prevent people from diverse backgrounds from exercising leadership through engagement with the Church's committees and governance structures?
- What can be learned from examples of good practice in the life of the Church with regard to inclusion and participation (eg 3Generate)?

The committee proposes to hold a symposium in the 2018/2019 connexional year to consider these questions. The symposium should include representation from the Belonging Together Ministers' Group, the Fellowships Sub-Committee of the Ministries Committee and 3Generate.

The Council will receive details of the symposium in October 2018. A report from the symposium, with any resulting proposals to increase participation and inclusion within the life of the Methodist Church, will be brought to a subsequent meeting of the Council.

### **\*\*\*RESOLUTION**

#### **21/26. The Conference receives the Report.**

### **SECTION S REVIEW OF THE SAFEGUARDING COMMITTEE**

#### **1.0 Introduction**

- 1.1 Further to the report of the Past Cases Review (*Courage, Cost and Hope*, 2015), the Past Cases Review Implementation Group advised the Council and the Conference

## 21. Methodist Council, part 3

in matters relating to the implementation of the recommendations made by the Review. The 2017 Conference directed the Council to review the terms of reference and membership of the Safeguarding Committee with the aim of ensuring that the Committee is best placed to support the ongoing work of ensuring a safer Church for all. (Resolution 22/3, 2017 Conference)

This followed up on one of the concluding paragraphs in the report of the Past Cases Review Implementation Group that suggested that, as the work of the Implementation Group was concluded, the Safeguarding Committee should be charged with monitoring progress:

*The Implementation Group suggests that the Safeguarding Committee should now be the body charged with monitoring the progress made by the senior leadership of the Church in enabling the contribution of the whole Church to making us a safer space. The Implementation Group suggests that at this point of transition and development in the task of safeguarding, it would be helpful to review the terms of reference and the current membership of the Safeguarding Committee; to ensure it is best placed to take up this role of thinking strategically and proactively about our safeguarding practice and upholding our commitment to continue to listen and learn as a Church. (paragraph 3.2, report 22 to the 2017 Conference)*

### **2.0 The Safeguarding Committee**

2.1 The Safeguarding Committee was formerly the Safeguarding Advisory Panel and, after a review, was renamed with amended terms of reference in 2015.

2.2 Standing Order 232 sets out the role and responsibilities of the Committee.

### **3.0 The Review**

3.1 The current Safeguarding Committee gives directions and offers guidance in situations relating to safeguarding concerns and procedures (SO 236) and risk assessments (SO 237).

3.2 The Committee has conducted a review, taking into account the recommendations of the Past Cases Review and the work of the Implementation Group. The Committee has identified a need to include a clearer focus on advocacy and to become more proactive, enabling strategic thinking to take place. The membership of the Committee will need to develop in order to accommodate this new focus.

3.3 The Committee proposes that the following terms of reference are added to the existing ones, in order to fulfil the gaps which have been identified in the Committee's terms of reference:

1. To address the strategic direction of safeguarding within the Church with a focus on promoting effective safeguarding practice and upholding a commitment to continue to listen and learn as a Church.
2. To oversee effective safe recruitment and implementation of safer space training programmes.
3. To identify any further work that should be undertaken in relation to the recommendations from the Past Cases Review.
4. To develop relationships with statutory agencies to further understanding and joint working in respect of safeguarding matters.
5. To continue to develop effective working relationships with sister Churches in order to work together where practicable.
6. To make recommendations to the Methodist Council on any matters relevant to achieving the above.

### **4.0 Membership of the Committee**

- 4.1 The current membership of the Safeguarding Committee comprises a chair and up to eighteen other persons, including:
  - (i) at least ten people with experience in safeguarding matters and the consideration of disclosures, and
  - (ii) at least five people who, by virtue of seniority, experience or office held, will in the judgment of the Council command wide respect.
- 4.2 Those who serve on the Committee under head (ii) are usually former District Chairs, Presidents or Vice-Presidents, and those who serve under head (i) are members of the Methodist Church who have a professional knowledge or experience of safeguarding matters.
- 4.3 It is proposed that the Committee's membership should be broadened to take account of a wider focus in safeguarding work, particularly in the area of vulnerable adults and to provide an independent voice from the professional world of safeguarding.
- 4.4 The proposals are summarised as follows:
  1. 'Senior persons' will have similar criteria as for the Committee's chair (as set

## 21. Methodist Council, part 3

out below). They will be members of the Methodist Church and understand its operations and processes.

2. There will be a six-year term of office for committee members.
3. When the Committee is at full strength there will be enough members to operate safeguarding panels across the year (made up of a minimum of three members).
4. The age balance in the committee membership will be borne in mind when appointing new members.
5. Greater scrutiny into the work of the Committee will be provided by two advisory persons from external bodies (ie Action for Children and Methodist Homes) to assist the committee in ensuring greater quality assurance in its work and ensure consistency in standards. These persons will not be members of the Committee.
6. A small advisory group of six persons from external bodies will meet twice a year, to assist the Methodist Church in assessing its safeguarding work.

4.5 It is proposed that the appointment process mirrors that for the Committee Chair (as set out in section 5 below).

### 5.0 The Chair of the Committee

5.1 The following are the main criteria required of the chair:

- In-depth knowledge, professionalism and confidence in dealing with people within the church
- Awareness of the strategy of the wider Church
- Quality of leadership and experience in chairing committees
- Confidence in relating to the different church bodies
- Experience across church processes, especially in relation to stationing
- Experience of pastoral supervision and use of external supervision
- Ability to present the Committee's Report to the Methodist Council and the Conference
- Willingness to attend the Methodist Council when requested
- Experience of committees, and with leverage in Methodism
- Ability to inspire confidence from the secretariat and the Safeguarding Committee
- Ability to work flexibly with a commitment to average 4/5 days per month
- Experience of media exposure

5.2 It is hoped that the Chair will have had some prior experience of the Committee, and that the term of office of the chair is four years. It is proposed that the Chair should work with a deputy chair and that the Chair and Deputy Chair should share the chairing of appeal panels.

**\*\*\*RESOLUTIONS**

**21/27. The Conference receives the Report.**

**21/28. The Conference amends Standing Order 232 as follows:**

**232 Safeguarding Committee.**

(1) The Methodist Council shall annually appoint a **Safeguarding c**Committee of persons consisting of:-

- (i) **a chair who shall be appointed for four years;** and up to eighteen other persons, to be known as the Safeguarding Committee, with the functions set out in clause (2) below. The members of the committee shall all be members of the Methodist Church and shall include:
- (i) **up to 18 people who shall be appointed for six years who shall include** at least ten persons having **with relevant** experience in safeguarding matters and the consideration of disclosures, and (ii) at least five persons who, by virtue of seniority, **their relevant** experience or office held, will in the judgment of the council command wide respect.

**(1Ai) The safeguarding officer and such other persons as deemed appropriate by the committee shall be able to attend as advisers and shall not be voting members.**

.....

(2) The functions of the Safeguarding Committee shall be:

(i) to (v) [no change]

.....

**(vi) to promote effective safeguarding practice and safe recruitment across the connexion;**

**(vii) to make recommendations to the Methodist Council in response to developments in safeguarding practice and to concerns raised by the Committee in fulfilling its functions;**

**(viii) to ensure the sharing of information and close working relationships with statutory authorities and other denominations.**

**SECTION T  
REPLACEMENT PROJECTS - INVESTMENT PROPERTY**

1. The Council noted that the levy on proceeds of sale is not currently payable on "land held as an investment" as defined by SO 908.

## 21. Methodist Council, part 3

908 Interpretation – Investment Property. In this Part 'land held as an investment' means land which is church property but which either is let or for other reasons is not used for any of the purposes specified in heads (b) to (m) of paragraph 13 of the Model Trusts (in this Part called 'Methodist trust purposes') and which in either event has not at any time while it has been church property been used for Methodist trust purposes.

2. In practice it is very rare for any property owned by a Methodist body on the Model Trusts to have not been used for some purpose of the Model Trusts at some point in its history. Whilst it is possible that some managing trustees will have purchased property purely to provide an income the majority of applications for the exemption from the levy for investment property is church buildings or land that have been converted to provide an income eg shops built underneath.
3. The investment property or land is still held on the Model Trusts, the managing trustees are still part of the Connexion and the income from the property is being used for the purposes of the Methodist Church. It is not clear why property that has been purchased for or converted in order to provide income for the Local Church, Circuit or District should be exempt from the levy. Consideration of this point does not appear to have been explored within any report to the Conference previously.
4. The narrow definition of investment property causes a great deal of confusion and frustration for managing trustees who think their property is clearly investment property but will often not meet the definition of SO 908. The definition of "land held as an investment" only provides a definition for the purposes of seeking an exemption from the levy, there is no other reference to it within Standing Orders. Given the frustration this causes and the lack of a clear reason as to why property that has been purchased as an investment should be excluded from the levy, the Council recommends that this exemption is removed and that SO 908 is revoked.

### Standing Order Amendment

5. Standing Order 973 states that where replacement projects are classified, there shall be no levy paid (or it will only be paid on the surplus). However, the Standing Order makes no reference to the Council adopting criteria for replacement projects which has now been the policy for a number of years. It is suggested that reference to the Council adopting a policy would be helpful to managing trustees. The following SO amendment is therefore proposed.

#### **973 Replacement Projects**

.....

***(1A) The Methodist Council shall adopt criteria for the classification of replacement projects.***

### **\*\*\*RESOLUTIONS**

**21/29. The Conference receives the Report.**

**21/30. The Conference revokes SO 908.**

**21/31. The Conference amends SO 973 as set out above.**

### **SECTION U**

#### **LEGAL AND PROPERTY SUPPORT FOR MANAGING TRUSTEES**

The Council received a report from the working party which, in response to Memorials 26-29 of the 2016 Conference, has considered the way in which the provision of legal and property support for managing trustees could be improved.

The Council and the Board of TMCP accepted the recommendations of the working party and the Council therefore directed the Strategy and Resources Committee and invited the Executive of the Board of the Trustees for Methodist Church Purposes to oversee their implementation as soon as possible. The full report of the working party is attached below as Appendix 1.

In considering this matter, and noting the urgency of it, the Council wished to ask the Conference to express its thanks to all those who carry the weighty responsibility, in Local Churches, Circuits and Districts, of managing trusteeship of our properties, as well as those who support them in the Connexional Team and TMCP.

### **\*\*\*RESOLUTION**

**21/32. The Conference receives the Report.**

#### **APPENDIX 1**

##### **Legal and Property Support for Managing Trustees Working Party: report to the Council**

###### **1.0 Introduction**

1.1 The 2016 Conference received four memorials (M26 – M29) relating to the work

## 21. Methodist Council, part 3

of the Trustees for Methodist Church Purposes (TMCP) and the level of support and advice available to managing trustees (see Appendix I). In response, and recognising the need to be faithful in the use of the resources of the whole Connexion, the Conference directed the Methodist Council and invited the Board of TMCP to appoint a joint working party to:

- (a) Clarify the extent of the application of SO 931(3) and the role and responsibility of the custodian trustee under the Methodist Church Act 1939 and charity law.
- (b) Clarify the need for SO 931(3) in its current form and where appropriate suggest amendments.
- (c) Assess what steps are necessary to ensure that the Connexional Team has available to it an appropriate level of resource so as to fulfil the terms of SO 931(3).
- (d) Clarify the requirements placed upon Managing Trustees in respect of disposals and contracts and identify ways to speed up transactions, taking into account the views of the Law and Polity Committee on the role of the custodian.
- (e) Clarify and define respective areas of responsibility so as to resource the mission and ministry of the whole Connexion most effectively.
- (f) Establish a full review of the needs of Managing Trustees in terms of property and legal advice and consider the benefit of professional legal services being provided by the Connexional Team.

- 1.2 The working party consists of Mrs Susan R Howdle (Chair, appointed by the Conference), Mr Graham Danbury (appointed by the Board of TMCP), the Revd Jennifer M Dyer (appointed by the Council), the Revd Richard W Oldroyd (appointed by the Council) and Mr G Alan Pimlott (appointed by the Board of TMCP).
- 1.3 The working party has met 11 times, once residentially. It was keenly aware of the need to consult widely in order to build an accurate picture of the support needs of managing trustees in Local Churches and Circuits across the Connexion. The working party met with a sample of District Property Secretaries (DPSSs), the Chair of the Board of TMCP, the TMCP Executive, members of TMCP staff, members of the Connexional Team and officers of the Conference and a number of ecumenical partners. It also consulted electronically with all DPSSs and District Chairs.
- 1.4 The working party has also sought to take into account the views and issues raised by memorials to the 2016 Conference (see Appendix I) and previous Conferences. With regard specifically to experiences of working with TMCP, the working party undertook a consultation with DPSSs and it also approached a number of solicitors who were suggested by Superintendents as having experience of working with TMCP. The working party chose to undertake focused consultation rather than inviting general

comment, in order to ensure a balance of views based on recent experience although where, in a few instances, managing trustees chose to make contact with the working party their views were taken into consideration. The results of this consultation exercise are detailed in Section 6.

- 1.5 In addition, the working party contacted a sample of District Chairs to gather information about legal costs currently being incurred by managing trustees (with a view to ensuring that any proposed alternative model offers better value for money). However, for a variety of reasons (including the range of ways in which such information is held) this consultation did not produce sufficient helpful data.
- 1.6 The working party has approached its task in light of its understanding that the work of managing trustees is a vital element of the mission of the Methodist Church. The triennial statistical returns considered by the 2017 Conference highlight some of the challenges facing the Methodist Church in Britain today and they form part of the context for this report. These challenges include a declining number of members; church properties that are old, underused and in a poor state of repair; and the difficulty of finding suitable volunteers for committees and stewardship roles. In response to these challenges and the promptings of the Spirit, the Methodist Council has chosen to reaffirm *Our Calling* as the primary strategic driver for the whole Church. In seeking to ensure that all areas of the Church's life are aligned with this aim, it is recognised that "the life, witness, service and wellbeing of the Methodist Church is experienced and made a reality at the level of Circuits and Districts" (MC/18/1, A7). The working party hopes that its recommendations will enable managing trustees in Local Churches, Circuits and Districts across the Connexion to live out our common calling to serve the present age through the use of the Church's resources.

### **2.0 History**

- 2.1 Because of the issues raised by some of the memorials to the 2016 Conference and previous Conferences, it is important to offer at the outset an outline of the complex history of the development of TMCP and its legal and operational links to the Church, before exploring the current landscape and the challenges which it offers.

The history of TMCP

- 2.2 From the early days of Methodism, as societies were established and preaching places built, it was necessary to safeguard their use for Methodist purposes. The appropriate legal mechanism was to settle them upon trust, and ever since then – in common with many other charities – the legal structure upon which property is held for Methodist purposes is by means of trusts. However, the form in which this has

## 21. Methodist Council, part 3

been expressed has evolved gradually over the years.

- 2.3 The chapels themselves (in each of the various branches of Methodism up to 1932) were generally held upon what became known as Model Deeds which regulated such matters as the appointment of trustees and the doctrines to be preached there. However, there were often moneys given for all sorts of other charitable purposes connected with Methodism, at whatever level, which could be lost inadvertently by the death of original trustees, or squandered because there were not people who were capable of giving the appropriate amount of time and care to carrying out those charitable purposes. (That was not a problem unique to the Church.)
- 2.4 In 1863, therefore, the Wesleyan Methodist Conference resolved to create the Board of Trustees for Wesleyan Methodist Church Purposes, who would be a group of trustees to be appointed by and to report to the Conference, so providing the necessary continuity and skills to ensure that the particular trust's purposes were properly and effectively carried out. It was entirely a matter of choice for the creator of the trust whether to use this machinery or not. But there was no provision at that stage that the most important church assets – the title to the local chapel (or circuit property) itself and any associated funds – should be held by the Board. They continued to be held by the trustees locally. In 1911, the Board became registered as a corporation, enabling it to hold property in its own name so providing for its own continuity of title without having to renew the trust periodically, and allowing the use of a common seal for the execution of documents.
- 2.5 Meanwhile, in 1914, following the creation of the United Methodist Church, that church set up a similar body, the Trustees for United Methodist Church Purposes, which was duly incorporated in 1915. There was no equivalent Primitive Methodist body.
- 2.6 The next significant milestone came as a result of Methodist Union in 1932. Further legislation to embody the post-Union position as to the respective Boards was thought necessary, and so the Methodist Church Act 1939 was enacted.
- 2.7 The Methodist Church Act 1939 is of great significance because its provisions still apply and it is generally only able to be amended by resort to Parliament. (Although it, like other legislation such as the Methodist Church Act 1976, below, is a private Act of Parliament, it would still require the appropriate parliamentary process to be followed.) The Act amalgamated the two (Wesleyan and United Methodist) Boards into the newly created corporate body, the Board of Trustees for Methodist Church Purposes (TMCP), still to be based in Manchester as the Wesleyan Board had been since its inception. Importantly, it also enabled the Board to exercise powers given to custodian trustees by the Public Trustee Act 1906, enabling a split between holding

the title to trust property and the management of it. (This will be explored further below.)

- 2.8 Although there was still no general requirement for local trustees to avail themselves of the services of the Board, there was a pattern of their doing so in increasing numbers in relation to their funds. However, so far as holding the legal title to the property itself, that still remained with the trustees locally.
- 2.9 The most significant change therefore came with the provision in the Methodist Church Act 1976 by which the legal title to all Methodist trust property held on the previous Model Deeds (now to be replaced by the Model Trusts) and also the title to certain other specified Methodist properties was automatically vested in TMCP as custodian trustee, to hold on behalf of the relevant managing trustees. The managing trustees are, in relation to local church and circuit property respectively, the Church Council and the Circuit Meeting. (This division of custodian and managing trusteeship applies also to property held for district and wider connexional purposes, but this report focuses principally on the local and circuit situation, as that is where the principal issues of concern have been raised.)
- 2.10 One main impetus behind this change, and the one most relevant to this report, was to simplify the situation as to property holding. First, it provided for ease of dealing with the legal title where property was acquired or sold, as this could be done under the seal of the Board of TMCP rather than requiring the signatures of a long list of local/circuit trustees (and indeed it permitted the "transfer" of property within Methodism eg between Local Church and Circuit without the need for a formal conveyance at all); and secondly, no longer did the local or circuit trust have to be legally renewed as a whole periodically as people died or became unable or unwilling to act, because the managing trustees were simply to be defined by reference to their membership of a meeting. This relates to another main impetus behind the change: the trust system had been criticised for the 'dual control' of the Local Church by the trustees' and the leaders' meetings and this was now replaced by a unified body (the Church Council) which has authority and oversight over the whole of the church's life.

### **3.0 Current structure**

TMCP's legal status today

- 3.1 TMCP is therefore the custodian trustee by virtue of the 1976 Act of almost all Methodist land, and also of model trust moneys as required by Standing Orders (eg proceeds of sale, money raised for the development of property and legacies of a general nature). It should be remembered that this applies to property other than that in the Isle of Man and the Channel Islands, where there is indeed custodian

## 21. Methodist Council, part 3

trusteeship but it is exercised by boards which are separately created under the relevant jurisdictions of those territories, not by TMCP.

- 3.2 There are other properties and funds over which TMCP also exercises custodian trustee functions not because this was required by the 1976 Act but because those creating the particular trust have so determined (eg Westminster College Oxford Trust Ltd).
- 3.3 Besides having the custodian trusteeship function, TMCP continues, as from its origins, to be the trustee of a number of other more specific trusts, by the choice of those who created the trust. In these instances this property is generally held by the Board not simply as a custodian trustee, but as a 'full' trustee with all the powers and discretions accorded to trustees in the exercise of their duties under the general rules of trust law (eg the Osborne Trusts for the maintenance and building of chapels in the historic county of Essex). In recent years, the Board's policy has been to devolve decision-making where possible to the relevant Districts for decisions on grant-making in the context of the District's mission strategy, and for discretionary grants to persons in need to relevant District Chairs. Some of its funds from these trusts have also been freed up for use in funding feasibility studies for projects in conjunction with the Property Development Committee (see 4.2 below).
- 3.4 Finally, because TMCP has 'corporate' status, it has been found 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. One example of this can be seen generally on Methodist connexional publications (such as the back cover of the Conference Agenda), where the copyright is stated to be held by TMCP, although in practice actual permission to reproduce from such publications has been delegated to the Methodist Council. TMCP is also currently the data controller for most data held in the Connexion for the purposes of data protection legislation.
- 3.5 The scale of TMCP's activity today can be seen from its annual reports to the Conference. Thus, for the year ended 31 August 2016, it reported in 2017 that its custodian trusteeship extended to upwards of 5,000 properties held on the Model Trusts, and to funds held in 6,696 separate trusts (to the value of over £340 million). In addition it held approximately £5.5 million of funds of which it was 'full' trustee. More recent information can be found in the latest TMCP report elsewhere in the Conference Agenda.
- 3.6 The funding model for TMCP has several main income streams. Working on the figures for the year ended August 2017: first, some funding comes from TMCP's own investment income (£52,670). Then, in recognition of the work that is done on behalf of the Connexional Team under SO 931(3) as explained below (3.31), a contribution is made from the Methodist Church Fund which reflects 35% of the salary costs of

the legal team at TMCP (£163,845). The largest source of income (£682,559) is the management charge which is levied upon all the funds which are held by TMCP as custodian trustee on behalf of managing trustees – this is a charge of 0.2%.

- 3.7 After taking into account recognised gains on investments the result was a net deficit of £117,243. There has been a net deficit in most of the recent years, and the Board's policy has been to cover this by the transfer of up to £130,000 per annum from reserves. This reflects the Board's policy of adopting a deficit budget in view of the fact that there are funds held over and above the agreed reserves level.

What is the relationship of TMCP to the Conference?

- 3.8 TMCP as a corporate body is a separate entity, distinct from the Methodist Church, and is responsible for its own actions. The Board, although reporting annually to the Conference, is not directly answerable to it. However, all members of the Board must be members of the Methodist Church, and the Conference has various powers under the 1939 Act (eg to change the body's name), and in particular it appoints the members of the Board.
- 3.9 Normally these vacancies are filled on the nomination of the remaining Board members, but there are powers for the Conference to appoint additional members. However the basic requirement is that there shall be equal numbers of ministers and lay people, and the minimum number of Board members is six. The Conference has currently set the total number of members at 16.
- 3.10 Once appointed a person continues to be a member of the Board unless any of the conditions set out in section 5 of the 1939 Act occurs. These are if a member shall:
- die
  - become bankrupt
  - make an assignment for the benefit of his or her creditors
  - refuse or be unfit to act or be incapable of acting as a member of the Board
  - reside for twelve months outside of the United Kingdom
  - cease to be a member of the Methodist Church
  - by notice in writing sent or delivered to the Secretary of the Conference state his or her desire to resign from the Board

Although appointments are therefore theoretically for life, a policy of voluntary phased retirements from the Board has been in effect for a number of years and is readily and consistently adhered to. In accordance with its regular governance review, skills shortages are identified on the basis of a skills audit, and recruitment is via advertisement and interview.

## 21. Methodist Council, part 3

What does it mean to be a custodian trustee?

- 3.11 As explained above, TMCP has power under the 1939 Act to act as custodian trustee, and by virtue of the 1976 Act is actually the custodian trustee of almost all Methodist land and of model trust moneys (see 3.1).
- 3.12 Custodian trusteeship is not a concept invented by the Church, but is a means of dealing with property which originates in the Public Trustee Act 1906. Section 10 of the Methodist Church Act 1939 enabled the Board of TMCP to hold property as a custodian trustee, and enacted that section 4(2) of the Public Trustee Act 1906, which provides for the respective roles of the managing trustees and the custodian where property is held by a custodian trustee, should apply here. The relevant provisions of s. 4(2) may be summarised as follows:
- i. Management, and the exercise of all powers and discretions under the trust, are matters for the managing trustees (s.4(2)(b));
  - ii. The custodian trustee must concur in and perform all acts necessary to enable the managing trustees to carry out their role under (i) above unless that would involve the custodian in a breach of trust or personal liability (s.4(2)(d));
  - iii. All receipts or payments of trust money are to be made to or by the custodian trustee, except that the custodian may allow the managing trustees to receive and spend income (s.4(2)(e)). [At the date when model trust property vested in TMCP under the 1976 Act, TMCP exercised this power so as to permit and direct that future income should be received by the managing trustees.]

Section 4(2)(b) and (d) are therefore the key provisions for the purposes of this report.

### 3.13 Local and circuit property and the connexional context

Having explored the development of TMCP, this report now turns to the other strand of development. From the very beginnings, local and circuit property activity has been seen as an aspect of being 'in connexion' with the wider life of the Connexion – hence the reference to the 'Model' provisions upon which trusts for chapels were to be established, in 2.3 above.

- 3.14 Books can be (and have been!) written about the various ways in which this connexional principle has been expressed in the area of property holding and use, so this account merely draws brief attention to the earlier period, before focusing more particularly on recent developments which can be seen as having a direct bearing on the issues addressed in this report.

- 3.15 It was during the nineteenth century that each of the various strands of Methodism identified the need for some form of connexional 'Chapel Committee' and 'General Chapel Fund' to deal with 'Chapel Affairs.' It would seem that a main driving force behind this was the increasing incidence of debts incurred by local trustees in becoming involved in ambitious building schemes, often beyond their means. The requirements for local trustees to comply with a wide range of Conference resolutions and to seek approval for many property schemes (eg structural alterations, property developments, acquisitions and sales) meant that the functions of the respective connexional committees and their officers became of increasing significance.
- 3.16 In 1932, these various activities relating to Chapel Affairs came together under the aegis of the now united Chapel Committee, based in Manchester, and that connexional function continued under various names (eg the Department for Chapel Affairs, the Property Division). Besides the required oversight of various transactions, there was increasingly also a focus on offering support and guidance on a wide range of property matters to people having local and circuit responsibilities.
- 3.17 The general connexional restructuring of the 1990s resulted in the staff then working in the Property Division (either employed by the board of that division or, in the case of ministers, stationed by the Conference as Secretaries) becoming part of the now unified Connexional Team under the aegis of the Methodist Council and its Property Committee, with effect from 1996. They continued to be located in Manchester, and soon that part of the Connexional Team's functions became known as the Resourcing Mission Office (RMO). This was to express the understanding that property oversight (whilst still vital) was one aspect of a broader concern for enabling the Methodist Church to use its resources for mission – people, money and buildings – in a coordinated way. So, for example, there was the bringing together of the handling of applications for grants for property and personnel, and the offering of resources to encourage Local Churches to review and develop their church life and engagement in mission activity.
- 3.18 Finally, in the 'Team Focus' process more radical steps were taken. The Conference in 2011 (having the previous year referred the matter back for further consideration) agreed to the proposal that the RMO based in Manchester should come to an end. It was said that to delineate one particular area of the Team's activity as resourcing the mission of the Church did not reflect the centrality of mission in all aspects of the Team's work.
- 3.19 More pragmatically, it was also prompted by another significant development. This report refers above to the wide range of activity by local and circuit trustee bodies which required approval of their schemes by those exercising connexional property responsibilities. In 2009, the responsibility for giving final consent for projects to

## 21. Methodist Council, part 3

proceed was largely devolved to the Districts, thus reducing the level of connexional involvement. The objective was to enable these decisions to be taken by those nearer to the area concerned, with better local knowledge and a sense of how any such project fitted in to the mission strategy of the District. This led to a far greater workload and responsibility upon the District Property Secretary (DPS), in signifying consent on behalf of the District. It was accompanied by the introduction of the interactive consents website, so that the processes for applying for and receiving district consent were all required to be carried out online.

- 3.20 The intention, so far as staffing was concerned, was to retain in Manchester the continuing property-related Connexional Team work said to be most closely related to that of TMCP (principally, the functions related to Conservation and Listed Buildings, and administration of the files and records retained in Manchester), whilst other property functions would be carried out by Connexional Team staff in London, within the Support Services Cluster. It was anticipated that a new post of Connexional Property Coordinator would facilitate the exchange of information and best practice, and offer some support to DPSs in their now very significant responsibility, as well as playing a part in the oversight of the various connexional properties. Other aspects of what was previously dealt with in Manchester would be integrated into the staffing structures at Methodist Church House, such as dealing with the whole area of grant-making.
- 3.21 As events have turned out, the level of property-related staffing which has been provided at Methodist Church House has been very low, and in terms of employees is limited currently to the Facilities and Property Coordinator. Attempts to make any further appointments having been largely unsuccessful, use has been made of some part-time consultancy.

The relationship between connexional staff and TMCP

- 3.22 Although the above account deals with the developments of TMCP and the connexional property functions separately, it is important to stress that from the outset there was a close relationship between the two. For many years, those who were appointed by the Conference to hold connexional office as Secretaries were always members of the Board of TMCP.
- 3.23 Furthermore, for many years, Standing Orders provided that the relevant connexional property body, eg the board of the Property Division, was required to provide any administrative services required by TMCP. In effect that meant that the staff of TMCP were employed by (or in the case of ministers, their stipends were the responsibility of) the Property Division, to perform the functions of TMCP. In the restructuring of the 1990s, as mentioned above, the responsibility for their employment (along with that for all the other divisions) transferred to the Methodist Council.

- 3.24 However, renewed emphasis on the legal responsibility of trustee boards generally to ensure proper oversight of the activities of the organisation and its staffing led to an agreement with the Methodist Council for a transfer of undertaking in 1999, so that the staff employed on TMCP work, for which the TMCP Board was ultimately legally responsible, were to be employed henceforth by TMCP itself, and that is the current position.
- 3.25 Besides the directly property-related functions of connexional staff, however, it is important to stress the major, and still developing, significance of all the governance and compliance requirements laid upon the Church at all levels. Over recent years the role of the Conference Officer for Legal and Constitutional Practice (first created in 2003 and located now in the Conference Office) has therefore greatly increased in scale and responsibility, both in ensuring that actions and decisions by or on behalf of the Conference are properly arrived at and acted upon and in offering advice, support and guidance to those seeking it across a wide range of subjects.
- 3.26 This obviously means that there will be areas of considerable overlap between that officer's work and the work of TMCP. There are two particular aspects of this which will be dealt with further below: decisions about property transactions which involve questions of connexional 'policy' (see 7.8) and the operation of SO 930(3) and 931(3) (as referred to in the working party's terms of reference) to which this report now turns.

The operation of SO 930(3) and 931(3)

- 3.27 As described above, managing trustees have for many years been required to seek authorisation for a wide variety of property transactions and projects (eg structural alterations) – at an earlier date, from the connexional property authority, but in most cases now from the District. The consent-giving body is concerned with the 'substance' of what is proposed, looking at it, for example, from the perspective of its relationship to the mission of the Local Church and Circuit and the district development plan, and from the point of view of financial feasibility. That is something different from what the custodian trustee is concerned with, if it is a transaction which involves that body, such as a sale which will require the custodian trustee to execute the necessary documents as the legal title-holder.

SO 930(3) spells this out: "Consent under this Standing Order is consent to the substance of the transaction. It does not exempt managing trustees from complying with any proper requirements as to form or procedure imposed by the law or the custodian trustees, or arising under other Standing Orders or the Model Trusts, whether those requirements arise before or after consent is given under this Standing Order."

## 21. Methodist Council, part 3

- 3.28 This is the provision which reflects TMCP's role as a custodian trustee under the Public Trustee Act as explained above. The custodian trustee is not concerned with the substance of the transaction but with ensuring that the transaction is not going to be in breach of the law (either the general law, such as the charity law requirement to obtain the best price on sale, or Methodist rules as expressed in the Model Trusts and Standing Orders which are binding on the trustees) and that it will not incur liability for the Board of TMCP.
- 3.29 A quite separate provision is SO 931(3): "All contracts relating to property, conveyances, leasehold agreements, sharing agreements, deeds and declarations of every kind shall be forwarded in draft to the Connexional Team for inspection and approval before being signed."
- 3.30 The origin of this provision dates back at least 70 years and is another example of the connexional supervision of local trustees. It can be seen to be very broad, and indeed its ambit is not entirely clear, particularly in the phrase "contracts relating to property." For instance, it is thought that whilst major building contracts would be included, demolition contracts would not.
- 3.31 At first sight this provision does not appear to be connected to TMCP at all, as the scrutiny is to be carried out by the Connexional Team. However, over the years, in many cases the document in question was being inspected in any case by the legal officer of TMCP as part of the process leading up to the custodian trustee being a party to the final form of transaction. An agreement was therefore reached that the function under SO 931(3) would in effect be delegated to TMCP to exercise, not as custodian trustee but on behalf of the Connexional Team. Although the question of formalising this agreement by way of, say, a service level agreement was raised, this was not taken forward, but arrangements were put in place for a financial contribution from the Methodist Council.
- 3.32 Finally, it should be mentioned that, as explained above, although the custodian trusteeship of Methodist property in the Channel Islands and the Isle of Man does not lie with TMCP, but with their own custodian trustee bodies, they are still subject to SO 931(3) and therefore in many transactions find themselves dealing with two separate bodies.

### 4.0 Recent and ongoing developments

- 4.1 Before outlining the resources currently available to managing trustees and some areas of concern, it is helpful first to note a number of significant developments that have taken place since the working party was appointed.

- 4.2 The Property Development Committee (PDC) was established by the Council in April 2016 (MC/16/51 and MC/16/91). Broadly speaking, the PDC is concerned primarily with the development of connexional strategy relating to property, while this working party was asked to address the support needs of managing trustees, which cover a wide range of matters, including the development of their property in line with any such strategy. Careful work has been undertaken to ensure work is not duplicated, but nevertheless, there has inevitably been some significant overlap. In particular, when considering the needs of managing trustees, the working party has borne in mind that the PDC, according to its terms of reference, will “be available to provide advice to any Methodist body of trustees on the development of property under their management.” However, the focus of the PDC so far has been on particularly high-profile developments and/or those that may generate a significant income stream (in part due to a lack of resource to deal with more ‘ordinary’ queries).
- 4.3 The Methodist Council in October 2017 directed the PDC to draft Articles of Association for establishing a wholly owned trading subsidiary company for undertaking property development on behalf of the PDC and the Council (Resolution 89/2). Work has since been underway to scope the remit of this company.
- 4.4 Work is underway to formulate a connexional property strategy, the key principles of which were agreed by the Methodist Council in October 2017 (MC/17/88).
- 4.5 Over recent months, TMCP, the Conference Officer for Legal and Constitutional Practice and members of the Connexional Team have invested significant energy in appointing a panel of firms of solicitors with prior experience of working with Methodist Local Churches, Circuits and Districts and/or with relevant experience of working with charities on a wide range of legal issues. Managing trustees will be encouraged (but not required) to use these firms when they require the services of solicitors. Through appropriate training and the building up of significant experience of Methodist practice, it is hoped that the panel will minimise some of the issues noted in this report caused by gaps in understanding. Good communication is needed to ensure that managing trustees are aware of the panel, and the working party notes that it has not been possible to appoint firms for work outside England and Wales.
- 4.6 These developments are still relatively new and the extent of their impact on the support needs of managing trustees is not yet fully apparent. The conclusions and recommendations in Section 8 must be read in light of this.
- 4.7 The working party also noted that certain changes to the Connexional Team are in the process of taking place, but it is understood that any changes in relation to property functions have awaited the production of this report.

## 21. Methodist Council, part 3

4.8 Since the working party was appointed in 2016, there have been developments in TMCP's practices. Further information and guidance on a wide range of areas have been added to the website (which was, after considerable work, relaunched in 2016), including guidance recently issued around data protection. A 'Matter Management System' is in the process of development, which will allow TMCP to collate and search all documents relating to a specific case. This will make it easier for TMCP staff to answer queries relating to one another's cases, to set parameters and to monitor the length of time it takes to complete a particular transaction. TMCP believes that this will result, for managing trustees, in a reduction in delays. The working party notes that, at present, the Matter Management System is intended to be internal to TMCP. It has suggested that it would be helpful if managing trustees and their solicitors could be given access to view their case online, in order to monitor progress.

### 5.0 Existing resources available to managing trustees

5.1 Managing trustees (in particular Church Councils and Circuit Meetings) require support with a wide range of circumstances and transactions. To take just a few examples among many, these might include managing trustees who are:

- exploring the continuing use of a church building whose congregation has ceased to meet for worship but which provides a home for a number of community groups;
- seeking how best to reserve the use of a church car park for those meeting in the church;
- responding to a number of serious concerns raised by a quinquennial inspection.

The following is a list of some of the resources currently available to managing trustees seeking support.

5.2 District Property Secretaries: The working party was highly impressed by the dedication and commitment of DPSs. However, it is widely acknowledged that many of them feel severely overworked and under-resourced. Some noted that they would have preferred to have retired some time ago, but that it had not been possible to find a suitable replacement. There is significant variation in provision between Districts (in terms of the role the DPS is expected to fulfil and whether the post is paid or voluntary). So, for example, some DPSs have considerable technical property knowledge, whilst others do not; some would appear to be more active in exploring the mission context of what they are being asked to consent to than others. The PDC has already suggested that the role of the DPS should be clarified and that the Conference could adopt certain minimum standards for skills and capacity, as has been done for District Safeguarding Officers. This requires careful consideration, especially in light of the existing challenge of recruiting suitable volunteers.

- 5.3 TMCP website: TMCP's website ([www.tmc.org.uk](http://www.tmc.org.uk)), which was recently relaunched, is generally found to be helpful and contains a significant number of useful guidance notes and application forms. The working party's conversations did reveal one or two minor issues. More significant is the point that trustees are not always aware of their need to have recourse to the site.
- 5.4 Property Handbook: The Property Handbook is no longer available in hard copy and is only accessible online via the Methodist Church website: [www.methodist.org.uk/for-ministers-and-office-holders/property/handbook](http://www.methodist.org.uk/for-ministers-and-office-holders/property/handbook) (so that portions can be updated regularly). However, as the handbook is divided into a number of independent sections, it is very difficult to search for an answer to a particular query – in this sense, it is not really a 'handbook.' A search function (recently added during the redevelopment of the website) only applies to the titles of documents, and not the words they contain. The working party believes that one coherent and systematic handbook of Methodist property policy and guidelines is needed.
- 5.5 *Property Matters* is a quarterly electronic newsletter from the connexional Facilities and Property Coordinator and is currently received in electronic form by approximately 7,000 individuals, but only by those who sign up to receive it. It provides a range of useful current information and news, obtained from various contributors including TMCP. Matters covered include new sources of funding, important building issues and legal matters affecting managing trustees.
- 5.6 Property Development Committee: Although intended potentially as a resource for all managing trustees (see 4.2 above), currently, the PDC only has capacity to deal with complex and high-profile schemes and not more 'routine' enquiries.
- 5.7 A number of posts within the Connexional Team relate to legal and property support for managing trustees, including the Conference Officer for Legal and Constitutional Practice, the Governance Adviser, the Conservation Officer, the Facilities and Property Coordinator and those supporting the functions of the consents website. In addition, in recent months, use has been made of a number of part-time consultants with expertise beyond Methodism. Currently, the capacity to offer support is inevitably very limited.
- 5.8 The working party noted that other independent initiatives have developed in order to fill gaps in the existing support structure. One example is Transforming Churches and Communities (TCC), an independent charity that emerged from the Manchester and Salford Methodist Mission and that is accountable to the Manchester and Stockport District Synod. TCC has assisted churches with project management, grant applications and circuit reviews (alongside district officers), but does not give professional advice. While these initiatives have provided valuable assistance, the

## 21. Methodist Council, part 3

working party believes that managing trustees should be able to access the full range of support they need through connexional structures, paid for by the assessment and through connexional levies, rather than having to pay twice.

### 6.0 Feedback and reflections on TMCP

6.1 Before proceeding to more general areas of concern for managing trustees, because of the context in which this working party was established it was thought appropriate to focus at this point more specifically on the work of TMCP. As previously mentioned, the working party sought responses from DPSs and solicitors, and received some responses from managing trustees and circuit officers, regarding working with TMCP. Their responses, particularly regarding operational issues within TMCP, have been carefully considered and are presented in some detail here in response to the tenor of the memorials to the 2016 Conference (see Appendix I) and previous Conferences.

6.2 Feedback from District Property Secretaries

6.2.1 The working party wrote to all the DPSs. By and large, DPSs were very positive about and supportive of TMCP. Many DPSs believe that where difficulties arise between TMCP and managing trustees, the fault lies with the managing trustees, or their solicitors.

6.2.2 Most of the DPSs had signed a letter to the Secretary of the Conference in May 2016, expressing concern about the memorials that gave rise to the setting up of this working party. In the letter they said:

*As individuals we are in touch and dealing with TMCP on an almost daily basis. Being in that position enables us to make comment from a more consistent approach than, for example, someone who only has an isolated experience or two. We all want to express our support for TMCP and the people there who make up the team. They have a difficult job to do and our overall experience is that it is done in a professional, courteous and timely manner....*

*As we discussed the situation there was one consistent comment that emerged concerning the delay that churches and Circuits were claiming to be experiencing "because of TMCP". When we have investigated the delay, in the vast majority of cases it had been caused because no reply had been received to queries raised by TMCP to solicitors, surveyors, churches, Circuits etc. In some cases we know that churches and Circuits had employed solicitors and surveyors who were not aware of Methodist procedures or even the requirements of Charity regulations. This has resulted in much time being spent by TMCP in "training" professional people in the correct way of proceeding...*

6.2.3 One DPS did mention “a degree of pedanticism which can be very frustrating, time wasting and costly,” and another passed on the view of one church: “that they found TMCP very difficult, having little interest or knowledge to guide the managing trustees through a project of this nature, and they felt their own legal bill was greater than necessary as a consequence.” However, such views were very definitely in a minority among the DPSs.

6.2.4 One DPS wrote to the working party at length about a project which he described as a “classic what-not-to-do project,” in which managing trustees with little experience of property matters had been badly let down by their solicitors, and TMCP had given support that was “well above the level which should be expected or required.” In this example, the managing trustees’ solicitors had not sent the documentation to TMCP until it was ready for sealing. Any solicitors with experience of working with TMCP would have known that this would not work. When TMCP examined the documentation, they found that the transaction could result in an unintended business tenancy with security of tenure (contrary to Methodist policy), in rights of way across church property and in other unquantified obligations entered into without due thought for the consequences for the church. In the view of the DPS, the generous and competent support of TMCP had potentially saved the church from serious legal problems. Nevertheless, the outcome cannot be regarded as an unqualified success from the point of view of the managing trustees because their solicitors’ fees amounted to £22,000 for a £40,000 transaction.

### 6.3 Feedback from solicitors

6.3.1 The working party spoke to or received emails from five solicitors, who were referred to the working party by Superintendents. It was made clear in asking Superintendents to suggest solicitors that the working party was not looking particularly for solicitors who had bad experiences to relate, but simply solicitors who worked regularly with TMCP. The solicitors’ comments were mixed. Indeed, three out of the five used the word ‘mixed’ to describe their experience of working with TMCP. On the positive side, the solicitors spoke of TMCP staff as professional and competent and with excellent technical ability. One commented that the guidance notes are helpful and clear.

6.3.2 On the negative side, the following general comments were made: One solicitor said that the experience one has depends on whom at TMCP one is dealing with, and another spoke of dealing with someone at TMCP who was young and inexperienced. One commented that sometimes TMCP staff can be very efficient and proceed with a matter fairly quickly but that on other occasions they can *appear*, without intending it, to be obstructive and unhelpful.

6.3.3 Frustration with response times to letters and emails featured in four out of the five

## 21. Methodist Council, part 3

responses. One solicitor commented that the main problem is that TMCP works to different timescales from the ones she is used to in commercial practice. She said that she would often send an email hoping for a response the same day, or at least within two or three working days. Instead she would get a standard form response the following morning, and then a substantive response perhaps three weeks later. By that point the transaction would have moved on. Another solicitor said that at the beginning of a transaction he will advise the client how long it is likely to take to complete. If he has advised that it will take eight weeks it is frustrating if TMCP takes four weeks to respond and then raise significant requisitions. He suggested that it would help if TMCP staff said when first contacted how long it will take them to respond and whether they are likely to be raising requisitions.

- 6.3.4 There were a number of comments on what might be called proportionality. Solicitors said that delays can be caused by TMCP going through documents with a fine-toothed comb, “over-egging the pudding and doing a Rolls Royce job when a Ford Mondeo would be fine.” One solicitor commented that TMCP staff raise issues which a solicitor in private practice would not consider pragmatic or cost effective to deal with.
- 6.3.5 There was also comment on working practices, some of which were described by one solicitor as “archaic”. These would include the generic email address (legal@tmcp.org.uk), whereas most solicitors will have individual email addresses; the absence of direct line telephone numbers; the practice of distributing emails the following morning (except in cases of urgency) and at that point sending the standard form response; and the preference of some TMCP staff for emailing letters as attachments rather than simply replying to the email.
- 6.4 Feedback from managing trustees or circuit officers
- 6.4.1 Some of these made contact with the working party themselves or contacted the working party at the suggestion of their Chair. In general, the working party were cautious about receiving these contributions, especially if the events happened some time ago. The working party also tended to give more weight to contributions from managing trustees or circuit officers who had legal or property qualifications.
- 6.4.2 One person said that TMCP's staff are always helpful and courteous, but substantially overworked and that this can lead to delays. He commented particularly that it can be frustrating if lengthy delays result in a Qualified Surveyor's Report having to be renewed at the Circuit's expense. He also described one transaction that had fallen through after three and half years, leaving the managing trustees with costs of £7,000.
- 6.4.3 Another commented that managing trustees can find it difficult to get a surveyor or solicitor who can correctly anticipate what changes TMCP will want to make to the

documents. As a result, he said, the surveyors and solicitors stop trying so hard and just leave it to TMCP to do the work.

- 6.4.4 One commented that it is hard to justify the Local Church paying directly for its own local solicitors and surveyors and contributing to the connexional costs of legal services, including TMCP. This leads to Local Churches feeling that they are paying twice for the same transaction.
- 6.5 Consultation with TMCP staff
- 6.5.1 The working party met and consulted by email with TMCP senior staff on a number of occasions and wishes to express its gratitude for the considerable expenditure of time and effort in answering its questions so fully. The following points that arose from those conversations are relevant to the material in this section.
- 6.5.2 It was clear from the working party's discussions with TMCP legal staff that they have a lot of difficulty with the fact that standard conveyancing transactions are often dealt with not by a 'solicitor' as such but by conveyancing clerks following standard form procedures dictated by a computer-based management system. Such employees do not necessarily have an understanding of custodian trusteeship, charity law, nor of the idiosyncrasies of Methodist processes. It is of course not necessarily the fault of the managing trustees that they have someone acting for them who lacks this specialist knowledge. The Local Church or Circuit may have gone to the firm that has acted satisfactorily for them in the past, but in any large or medium-sized firm each matter will be delegated to a member of staff who has space in their workload, and the appropriate level of expertise and experience in the eyes of the firm for the matter in question.
- 6.5.3 Even when the person acting is a qualified solicitor, they may lack TMCP's specialist knowledge or approach the matter with a different mindset. TMCP commented that external solicitors are used to considering a transaction wholly from a commercial viewpoint and often do not take into account that charities have a fiduciary duty when they deal with their assets meaning that while a risk may be acceptable to a commercial company this is not always the case for the Church.
- 6.5.4 On the specific question of response times, TMCP was proud of the progress that has been made in recent years in improving these. They felt that complaints about delays generally related to historic instances when the staffing problems of a few years ago caused significant difficulties. The latest figures for post (mail and emails) dealt with by the legal staff from February 2017 to January 2018 demonstrate that, in all during that time, 17,956 items of post were received and 17,667 dealt with. Average monthly response times varied from 7 days (presumably working days) in May

## 21. Methodist Council, part 3

2017 to 12 days in December 2017, with an overall average of 9 days. This would presumably include some items dealt with the same day or the next day in cases of urgency and other items processed after several weeks.

6.5.5 On the question of working practices, TMCP is evidently aware of some of the issues raised and is considering some changes in procedure (for instance, the possible introduction of pseudo-personal email addresses). The working party understands that work is in progress on some points, such as the inclusion of substantive replies in emails rather than separate letters, and more tailored automatic responses.

6.6 Some reflections on the responses

6.6.1 Regarding delays: Managing trustees and their solicitors are apt to accuse TMCP of delays, whereas DPSs are more inclined to attribute delays or the perception of them to incompetence on the part of solicitors and ignorance on the part of managing trustees. TMCP staff, for their part, feel that claims of delays are out-of-date or unfounded. There will be a number of factors at play, including unrealistic expectations and differences of mind-set. Another factor is that when people talk about 'delays' they are not always talking about response times. If managing trustees and their solicitors believe that they are close to completing a matter and the response from TMCP then requires amendment of the documents and raises a number of requisitions, this will be experienced by clients and solicitors on both sides as TMCP causing a delay, even if the response time itself was reasonable.

6.6.2 Comments were also made about difficulty or delays resulting from the need for many documents to be sealed and signed by two TMCP Board members. This is a requirement of the 1939 Act and the procedure cannot be changed without amending the Act. In practice this has not caused significant delays because staff and Board members have put themselves out to obtain or be available to provide the necessary signatures. In addition, TMCP is pursuing the possibility of using electronic signatures if this becomes possible by a change of Land Registry rules. The working party would suggest that availability of Board members to sign documents in Manchester should continue to be one of the factors taken into account in the selection of new Board members.

6.6.3 Regarding proportionality: This was another point on which the working party found it difficult to reconcile the contributions from different sources. There were accounts by DPSs of transactions in which the solicitors had failed to spot significant legal dangers, and there were accounts by solicitors of TMCP pursuing minor points which the solicitors considered disproportionately expensive. The working party was not sure whether it was listening to contrasting stories, in some of which TMCP had saved the day and in some of which their intervention was over-the-top, or whether it was

listening to very much the same story told from two different perspectives. Once again, different perspectives and mindsets were at work. Solicitors (and surveyors) will be seeking to work in their clients' interests and will have an eye on costs. TMCP staff are working in the interests of the Church, and will have an eye on charity law and the higher fiduciary duty placed on charity trustees. They are required to ensure that they are not concurring in a breach of trust by managing trustees. The working party did however feel that there was sometimes a question mark over the breadth of TMCP's interpretation of the term 'breach of trust.'

- 6.6.4 Regarding workload: It is clear that TMCP staff work hard and process a large quantity of material. Evidently there is a greater degree of legal work being done in the Church than was the case, say, a generation ago, in spite of the fact that the Church now has fewer buildings and fewer people. In part the increase in work will be due to the increase in the complexity of projects, particularly as Local Churches and Circuits try to dispose of buildings in such a way as to enable them to continue to be used by local communities. However, the working party also considered the possibility that the increase in workload is partly due to TMCP's very thorough degree of engagement.

Finance department

- 6.7 So far, the focus has been on the legal work of TMCP. Equally important is the work of the Finance staff, handling large amounts of funds. The working party wished to note the frequent affirmation in consultation responses of the Finance staff at TMCP, whose work is experienced as consistently efficient and high-quality.

### **7.0 General areas of concern**

- 7.1 Turning now from operational matters in TMCP, the following general areas of concern were noted from the working party's research and consultations and from memorials to the Conference. Some relate directly to the day-to-day experience of managing trustees (such as the difficulty of knowing where to turn when seeking technical support or exploring possibilities). Others relate to Methodist processes and structures (such as the consents process and the question of where policy is most appropriately developed). Still others relate to the outworking of these processes and the issues that can arise because of overlap and duplication of work. Where an area of concern is already being addressed, this is noted in the text.
- 7.2 Avenues for trustees seeking support: There is no doubt that many managing trustees over the years sought the assistance of connexional expertise when they had problems or decisions to make about their property, and they would 'approach Manchester' when seeking to have a creative, exploratory conversation about their options (eg regarding the disposal of a church building). They often still do so by

## 21. Methodist Council, part 3

making contact with TMCP, but this is not the role of TMCP. The PDC will “be available to provide advice to any Methodist body of trustees on the development of property under their management,” but does not have the capacity to make itself available to all Local Churches and Circuits for these exploratory conversations. DPSs provide invaluable support, but each necessarily has specific and limited areas of knowledge and expertise.

- 7.3 The working party has identified the need for a single, clear point of contact (a ‘one-stop shop’) for all initial queries relating to property development. But this also applies to property matters of all kinds. From this point of contact, whether they are seeking an exploratory conversation or more routine technical support (which may be about a building itself or about legal issues), managing trustees should be put in contact with the appropriate body or member of staff.
- 7.4 An area which the working party has not covered in detail in this report but which is very much part of the picture of the challenges presented to managing trustees is that of dealing with the significant number of Methodist properties which are listed buildings or in conservation areas. Matters relating to listed buildings can be immensely complex and cause significant stress for managing trustees, not least because of the inevitable delays. However, the working party’s consultations suggested that the guidance and support available from the Conservation Officer and the role of the Listed Buildings Advisory Committee work well and are well-received. This is not to minimise the burden of work laid upon managing trustees and DPSs in this situation.
- 7.5 Gaps in understanding: There are two recurring issues:
- 7.5.1 There is a lack of understanding among managing trustees themselves as to the nature of managing trusteeship; some members of Church Councils are not even aware that they are managing trustees and others do not make use of helpful resources, eg the guidance available on TMCP’s website, because they are unaware of TMCP’s existence and role.
- 7.5.2 There is also a lack of understanding among solicitors and surveyors with regard to the role of the custodian trustee and charity law let alone Methodist policy and practice (see 6.5.2). In conversation with ecumenical partners, it has become clear that this issue is by no means exclusive to Methodism. In relation to legal transactions it is hoped that this will be at least partially addressed by the panel of solicitors – see 4.5. However, a similar problem is often encountered in seeking the necessary Qualified Surveyor’s Report from a professional who is not accustomed to charity law requirements on sales and leases as to achieving best price.

- 7.6 Guidance/advice: Under current arrangements, TMCP staff are able to offer guidance, but not legal advice, ie they cannot act on behalf of managing trustees as their solicitors. The working party noted that there are ecumenical partners that have made the complex arrangements necessary for advice to be given and some work undertaken in-house, through obtaining the necessary waiver from their professional body. This is thereby saving local managing trustees money that they would otherwise spend on solicitors.
- 7.7 However, although currently TMCP can only offer guidance, that guidance is often interpreted as 'advice' by managing trustees. This is explored further below in 7.14.
- 7.8 Questions around Methodist 'policy': In conversations with TMCP and the Conference Office a recurring theme was that, in exercising its functions, TMCP would always defer to those concerned with the making and application of 'policy' (in practice the Conference Officer for Legal and Constitutional Practice) in deciding whether to concur with a transaction, provided that there was no legal obstacle to doing so. This has proved to be quite a difficult concept to define. Where the Conference has declared its mind by enacting a provision in the Model Trusts or Standing Orders, then that is clear and able to be ascertained and is binding upon the managing trustees under para 21 of the Model Trusts (for instance, the parameters for granting permission to another Christian church to use the premises for worship under Model Trust para 14(2A)). But there is a lack of consistency as to which property related matters have been adopted as policy and placed into Standing Orders and which have not, eg Standing Orders make provision about the sale of alcohol on Methodist property but there has not been a policy enacted on Sunday trading.
- 7.9 Since the closure of the RMO, steps have been taken to try to ensure that matters which might have been good practice or recommended by the RMO have at least been adopted as policy by the Methodist Council. Similar questions have now begun to arise as the PDC has sought to develop an overall connexional strategy about disposal or retention of buildings. But how do managing trustees find out about these decisions, and what is their status?
- 7.10 In practice, most of the individual 'policy' questions which are referred by TMCP are about the interpretation of an existing provision (such as whether a property is an investment property for the purposes of SO 908). The working party notes that one area which may have created considerable work in the past, the application of the rules as to 'replacement projects' for the purposes of SO 973, has now been addressed by clarifying those rules. But generally policy questions are obviously time-consuming and a potential cause of delay because of the limited resources available. Still less is there the time in the Conference Office to develop and fully disseminate all the relevant information, with clear guidance as to what is binding and what a matter of best practice.

## 21. Methodist Council, part 3

- 7.11 A lack of resource within the Conference Office relative to the volume of work: this partly relates to the point just made about policy issues, but arises in many other ways too, for instance the overseeing of training opportunities for managing trustees. The working party noted that some of the training materials currently available on the website date back to the days of the RMO and may be out of date. The working party trusts that this lack of resourcing is being addressed, at least in part, by those reviewing the Team structures.
- 7.12 Issues experienced in the consents process: A great deal of work has been put by connexional staff into making the consents website easy to use, and 'glitches' are regularly removed. The main problem that remains is that many of those in Local Churches who seek to use it are not used to operating online, and find it a steep learning curve. It was assumed when the consents website was introduced that this would be a passing phase and that managing trustees more adept in working online would in due course take over, but this has not always proved to be the case. Staff in the Connexional Team and TMCP are willing to guide managing trustees through the process the first time, but what they are finding is that in many cases a given church officer will only need to apply for consent once in his or her time, and therefore a high proportion of users are using the site for the first and only time.
- 7.13 Issues relating to SOs 930(3) and 931(3): Currently, TMCP exercises both functions, the former as the custodian trustee and the latter on behalf of the Connexional Team (see 3.31 above). However, it is often unclear (to managing trustees and, it seems at times, to TMCP) which role they are inhabiting at any given moment. The working party thought that there was a need to re-emphasise here the limits of the scope within which TMCP can and should operate under SO 930(3) as a custodian trustee. The wording of s.4(2)(d) of the 1906 Public Trustee Act (para 3.12 above) is clear: the custodian trustee must concur in and perform all acts necessary to enable the managing trustees to carry out their functions unless that would in itself involve the custodian in a breach of trust or personal liability.
- 7.14 This lack of clarity can lead to difficulties for managing trustees, if guidance given under SO 931(3) in looking at a contract is perceived as being from the custodian trustee. It is found to be helpful when TMCP makes clear the role in which guidance is offered and the consequences if it is not followed (ie whether this would lead to the custodian being unable to concur in the transaction). If the delegation is to be retained, it may help to include a footnote in CPD explaining that the work of SO 931(3) is delegated to TMCP.
- 7.15 There is a broader question, as to the scope of SO 931(3) itself. This is potentially very wide (see 3.29-3.31) and indeed its precise ambit is not entirely clear or rational (nor always punctiliously observed). For instance it covers the very common situation

of the grant of a one-off licence for use of the property, but not a major contract for the demolition of the property.

- 7.16 The wording of SO 931(3) is ambiguous not only as to scope, but also as to what exactly is the meaning of 'approval'. Does this refer only to the legal soundness of a contract, or to whether the transaction itself makes good sense within the mission of the Methodist Church? How much discretion should managing trustees have?
- 7.17 Duplication of work and delays: Because of a lack of clarity with regard to the division of responsibilities between TMCP and the Connexional Team, and TMCP's desire to provide help and support, managing trustees sometimes find themselves having the same conversation twice, with TMCP and the Conference Office, sometimes unbeknown to the other body. This situation is exacerbated by the two teams being in two separate physical locations. Besides duplication, there are inevitable delays when the two entities are each required to perform their particular responsibilities (for instance where a policy interpretation is required).
- 7.18 Funding for TMCP: As explained above, TMCP does not currently recoup its costs. The Methodist Council contributes 35% of the staff costs of the legal team including pensions, but not overhead, administration or management costs (or one-off costs, such as the installation of the Matter Management System). However, the Council is not directly involved in determining the level of legal staffing required; those involved in formulating the budget for the Conference Office receive notice of the amount thought to be required. This raises issues regarding transparency and accountability.

### **8.0 Conclusions and recommendations**

- 8.1 The working party was not asked to prepare further replies to individual memorials to the Conference; however, it has sought to address the concerns they raised. The working party also decided not to structure its conclusions and recommendations according to its terms of reference, but has ensured that all the points raised have been considered.

Support needs of managing trustees

- 8.2 The working party believes that the RMO provided a good and helpful service and that its loss has been keenly felt since its closure. Arrangements that were intended to replicate the functions of the RMO following its closure were not fully implemented. The working party does not wish to re-establish the RMO in its previous form, but has identified the need for a 'one-stop shop' suited to the current requirements of the Church. What this might entail is spelt out further in the following paragraphs.

## 21. Methodist Council, part 3

- 8.3 Managing trustees are in urgent need of support and training, because of a number of converging factors, including: churches in which a diminishing number of already over-burdened volunteers are required to take on roles for which they do not feel fully equipped; a lack of awareness of the nature of managing trusteeship; increasingly complex property issues and a lack of understanding of Methodist policy and practice among solicitors and surveyors. The closure of the RMO without a like-for-like replacement has exacerbated these needs.
- 8.4 The working party wishes strongly to affirm TMCP for 'stepping into the breach' following the closure of the RMO and the willingness of TMCP staff to offer help and support to managing trustees. This has resulted in some very helpful developments, such as the TMCP website. However, at times, it has inevitably had the potential for confusion and the duplication of work.
- 8.5 The working party wishes to commend the care and dedication of DPSs across the Connexion. Staff within the Conference Office and other members of the Connexional Team in London and Manchester have also done all they can to support managing trustees. However, in both cases, resources have been severely limited, and managing trustees are therefore not receiving all the support they need.
- 8.6 The working party believes that there is a recognition that a greater level of staffing is required within the Connexional Team (and particularly in the Conference Office) to reflect more fully the scope of its responsibilities in relation to the property functions of the Church. The following recommendations are offered to assist current thinking regarding the configuration of the Connexional Team. They do not remove the need for managing trustees to obtain proper professional advice on technical property matters where appropriate (in the same way as they are expected to do for legal matters).
- 8.7 Recommendation 1: Within any revised Team structure, there should be one clear point of contact for initial enquiries regarding property support; this would include enquiries as to legal aspects. This should be clearly signposted on the Methodist Church website. This postholder should have responsibility for directing queries to the appropriate place (whether TMCP or the Connexional Team) and for keeping track of conversations and developments.
- 8.8 Recommendation 2: Within any revised Team structure, there should be at least one postholder with the necessary experience and expertise to hold initial and open-ended conversations with managing trustees regarding their options. This postholder could also produce a series of publications giving examples of innovative solutions and good practice to inspire managing trustees. This work would need to be undertaken, where appropriate, in conjunction with the PDC.

- 8.9 Recommendation 3: The initial point of contact within the Connexional Team should also be able to direct managing trustees to sources of technical property and legal support, which may include a combination of
- members of connexionally-employed staff;
  - connexionally-funded consultants;
  - where professional services are required, panels of connexionally approved solicitors and surveyors with the necessary expertise (see below).
- 8.10 Recommendation 4: Within the connexional central services budget, funds should therefore be made available to provide increased support for technical property and legal functions, particularly within the Conference Office.
- 8.11 Recommendation 5: In addition to the developing panel of solicitors, work should be undertaken to seek to establish a similar panel of surveyors with knowledge of Methodist practice. (This would certainly assist with the problem mentioned above in relation to Qualified Surveyors' Reports, and has the potential to be of much wider benefit in providing the technical support where this could not appropriately be provided via the Connexional Team. There may be some useful cooperation to be developed here with Methodist-related bodies already involved in using such professionals, such as the Methodist Ministers' Housing Society.)
- 8.12 Recommendation 6: Greater provision of information should be made more clearly available for managing trustees through the Methodist Church's website. Some material might appropriately be moved, by agreement, from TMCP's website to the Methodist Church's website (for the avoidance of confusion), with clear links in appropriate areas to the TMCP website. Besides this general information, all Methodist property policy should in due course be gathered together in a single, coherent handbook (which can be readily searched) clearly indicating what is guidance or good practice and what is policy that must be adhered to.
- 8.13 Recommendation 7: Up-to-date training for managing trustees should be developed within the Connexional Team. Some resources and initiatives have already been developed by Local Churches, Circuits and Districts; there is a need to avoid duplication and ensure consistency.
- 8.14 The working party notes the PDC has already suggested that the role of the DPS should be clarified and that the Conference could adopt certain minimum standards for skills and capacity, as has been done for District Safeguarding Officers (see MC/17/88). In this, careful consideration would need to be given to the difficulty currently experienced in recruiting suitable volunteers. Recommendation 8: Further thought should be given as a matter of urgency by the Methodist Council to the support and funding available for DPSs.

## 21. Methodist Council, part 3

### Recommendations concerning TMCP

#### Underlying legal structure

- 8.15 The working party is not proposing that the Church seek to amend the relevant Methodist Church Acts. It wishes to affirm the concept of custodian trusteeship within the life of the Church embodied in the 1976 Act, as the rationale behind its adoption as the norm for model trust property remains compelling.
- 8.16 The working party acknowledges that under the 1939 Act, TMCP is an autonomous body whose Board members, once appointed, hold office for life (subject to certain conditions). The working party has no doubt, however, that its mission “to support and strengthen the Methodist Church” lies at the heart of what it does, and is evidenced by its annual reports to the Conference. The working party is also assured that the present, very readily embraced, policy of voluntary phased retirements from the Board mitigates effectively the theoretical life tenure of Board members.

#### Funding model

- 8.17 The working party believes that the aspect of TMCP’s current funding model which is based on a levy of funds (rather than a charge per transaction) is a positive expression of connexionalism and should be affirmed. Alternative models have been considered; however, the working party believes that under the current system, bodies with fewer financial resources are supported by those with more, in keeping with the mutual interdependence of a connexional Church.
- 8.18 However, the working party believes that the aspect of funding via the Methodist Council’s financial contribution to TMCP’s costs and the way in which this is calculated should be far more transparent. Recommendation 9: The Methodist Council’s financial contribution should be based on the work required by the service level agreement (introduced below) and revisited on a regular basis. If TMCP feels that it requires more (or less) legal staffing in order to complete the work required, negotiations must be held between the Council and the TMCP Board. The working party recognises that this might lead to a risk that TMCP might feel the need to increase the management charge to replace any reduction in the contribution, with an impact on local managing trustees; however, this would no doubt be taken into account during the negotiation process.

#### Service level agreement

- 8.19 There is a lack of clarity with regard to the division of responsibilities between the Connexional Team and TMCP, leading to some confusion and delay for managing

trustees. Among the possible ways forward, the working party considered the complete withdrawal of the delegation of responsibilities under SO 931(3) from TMCP, so that all legal and property support would be held within the Connexional Team, with TMCP fulfilling only the responsibilities of the custodian trustee. However, the working party felt that this would be unwise, due to the level of upheaval this would cause (and resulting loss of expertise); current developments within TMCP (such as the Matter Management System) that should improve operational practice; the potential difficulty of recruiting suitable staff within the necessary budget in London (if a single team was to be based at Methodist Church House); and duplication of work (as TMCP would still need to check upon the matters on which the custodian trustee requires to be satisfied). Instead, the working party recommends increased clarity as to the breadth of this delegation (see Recommendations 13 and 14) and accountability through a service level agreement (SLA). It believes that this is both urgent and significant.

- 8.20 Recommendation 10: Urgent work should be undertaken to establish, within the first six months of the forthcoming connexional year, a service level agreement and (if appropriate) an accompanying operational level agreement between the Methodist Council and TMCP increasing accountability and clarifying the boundaries of TMCP's work. This should include Key Performance Indicators (KPIs) and a process for regular review. If the terms of the agreements are not met by TMCP, the Council may choose to withdraw the delegation of all responsibilities under SO 931(3).

### Working practices

- 8.21 The working party believe that it would be of benefit to all for TMCP legal staff to adopt a slightly lighter touch in reviewing transactions and documentation, having an eye when requiring amendments or raising requisitions to the degree to which costs will be increased or delays lengthened and the balance against benefit achieved or risk avoided. It is hoped that the introduction of the panel of solicitors will go a long way to achieving this, if it enables TMCP to take more of a back seat in transactions, reducing duplication of work. However, the working party anticipates that it may take a while to get to that point, as individual panel solicitors learn TMCP's approach and TMCP come to trust their judgement over a period of time.
- 8.22 Recommendation 11: The service level agreement should clarify the 'light-touch' approach required: under SO 930(3), as custodian trustee, TMCP is required to check whether entering into the transaction would involve an actual breach of trust and whether an appropriate indemnity clause is included. Under SO 931(3), on behalf of the Connexional Team, TMCP should be required to check the legal soundness of contracts, but conversations regarding detailed choices and the 'missional sense' of the transaction should be held elsewhere. The service level agreement should ensure

## 21. Methodist Council, part 3

that the level of scrutiny involved is not disproportionate to the cost and risk involved.

8.23 The working party believes that some modification of TMCP's practical arrangements would be of benefit. In particular, individual email addresses and direct line telephone numbers are standard in private legal practice, and would aid communication. In some respects, the working party believes that improvements could be made to TMCP's processes, which it felt are overly dependent on particular individuals, generate too much paper and can be inefficient. The Matter Management System should go some way to addressing this.

8.24 Recommendation 12: The working party recommends that TMCP be requested to address these specific points relating to working practices as soon as possible.

The scope of SO 931(3)

8.25 The working party believes that a number of the problems giving rise to this report stem from the scope of SO 931(3) and a lack of clarity in current arrangements, and that steps need to be taken to address these problems. Currently, its scope is very wide ("All contracts relating to property, conveyances, leasehold agreements, sharing agreements, deeds and declarations of every kind...") and does not necessarily ensure that the right documents receive the right level of scrutiny. Some documents are preparatory to a transaction to which TMCP will need to be a party as custodian trustee; others are not.

8.26 Recommendation 13: It is proposed that the requirement as to which documents need detailed connexional scrutiny should be reviewed by the Methodist Council in conjunction with the Law and Polity Committee with a view to producing a full list of such documents. It is recommended that an amendment to the wording of SO 931(3) then be brought to the Conference of 2019, preferably in a form that refers to items which appear on a list approved from time to time by the Council and made clearly available on the Methodist Church's website, rather than spelling out the list explicitly in the Standing Order, so as to enable it to be amended more easily when necessary.

8.27 Consideration will be needed as to the most appropriate way for this connexional scrutiny to be given. However, where the relevant documentation forms or may form part of a transaction to which TMCP would be a party as custodian trustee, it seems sensible for the exercise of scrutiny under SO 931(3) to continue to be delegated to TMCP for the reasons outlined in 8.19.

8.28 The working party gave consideration to whether the practice under the current form of SO 931(3) whereby TMCP has sight of licences to occupy land should continue. Strictly, as TMCP is not a party to a licence (as it does not create a legal interest

in land), if the proposed delegation was limited to where TMCP will be involved as custodian trustee, this scrutiny would not continue. However, because of the risk of managing trustees inadvertently creating legally-binding leases, it is suggested that licences should still continue to be seen by TMCP.

- 8.29 Recommendation 14: Delegation of the exercise of SO 931(3) to TMCP should apply only to those contracts that TMCP is required to see as custodian trustee, together with licences as referred to in 8.28. Approval of other contracts from within the list described in Recommendation 13 should be undertaken by the Connexional Team (with the option to delegate approval of individual contracts to TMCP if desired). This arrangement should be made clear in the service level agreement.

### Appendix I – Memorials M26 – M29 (2016)

#### M26 TMCP

The Nottingham and Derby District Synod, Representative Session (Present: 127; Voting: unanimous) is aware that following memorial M22 (2015) conversations have been taking place between TMCP and the Connexional Team, which it trusts will lead to a positive outcome. Nevertheless, the Synod wishes to record the continuing difficulties reported by most of its Circuits in matters involving TMCP. The concerns are as follows:

1. Delays: The Synod is aware that TMCP's personnel have high workloads and cannot always respond swiftly. Nevertheless, slow response times are a concern because they can lead to the loss of transactions, or to churches or Circuits failing to respond in a timely fashion to legal claims. The Synod believes that TMCP needs either:

(a) more staff; or

(b) to reduce its workload by having less active involvement in matters on which the church or Circuit's own solicitors are acting.

2. Amendments: TMCP frequently say that they cannot give advice, only guidance, and therefore that churches and Circuits need to instruct their own solicitors. However, it is the experience of churches, Circuits and their solicitors that the guidance often takes the form of making a great many amendments to documents drafted by the solicitors. This is so even when the solicitors have many years of experience of working with TMCP. Clearly, if the documentation does not comply with Methodist polity or charity law, then it does need to be corrected. However, churches, Circuits and their solicitors report that some of the amendments are minor, or cosmetic, or make no substantive change, or contradict amendments made by other TMCP staff. The approach contributes to delays, and the duplication of work adds to the expense. The Synod believes that TMCP needs either:

## 21. Methodist Council, part 3

(a) to be constituted so as to undertake the legal work themselves; or

(b) to supply their required clauses at the outset and then have less active involvement in the details of the transaction.

3. Accountability: The Synod notes that, when acting as the custodian trustee, the Board and staff of TMCP have no direct accountability to the Conference. The Synod believes that this is unhelpful. In other cases where Methodist-related organisations have no accountability to the Conference (such as Methodist Insurance plc), churches and Circuits can choose to take their business elsewhere if dissatisfied. This is not true of TMCP. The Synod does however note that, in most of the instances that cause difficulties, TMCP is not acting purely as custodian trustee but is fulfilling the role of the Connexional Team under Standing Order 931(3), which provides that: "All contracts relating to property, conveyances, leasehold agreements, sharing agreements, deeds and declarations of every kind shall be forwarded in draft to the Connexional Team for inspection and approval before being signed." The Synod therefore asks that both:

(a) the Law and Polity Committee look at whether the Board of TMCP can be made accountable to the Conference; and

(b) the Connexional Team make workable arrangements, through TMCP or otherwise, for the inspection and approval of documentation under SO 931(3).

### Reply

The Conference thanks the Nottingham and Derby District Synod for its memorial which raises important points about the level of support and advice available to Managing Trustees. The memorial further touches on a more fundamental question of the use of the resources of the whole Connexion in respect of the use of property for mission as well as focusing the attention of the Conference on the role and function of the custodian trustee.

Some of the points raised in the memorial have been the subject of conversations which were initiated as a result of memorial M22 to the 2015 Conference which directed the Methodist Council to enter into discussions with the Board and Chief Executive of TMCP in order to find ways to continue to improve the service provided to the Connexion. (The Chair of the Board and the Chief Executive have been part of these conversations with the Secretary of the Conference and the Conference Officer for Legal and Constitutional Practice.) Careful monitoring of case work undertaken by direction of the Board shows that overall response times by TMCP staff have improved and this is due in no small part to the commitment of TMCP staff for which the Conference wishes to express its gratitude. Other generic issues of how the whole Connexion can better realise the missional opportunities offered by a large and diverse range of properties have been considered by the Methodist Council when it

established a new Property Development Committee.

As this work has progressed it has become clear that some of the changes brought about by the Team Focus process have resulted in a much more limited provision of property advice from the Connexional Team to Managing Trustees. This has resulted in a lack of clarity for Managing Trustees when they are seeking advice on a range of property-related matters. Early, clear and coherent advice on planning, legal and technical matters is essential if Trustees are to be supported. Whilst there is an effective and dedicated group of District Property Secretaries willing to share experiences, this is reliant on volunteer posts and does not enable the provision of a strategic approach to the significant missional assets of the whole Connexion. The absence of a comprehensive property support function has resulted in a lack of clarity on which body is responsible for the formation of policy. This, when coupled with the functions undertaken by TMCP on behalf of the Connexional Team in order to fulfil the provisions of SO 931(3) can all too easily and all too often result in staff of TMCP needing to seek a ruling on policy from officers of the Conference and the Council. In some cases, and in seeking to support particular schemes, staff in both the Team and TMCP find themselves being called upon to offer advice on areas of work that would benefit from clearer policy decisions. Such a combination of tasks contributes to confusion for Managing Trustees and a lack of clarity for both staff at TMCP and within the Connexional Team.

The Conference reminds the Synod that the TMCP Board is accountable to the Conference via the annual report which the Board submits to the Conference. Furthermore, it is the Conference which appoints members of the Board, each of whom is required to be either a member of the Methodist Church or a minister in Full Connexion with the Conference.

In recognition of the need to be faithful in the use of the resources of the whole Connexion, the Conference accepts the need to review the role of TMCP, directing the Methodist Council and inviting the Board of TMCP to consider the points raised in the memorial by appointing a joint working party to:

(a) Clarify the extent of the application of SO 931(3) and the role and responsibility of the custodian trustee under the Methodist Church Act 1939 and charity law.

(b) Clarify the need for SO 931(3) in its current form and where appropriate suggest amendments.

(c) Assess what steps are necessary to ensure that the Connexional Team has available to it an appropriate level of resource so as to fulfil the terms of SO 931(3).

(d) Clarify the requirements placed upon Managing Trustees in respect of disposals and contracts and identify ways to speed up transactions, taking into account the views of the Law and Polity Committee on the role of the custodian.

## 21. Methodist Council, part 3

(e) Clarify and define respective areas of responsibility so as to resource the mission and ministry of the whole Connexion most effectively.

(f) Establish a full review of the needs of Managing Trustees in terms of property and legal advice and consider the benefit of professional legal services being provided by the Connexional Team.

The Conference further directs the Methodist Council to bring a report on the progress of this work to the 2017 Conference and delegates to the Council responsibility for appointing two members of the working party. The Conference invites the Board of TMCP to appoint two members of the working party.

The Conference appoints Mrs Susan R Howdle to chair the proposed working group.

Reasoned Statement Susan Howdle is a past Vice-President of the Conference, and a former member of the TMCP board.

### M27 TMCP

The Ceredigion (2/10) Circuit Meeting (Present: 16; Voting: unanimous) notes the length of time that is taken for responses to queries and enquiries made to the Trustees for Methodist Church Purposes (TMCP) regarding property.

The Circuit therefore – acknowledging the independence of TMCP – requests that the Conference uses its influence and resources to encourage TMCP to make its processes and response times quicker, so as to allow Local Churches and Circuits to more fully be discipleship movements shaped for mission.

### Reply

The Conference thanks the Ceredigion Circuit Meeting for its memorial.

The Conference is aware that in recent years the Board of TMCP has overseen a number of reviews to ensure that its processes and response times provide the highest and most timely level of support to Managing Trustees. There are occasions when staff are required to deal with a high volume of work on time scales beyond their control.

The point raised in the memorial has been the subject of conversations which were initiated as a result of Memorial M22 of the 2015 Conference which directed the Methodist Council to enter into discussions with the Board and Chief Executive of TMCP in order to find ways to continue to improve the service provided to the Connexion.

Whilst this work is ongoing, the Conference is of the opinion that a more fundamental review of the way that Managing Trustees are supported in respect of the care and development of property is now required. As such, the Conference accepts the memorial and directs the Methodist Council to consider it as part of the work directed in the response to M26.

### M28 TMCP

The Nottingham (Trent Valley) (22/4) Circuit Meeting (Present: 42; Voting: unanimous) is concerned to hear from its officers of continued delays in property matters caused by apparent excessive delays in communication within TMCP and between TMCP and the Circuit. However, it understands from the reply to Memorial M22 (2015), that “The Conference has no power to direct either the Board or staff of the Trustees for Methodist Church Purposes (TMCP) either in terms of budget provision or operational matters.” It therefore sees little point in drawing to the attention of the Conference the fact that Circuits continue to be hampered in their mission by the failure of the Board of TMCP to address such systemic problems which, from conversations across the Connexion, it believes to be far from isolated incidents.

The Circuit Meeting further understands that the members of the Trust board are appointed for life by the Trust itself, reflecting the model of trusteeship for Local Churches which was rejected as unfit for purpose around 40 years ago, and that the Trust Deed of TMCP dates from 1939.

It therefore requests the Conference to direct the Law and Polity Committee to make a preliminary assessment of the feasibility of a radical reformation of the relationship between the Conference and the custodian trustees of Model Trust property so that those Trustees are accountable to the Conference for the performance of their duties.

### Reply

The Conference adopts the same reply as to M27.

### M29 TMCP

The Southend and Leigh (34/10) Circuit Meeting (Present: 43; Voting: 39 for, 0 against) wishes to raise the problem of the delays in dealing with TMCP, and require and request additional resources for TMCP and to bring control of TMCP into the Connexional Team.

Further, we would request that TMCP look at its working practices, to speed up dealing with cases, maybe by having individual email addresses and contact numbers for case workers, and embedding their replies into emails rather than emailing a written letter. A phone conference with a case worker could prevent the elongated toing and froing of emailed

## 21. Methodist Council, part 3

letters, with long delays between the replies, and speed the whole process up.

Reply

The Conference adopts the same reply as to M27.