



SYNOD 2023

The 169th Annual Session of Synod

SUPPLEMENTARY PAPER No 2

1. Amended Measure to amend the Professional Standards Ordinance.
The mover of motion 15 will seek leave of Synod to move the measure in amended form. The proposed amended Measure is attached.
2. Amended Measure to amend the Parochial Administration Ordinance.
The mover of motion 17 will seek leave of Synod to move the measure in amended form. The proposed amended Measure is attached.

A MEASURE FOR

AN ORDINANCE to amend the *Professional Standards Ordinance 2015*.

NOW THE SYNOD HEREBY DETERMINES:

Part 1 - Preliminary

1 - Short title

This Ordinance may be cited as the *Professional Standards Ordinance Amendment Ordinance 2023*.

2 - Commencement

This Ordinance will come into operation on a date and at a time to be determined by the President.

3 - Amendment of principal ordinance

The *Professional Standards Ordinance 2015* is amended in the manner set out in Part 2.

Part 2 - Amendment of the *Professional Standards Ordinance 2015*

4 - Amendment of section 2 - Interpretation

Section 2(1), definition of "Code of Conduct" – delete the definition and substitute:

"Code of Conduct" means the code adopted under Part 2;

5 – Amendment of section 6 - Code of Conduct

Section 6 – delete the section and substitute:

Adoption of Code of Conduct

6(1) There will be a Code of Conduct for observance by Church workers in the diocese.

(2) *Faithfulness in Service*, as adopted by the Synod from time to time, is the Code of Conduct.

(3) The Synod may adopt *Faithfulness in Service* with any modifications determined to be appropriate by the Synod.

Deleted: is

Deleted: as

Deleted: (3)→The Synod or the Diocesan Council may determine that *Faithfulness in Service* is varied for the purposes of its adoption under this section.¶

(4)→A determination under subsection (3) has effect according to its terms.¶

(5)→In this section:¶

→"*Faithfulness in Service*" means the national code of that name adopted by General Synod in 2004, as amended from time to time by the Standing Committee of General Synod (and as further varied from time to time under this section).

6 – Amendment of section 11 – Membership of the PSC

(1) Section 11(1) – delete the subsection and substitute:

(1) The members of the PSC will be appointed:

- (a) by the Diocesan Council; or
- (b) under an arrangement established by the Diocesan Council in connection with the constitution of the PSC.

(2) Section 11(2) – delete the subsection and substitute:

(2) The members of the PSC will hold office:

- (a) on such terms and conditions as may be determined from time to time by the Diocesan Council; or
- (b) under an arrangement established by the Diocesan Council in connection with the constitution of the PSC.

(3) Section 11(3) – delete “three” and substitute:

five

(4) Section 11(4) – delete “must be constituted so far as reasonably possible so as collectively to” and substitute:

must include one or more persons who can

(5) Section 11(6) – delete “by the Diocesan Council.” and substitute:

by the Diocesan Council, or under an arrangement established by the Diocesan Council.

7 – Amendment of section 15 – Appointment

Section 15(3) – delete the subsection and substitute:

(3) The Director will hold office:

- (a) on such terms and conditions as may be determined from time to time by the Diocesan Council; or
- (b) under an arrangement established by the Diocesan Council in connection with the office of Director of Professional Standards.

8 – Amendment of section 16 – Functions of the Director

(1) Section 16(1)(e) – delete “of the Director?” and substitute:

of the Director;

- (2) Section 16(1)(l) – delete paragraph (l) and substitute:

(l) in a case of alleged illegal behaviour:

- (i) to support a complainant in making a report to police or child protection authorities; or
- (ii) if the Director or the PSC considers it to be necessary, appropriate or in the interests of a victim or alleged victim – make a report to police or child protection authorities;

9 – Amendment of section 49 – Panel

Section 49(1)(a) – delete “and who are members of the Church”

10– Amendment of section 50 – Appointment of the Panel

- (1) Section 50(1) – delete the subsection and substitute:

(1)The members of the panel will be appointed:

- (a) by the Diocesan Council; or
- (b) under an arrangement established by the Diocesan Council in connection with the constitution of the Board and its supporting structures.

- (2) Section 50 – after subsection (1) insert:

(1a) The members of the panel will hold office:

- (a) on such terms and conditions as may be determined from time to time by the Diocesan Council; or
- (b) under an arrangement established by the Diocesan Council in connection with the constitution of the Board and its supporting structures.

- (3) Section 50(2) – delete “shall be filled by Diocesan Council” and substitute:

will be filled in the same manner as provided by subsection (1a).

11– Amendment of section 66 – Panel of Review Board Members

- (1) Section 66 – after “from a panel of” insert:

up to

(2) Section 66(b) – delete the paragraph and substitute:

(b) at least one member of the clergy; and

(3) Section 66(b) – after the paragraph insert:

(c) at least one layperson.

12– Amendment of section 67 – Appointment of the Panel

(1) Section 67(1) – delete the subsection and substitute:

(1) The members of the panel will be appointed:

(a) by the Diocesan Council; or

(b) under an arrangement established by the Diocesan Council in connection with the constitution of the Review Board and its supporting structures.

(2) Section 67(2) – delete the subsection and substitute:

(2) The members of the panel will hold office:

(a) on such terms and conditions as may be determined from time to time by the Diocesan Council; or

(b) under an arrangement established by the Diocesan Council in connection with the constitution of the Review Board and its supporting structures.

(3) Section 67(4) – delete “shall be filled by Diocesan Council” and substitute:

will be filled in the same manner as provided by subsection (2)

A MEASURE FOR

AN ORDINANCE to amend the *Parochial Administration Ordinance 1985*.

NOW THE SYNOD HEREBY DETERMINES:

Part 1 - Preliminary

1 - Short title

This Ordinance may be cited as the *Parochial Administration Ordinance Amendment Ordinance 2023*.

2 - Commencement

This Ordinance will come into operation on a date and at a time to be determined by the President.

3 - Amendment of principal ordinance

The *Parochial Administration Ordinance 1985* is amended in the manner set out in Part 2.

Part 2 - Amendment of the *Parochial Administration Ordinance 1985*

4 – Insertion of Part IXA

After section 86 insert:

PART IXA – PARISH REVIEW

Institution of review

86A. (1) The Diocesan Council may direct and authorise the Secretary of Synod to review the affairs or activities of a parish to determine whether any aspect of the management of real property forming part of Parish Trust Property may give rise to unreasonable risk.

(2) In conducting the review, the Secretary of Synod must act in consultation with the Archdeacon for the relevant parish and seek to work co-operatively with the Parish Council.

(3) The Secretary of Synod must provide the Parish Council with a written explanation of Diocesan Council’s reasons for initiating the review.

Parish co-operation

Deleted:

Deleted: Note: An examination or review under this section will be called a “review for the purposes of this Part.”

86B. (1) The Parish Council for a parish that is undergoing a review must comply with any reasonable request made by the Secretary of Synod for the purposes of the review.

Deleted: subject to

(2) Without limiting subsection (1), a Parish Council must:

- (a) if requested to do so, meet with the Secretary of Synod, or a person nominated by the Secretary of Synod; and
- (b) answer questions put by the Secretary of Synod, or a person nominated by the Secretary of Synod; and
- (c) provide or prepare documents, records, financial statements and other information requested by the Secretary of Synod or by a person nominated by the Secretary of Synod; and
- (d) take reasonable steps to support the Secretary of Synod in any other way in connection with the review.

Report

86C. (1) The Secretary of Synod must prepare a written report at the conclusion of a review under this Part.

(2) The report must, insofar as is relevant to the review, include information about:

- (a) the management of any Parish Trust Property; and
- (b) the state of any Parish Trust Property; and
- (c) the nature and extent of any risk to the Synod; and
- (d) the likely costs involved in addressing any matter that is relevant to the circumstances outlined in the report; and
- (e) the ability of the relevant parish to pay for the costs identified in the report, and any reasonable options to address any inability of the parish to pay for those costs.

(3) The Secretary of Synod must, before completing the report:

- (a) provide a draft of the report to the Parish Council for the relevant parish; and

- (b) allow the Parish Council to provide a response (including by providing additional information to the Secretary of Synod) to the report within a period, of at least 6 weeks, specified by the Secretary of Synod; and
- (c) take into account any response or information provided by the Parish Council under paragraph (b).
- (4) The Secretary of Synod must, as soon as practicable after completing the report, provide the report to the Diocesan Council.
- (5) A copy of any written submission made by the relevant Parish Council must accompany the report provided to the Diocesan Council under subsection (4).

Action that may be taken by Diocesan Council

- 86D. (1) The Diocesan Council may, after receiving a report from the Secretary of Synod, determine what action (if any) should be taken in the circumstances.
- (2) For example, the Diocesan Council may:
- (a) require that the Parish Council engage a person to undertake any maintenance or remedial work on any Parish Trust Property or any part of Parish Trust Property; or
 - (b) require the Parish Council to set out a plan or scheme in connection with the management, maintenance, use or preservation of Parish Trust Property, or any part of Parish Trust Property; or
 - (c) require the Parish Council to provide reasons for why specified Parish Trust Property should not be sold.

Protocol

- 86E. (1) The Diocesan Council must develop and publish a protocol associated with the operation of this Part.
- (2) Without limiting subsection (1), the protocol:
- (a) must –
 - (i) outline a process that will be adopted before the Diocesan Council determines to initiate a review under this Part; and

- (ii) set out criteria, indicators and factors that the Diocesan Council may take into account in deciding whether or not to initiate a review under this Part; and

(b) may –

- (i) provide for additional processes and procedures in connection with the conduct of a review under this Part; and
- (ii) set out or identify steps and action that should be taken by a Parish Council if their parish is the subject of a review under this Part; and
- (iii) set out other steps and consultation that will be undertaken after a report has been prepared; and
- (iv) deal with any other matter considered to be helpful or appropriate in connection with a review under this Part.