



THE CHURCH  
OF SCOTLAND  
2010 GENERAL ASSEMBLY

REMIT'S BOOKLET

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## OVERTURE UNDER THE BARRIER ACT

(Together with Appendices 2 and 3 from the Report of the Panel on Review and Reform)

### OVERTURE ANENT LOCAL CHURCH REVIEW

*The General Assembly adopt the Overture the tenor whereof follows, and transmit the same to Presbyteries under the Barrier Act, directing that returns be sent in to the Principal Clerk not later than 31 December 2010.*

The General Assembly, with the consent of a majority of Presbyteries, hereby enact and ordain as follows:

1. The Presbytery shall conduct a review of every congregation in the Presbytery, normally once every five years. This is without prejudice to the right and responsibility of the Presbytery to make other superintendence visits as it deems necessary.
2. The object of the review by members of the Presbytery is to give counsel and encouragement to the congregation; to facilitate the congregation in setting out their priorities and plans for at least the next five years; and where anything unsatisfactory is found in the state of the congregation or not in accord with church law and order they shall give advice or take supportive or remedial action.
3. The review may be conducted as two separate exercises (and if appropriate by different representatives of the Presbytery), for the purposes of sections 4 and 5 below.
4. The Presbytery shall satisfy itself on the following matters and any other matters relating to the implementation of the law of the Church and the deliverances of the General Assembly: (To aid the Visiting Team initial information on these areas should be provided by the congregation as part of the advance information sent to the Visiting Team before the visits begin)
  - (a) the administration of the Sacrament of Baptism to infants in accordance with Act V, 2000;
  - (b) whether office-bearers are representative of the congregation's life, for example in terms of age and gender;
  - (c) whether the congregation's current form of constitution serves its future mission;
  - (d) whether the employment status of members of staff, the formal relationships among them and the prioritisation of work amongst them serves the congregation's mission effectively;
  - (e) compliance by the Kirk Session with the church law and civil law relating to Safeguarding;
  - (f) compliance with those provisions of Act XII 2007 regarding the provision and maintenance of manses;
  - (g) implementation of the findings of the most recent property surveys;
5. The Presbytery shall undertake a review of the work of the congregation and an exploration of the future direction of the mission of the congregation using guidance materials provided by the Mission and Discipleship Council. The purpose of the review is to establish:
  - (a) The congregation's own analysis of its purpose and vision for the future: this should include all aspects of the church's work as defined by that congregation, including worship, service, fellowship, discipleship, evangelism, social outreach, congregational life, Christian education, finance, fabric, and ministries support in relation to the local, national and international mission of the Church.

- (b) The nature of the working relationships amongst office-bearers, and between the office-bearers and the minister.
  - (c) The values that shape and direct the life of the congregation.
  - (d) How the life and work of the congregation has developed since the last review.
  - (e) What challenges have been encountered, and how these have been or can be dealt with.
  - (f) How the congregation plans to implement its vision for the future.
  - (g) What resources the congregation needs for its development, change and growth, and the source of such resources.
6. The process of review shall involve the production of an action plan for the congregation expressing a vision of the local church for its mission over at least the next five years, taking account of the resources available and the current Presbytery Plan.
  7. The review shall include a visit by a team appointed by the Presbytery to the local church, where they will meet with members of the ministry team, elders and other representative members of the congregation.
  8. The structure of the review by the Presbytery representatives shall reflect the needs of the local church. It may include more than one visit, different meetings with different groups, follow-up meetings, separate meetings with the minister, separate meetings with office-bearers and such other meetings as it considers necessary. The leader of the Visiting Team or his or her duly appointed deputy shall take the chair at all aforementioned meetings.
  9. In all cases the Visiting Team (or teams) shall submit a full report (or reports) to the Superintendence Committee of the Presbytery and to the minister and Kirk Session. The Visiting Team shall make every effort to agree the terms of its report with the Kirk Session, and shall indicate in the submitted report any outstanding areas of disagreement. The report shall narrate the current circumstances of the congregation, the intentions and plans of the minister and Kirk Session, the action plan referred to in section 6 and make recommendations for action and support by the Presbytery, and a time-table for subsequent superintendence and congregational action.
  10. The Superintendence Committee shall, after due and careful consideration of the report of the Visiting Team, submit a final Report to the Presbytery with its findings and a note of any comments received from the minister or Kirk Session. The minister or Kirk Session or any other party having an interest shall have the right to be heard by the Superintendence Committee and/or the Presbytery when the report is being dealt with by either body.
  11. Once approved by the Presbytery, the Superintendence Committee shall forward a copy of the report to other relevant Committees of the Presbytery mentioned as part of the report's recommendations for action and support.
  12. In the event of the Presbytery finding itself unable to express satisfaction with the state of any congregation, it shall instruct the Superintendence Committee to make further inquiry and to endeavour to remedy what is deemed to be unsatisfactory. If, after this further enquiry, the Presbytery finds that it is still unable to express satisfaction, it shall proceed under Act I 1988.

13. In the case of a Single Congregation Local Ecumenical Partnership (LEP) and Churches in Covenanted Partnership, which are recognised by the National Sponsoring Body for Local Ecumenical Partnerships (NSBLEP), an Ecumenical review in the form approved by the NSBLEP on 14 March 2008 shall be deemed to fulfil the requirements of this Act for the Church of Scotland. For the avoidance of doubt this is without prejudice to the general right and responsibility of the Presbytery to exercise superintendence in other ways, and it is without prejudice to the requirement of the regulations of any other denomination which is a partner in the same LEP.
14. The Presbytery shall have the ability to develop the process to fit its own needs, provided only that the requirements set out in this Act are fulfilled.

### **Consequential Amendments**

15. The following Acts and Regulations are hereby repealed or amended:
  - (1) Act II 1984 is hereby repealed.
  - (2) Act III 2000 s.39 is hereby amended by the deletion of the words "Act II 1984 anent Presbytery Visits (as amended)" and the substitution of the words "Act XXX 2011 anent Local Church Review".
  - (3) Act VI 2002 s.2 is hereby amended by the deletion of the words "Act II 1984 anent (as amended)" and the substitution of the words "Act XXX 2011"
  - (4) Act VI 2004 is hereby amended by the deletion of section 20.
  - (5) Regulation 2, 2004 is hereby amended by the deletion of the words "Presbytery visits" and the substitution of the words "Local Church Reviews".

## **APPENDIX 2 LOCAL CHURCH REVIEW GUIDELINES**

The specific aims of Local Church Review and the requirements to be met are laid out in the Act anent Local Church Review. Beyond that, Presbyteries may develop their own systems within the stated requirements. The following guidelines are designed to help Presbyteries develop a system of Local Church Review appropriate to their needs. It is important to note that these guidelines are not exhaustive and are not intended to restrict Presbyteries to a particular way of fulfilling their obligations in terms of the Act.

### **Advance preparation**

The Leader of the Presbytery Visiting Team should contact the minister of the congregation in advance to outline the process and to suggest dates for the visit or series of visits. A group of key office-bearers should be appointed to:

- (1) Provide information in advance of the Presbytery Visit (see Appendix 3). [This information should become part of a database of basic statistical and contextual information on the congregation, and on the parish that the local church seeks to serve. Presbytery should keep a record of this to assist with future reviews.] and
- (2) To meet with the Presbytery Visiting Team prior to the Presbytery Visit to the whole congregation.

### **Pre-Meeting with key office-bearers**

The Presbytery Visiting Team should meet with the group of Key Office-bearers to explain the new process in detail, and to confirm the date(s) of the visit(s). The meeting with key office-bearers should review at least the areas set out in section

5a) to g) of the Act anent Local Church Review. This visit should encourage the key office-bearers to:

- a) Express the life of the congregation as they see it, sharing what has gone well in the past ten years, what has been difficult, where they see the congregation's strengths and weaknesses and how they discern God to have been at work in their midst.
- b) Look forward for at least the next five years to identify the changes that are likely to take place in the congregation and parish as well as the opportunities and challenges that might present themselves within the same time frame.
- c) Review the database of basic statistical and contextual information on the congregation, and on the parish that the local church seeks to serve.
- d) Discuss how the congregation understands its role within the Presbytery Plan.
- e) Express what resources might help the congregation to better worship, witness, nurture and serve.
- f) Satisfy itself on the matters listed in Section 4(a) to (g) of the Act Anent Local Church Review. [This may also be done as a separate exercise under the terms of Section 3 of the Overture]

### **The Presbytery Visit**

Having reflected on the meeting with key office-bearers the Presbytery Visiting Team will meet with the other office-bearers and members of the congregation. Already having a picture of the work and future desires of the congregation the Presbytery Visiting Team will review the congregation's work and explore the future direction of the mission of the congregation in a way that is appropriate to the congregation by facilitating a wide ranging discussion on the life of the congregation and parish and the mission of the congregation locally, nationally and globally.

### **Plan of Action**

The process should result in a Plan of Action for the congregation. The plan should bring together the vision of the congregation for its mission over the next 5 years, taking account of its present position, its capacity and finances.

This should highlight the following as a minimum:

- A plan of action for the forward mission and ministry of the Church with goals that are Specific, Measurable, Achievable, Realistic and Time-limited (SMART goals)
- Resources available locally including human resources, buildings and finance
- New resources required and who shall provide them

### **The Final Report**

The report should set recommendations, give advice, and where appropriate it should set a timetable for action, preferably, a timetable agreed with the Kirk Session. The Plan of Action outlined above should be included in the report. The report should outline the achievements of the congregation, any difficulties faced, and what Presbytery or the congregation itself can do to contribute to the welfare and development of the congregation.

*The following questions are given as a helpful guide for the Presbytery Visiting Team to consider as they write their report. These are to be seen as neither exhaustive nor prescriptive:*

*Where things are going well:*

- How can the Presbytery affirm and nurture this further?
- How can the Presbytery encourage the sharing of this vitality with others?

Where the congregation is facing up to specific challenges (internally or externally):

- What changes are needed in attitudes, relationships, strategy or structure?
- What specific resources are needed to meet this challenge *eg* developing worship, discipleship, practical skills in finance/fabric, deepening spirituality?
- What are the potential partnerships with other agencies, other churches?
- What support is needed to resolve internal conflict/dysfunction?

Where the congregation can no longer sustain this model of Church life or engage in effective mission:

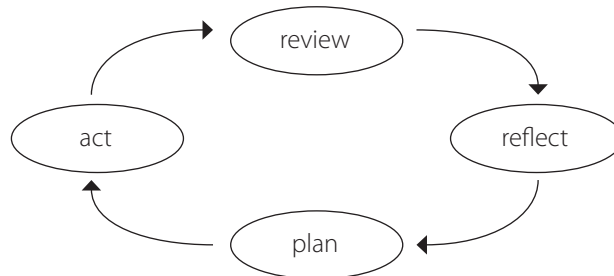
- What other form of Christian presence would they consider?
- What other partnerships would they consider?
- What resourcing is needed to equip the congregation for a new future?
- What is the pastoral process of closure and/or dissolution?

Where the congregation is no longer in synch with the community:

- What long-term process is needed to help them reconnect?
- How will this process be facilitated and by whom?

### **Review as a Continuous Process**

The process of review should be a continuous process and not just seen as that which is done by the Presbytery Visiting Team. The provision of good data provides the basis for good reflection, and is not an alternative to the reflection; the reflection provides the basis for a plan of action, and the plan of action leads to action. The cycle then repeats, the actions that are undertaken should be reviewed and reflected upon with a view to further improvement. This continuous cycle may be represented as follows:



## **APPENDIX 3**

### **LOCAL CHURCH REVIEW INFORMATION REQUIRED IN ADVANCE**

#### **Factual Information**

Please provide information and comment on the following areas of congregational life:

1. Membership: statistics for the past ten years including estimated age profile;
2. Worship: average weekly attendance (numbers, age profile, gender), style, musical range, use of audio visual equipment, innovations;
3. Pastoral Care: number of baptisms, weddings, funerals per year, specific demands of the situation, ways of sharing responsibilities;
4. Christian Nurture: numbers involved in Christian nurture: children, young people, young adults, adults; resources used;
5. Mission: specific mission initiatives – local or international, school involvement or other chaplaincies, evangelism training and strategies, communication;
6. Leadership: staffing, numbers of office-bearers including age and gender profile, training, structure, constitution;
7. Buildings: usage, state of repair, suitability, projects;
8. Finance: accounts, budget, allocations, shortfalls, Christian giving plans, special projects, statistics for givings over ten years;
9. Support for Minister or Ministry Team: administrative support, travelling expenses, study leave, additional staff needs;
10. Wider Church: relationship with Presbytery, Councils of the Church and ecumenical relationships;
11. Community: relationship with community groups or agencies;
12. Presbytery Plan: what are the interim steps and 10 year conclusions for your congregation in the Presbytery Plan? How do you see these working out?

#### **Legal Information**

Please provide information on the following legal requirements that a congregation must fulfil:

1. The administration of the Sacrament of Baptism to infants in accordance with Act V 2000;
2. Whether office-bearers are representative of the congregation's life, for example in terms of age and gender;
3. Whether the congregation's current form of constitution serves its future mission;
4. Whether the employment status of members of staff, the formal relationships among them and the prioritisation of work amongst them serves the congregation's mission effectively;
5. Compliance by the Kirk Session with the church law and civil law relating to Safeguarding;
6. Compliance with those provisions of Act XII 2007 regarding the provision and maintenance of manses;
7. Implementation of the findings of the most recent property surveys.

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## INSTRUCTIONS AND RECOMMENDATIONS TO PRESBYTERIES, KIRK SESSIONS, CONGREGATIONS AND INDIVIDUALS

### SCOTTISH BIBLE SOCIETY

8. Gratefully acknowledge the generosity of congregations and members in support of Bible projects.

### ECUMENICAL RELATIONS COMMITTEE

3. Encourage Presbyteries to seek the inclusion of United Free Church Congregations in Parish Groupings.
4. Encourage the use of the Liturgy for the Renewal of Baptismal vows on appropriate ecumenical occasions as part of the fruits of the Joint Commission on Doctrine's study on Baptism.

### PARISH DEVELOPMENT FUND

2. Rejoice with those congregations who, through the support of the Fund, have found new and exciting ways of engaging with their communities during this last year.

### WORLD MISSION COUNCIL

7. Urge all Kirk Sessions to consider how their congregations can best (a) raise awareness of the issues facing minority Christians; (b) offer prayer support to minority Christians; (c) undertake advocacy on behalf of minority Christians, and (d) take practical action to demonstrate solidarity with minority Christians.
9. Commend the Global Poverty Prayer Week initiative to congregations as a means of praying for and raising awareness of issues of poverty and injustice and encourage the use of resources prepared by Tearfund available on their website: [www.tearfund.org](http://www.tearfund.org).

### MINISTRIES COUNCIL

8. Note with concern the issue of sustainability in relation to the future funding of the ministries of the Church and instruct Presbyteries to work closely together with the Ministries Council to achieve a balanced budget for ministries by 2014.
10. Instruct Presbyteries to begin an immediate review of Presbytery Plans using the principles and numbers outlined in section 1.4 of this report.
13. Note the continuing development of *A Place for Hope* and instruct the Council to continue its programme of mediation training to assist in conflict resolution throughout the Church and to urge Presbyteries to minimise conflict in the implementation of section 8.
22. Instruct the Ministries Council to consult with the Legal Questions Committee with a view to publishing a list of male only Kirk Sessions in the annual Reports to the General Assembly.
24. Note the work done on devising a liturgy for the Introduction of Chaplains who work outside of the structures of the Church and encourage Presbyteries to devise services which are sensitive to the local context and circumstances.
25. Instruct Presbyteries to ensure their membership of Local Spiritual Care Committees and to work collaboratively with their colleagues across the denominations and other faiths to develop best practice in the delivery of Spiritual Care within the NHS.

## **SOCIAL CARE COUNCIL**

8. Thank the whole Church for its support through prayer, volunteering and through donations from local churches and encourage the Church to continue its support at a time of major challenge for the Council.

## **PANEL ON REVIEW AND REFORM**

3. Instruct Presbyteries to consider the Panel's proposals for reform in conjunction with the issues raised by the Ministries Council and the Special Commission on the Third Article Declaratory.
5. Instruct Councils, Committees and Presbyteries to engage with the Panel as required with a view to sharing their experience and expertise in delivering the vision for the Church of Scotland.
9. Commend the report "Overseas Mission in the Life of the Local Church" for study by the Church.
10. Urge congregations to establish a world church partnership with a congregation or project which is relevant to their situation.

## **HIV/AIDS PROJECT**

2. Thank and congratulate congregations around Scotland for their enthusiastic and effective participation in Souper Sunday 2010 and invite congregations and partner churches to support a similar initiative in 2011.
3. Acknowledge and congratulate the Presbyteries who have successfully responded to the Moderator's Challenge, and encourage other Presbyteries to consider how they might respond to the ongoing 'Challenge'.
4. Commend the various campaigns urging governments to 'keep the promise' regarding universal access to ARVs for people living with HIV, and encourage churches and congregations to add their support to such campaigns, as they are highlighted on the Church's website.
5. Encourage churches and congregations to be aware of the stigma and discrimination facing people living with HIV, within Scotland and beyond, and to challenge them in appropriate ways.

## **CHURCH OF SCOTLAND GUILD**

4. Urge ministers and Kirk Sessions to support their local Guilds and offer opportunities for them to share the Guild's work with the wider congregation, particularly during Guild Week.

## **CHURCH AND SOCIETY COUNCIL**

### **Parish Action**

#### ***Resource Development***

3. Instruct the Council and the Mission and Discipleship Council, together with all Presbyteries and other Councils of the Church, to bring to the General Assembly of 2011 a report on the ways in which each is enabling the voices of children and young people to be heard in appropriate and effective ways in their decision-making processes.

#### ***Congregational Representatives***

4. Instruct Presbyteries to ensure that each congregation has a Church and Society contact person and to provide an e-mail address to which information can be sent and from which information can be received.

### **Science and Ethics**

#### ***Synthetic Biology***

12. Encourage HM Government and European Union to develop a regulatory framework for Synthetic Biology that includes a code of ethics.

**Congregational Actions**

14. Note the success of those Presbyteries that have put into effect the instruction of the General Assembly 2009 to prepare a plan to enable congregations to measure their carbon footprint and ask the Church and Society Council to work with General Trustees and others to ensure all Presbyteries share successfully in this work.

**Eco-Congregation Scotland**

15. Welcome the incorporation of Eco-Congregation Scotland as a charitable company and encourage all eco congregations to consider how they might fundraise to allow them to make a financial donation each year to enable the charity to grow and flourish.

**Societal Issues****Practical, Congregational Responses to Poverty**

16. Commend all congregations involved in practical projects with people who are experiencing poverty, and especially those featured in the report.
17. Encourage all congregations to conduct a community audit to identify how debt and unemployment affect their parish; and take positive action in response to their findings.
18. Commend to all members and congregations, the importance of welcome and hospitality and encourage Kirk Sessions to reflect on their practice in this area.
20. Call on Scottish and UK Governments to recognise the destructive impact of inequality on the wellbeing of all, the disproportionate impact of cuts in services on the poorest, and therefore to poverty proof all budget decisions.
23. Urge the UK Government to protect the rights of asylum seekers who are children, and express concern over the process in determining the age of asylum seekers who claim to be under the age of 18.

**Ethics of Campaigning**

32. Affirm that there are times when non violent direct action, involving potential or actual civil disobedience in the form of deliberate lawbreaking, may be regarded as a legitimate approach to expressing the Gospel.

**Education****Religious Observance**

33. Commend the development of a Master's Module in Religious Observance and encourage school chaplains and other appropriate persons to attend the course with school staff where possible.

**Economics Working Group**

41. Appoint a Commission on the Purposes of Economic Activity as described in the report and supplementary report.
42. Instruct all Councils and agencies of the Church to co-operate fully with the working of the Commission.
43. Encourage Presbyteries and Kirk Sessions to involve themselves fully in the work of the Commission.
44. Instruct the Commission to report to the General Assembly of 2012.

**End of Life Assistance (Scotland) Bill**

48. Urge members of the Church to act to make clear their opposition to this legislation.

### **CHAPLAINS TO HM FORCES COMMITTEE**

4. Urge the Church to uphold in prayer all those facing particular danger and the stress of separation during Operational Duties, especially in Afghanistan.
5. Commend to Ministers of the Church consideration of service as a Chaplain in the Royal Navy, Naval Reserve or Sea Cadets, Regular Army, Territorial Army or Army Cadet Force, Royal Air Force, Air Training Corps and consideration of the civilian post of Officiating Chaplain to the Military.
6. Urge Congregations to direct material support to troops serving on Operational Duties through the *SSAFA Operational Welfare Fund*.

### **SAFEGUARDING COMMITTEE**

2. Endorse the rubric of the Policy Statement revised to reflect changing legislation and to take account of the Report of the Forgiveness and Proportionality Working Group and instruct Kirk Sessions to note the text of 'Ensuring a Safe Church for All'. (See Sections of Reports p 22)
5. Instruct Kirk Sessions to ensure that all persons 16 years or over in leadership positions working with children and young people have Enhanced Disclosure checks.
7. Instruct Presbyteries and Kirk Sessions that appropriate Safeguarding training (as determined by the Safeguarding Office) must be undertaken by those involved as Presbytery Trainers, Congregational Coordinators, Kirk Sessions and others.

### **MISSION AND DISCIPLESHIP COUNCIL**

4. Encourage congregations to make use of all of the resources produced by the Council, in particular the new pastoral care DVD, *Encounter*, and the Scottish Emerging Church DVD *Seeds*.

### **Education and Nurture**

9. Encourage congregations and the wider Church to engage with the 'Child Friendly Church' process.
10. Urge Kirk Sessions to reflect on '*All Who Can In Faith?*', and consider how people with learning disabilities can play a full part in the celebration of the sacrament of Holy Communion.

### **Mission and Evangelism**

12. Invite Presbyteries and Kirk Sessions to note and access resources and skills available through the Council for mission planning and development.
13. Urge Presbyteries to support and encourage their Prayer Co-ordinators as they work to fulfil their responsibility for the promotion and development of prayer across the Presbytery and urge Ministers and Kirk Sessions to utilise the gifts of Prayer Promoters as together they share the responsibility for the promotion of prayer within all aspects of parish life.
14. Invite Presbyteries to consider running, in sequence, the Fresh Expressions 'Vision Day', the six week 'Mission Shaped Introductory' course and the 'Mission Shaped Ministry' course.
15. Commend the Biblefresh initiative and encourage congregations to make use of resources available at [www.biblefresh.com](http://www.biblefresh.com).

### **Committee on Church Art and Architecture**

18. Remind congregations of the importance of early consultation with the Committee when any new proposal is being considered.

19. Instruct the Presbytery planning process in each Presbytery to include consultation with the Committee on Church Art and Architecture to ensure that all proposals for alterations to the number of buildings will reflect the important opportunity for development and preservation of the assets of the church for mission and worship.
21. Encourage all Commissioners and Presbytery Clerks to support the campaign for full compensation by the Government of all costs involved in the replacement of microphone systems as a result of the sale of the airwaves.

### **Rural Scotland**

23. Encourage Presbyteries and Kirk Sessions to send representatives to the Rural Church Conference in October 2010.

### **Life and Work Review Group**

33. Commend the magazine to the attention of the membership of the Church as a whole and encourage a wider audience to purchase copies so that the diversity and range of the issues it reflects upon may have a wide circulation.

### **GENERAL TRUSTEES**

3. Note the increasing number of cases where congregations are engaging in partnership with external organisations as they seek to develop their buildings in order to engage more effectively with their local communities.
6. Note that the Listed Places of Worship VAT Grant Scheme is scheduled to finish in March 2011, urge HM Government to continue the Scheme and encourage congregations to make representations to their MPs.

### **SPECIAL COMMISSION ON THIRD ARTICLE DECLARATORY**

2. Pass a Declaratory Act anent the third Article Declaratory of the Constitution of the Church of Scotland in Matters Spiritual in the following terms:  
The General Assembly declare as follows:
  - (1) The Church of Scotland reaffirms the principles enshrined in the third Article Declaratory and declares anew its commitment to be a national church with a distinctive evangelical and pastoral concern for the people and nation of Scotland;
  - (2) The Church of Scotland asserts that, while this commitment is recognised by Act of Parliament, namely the Church of Scotland Act 1921 and Articles Declaratory appended thereto, its true origin and entire basis lie not in civil law but in the Church's own calling by Jesus Christ, its King and Head;
  - (3) The Church of Scotland remains committed to the ecumenical vision set out in the seventh Article Declaratory and, in pursuit of that vision, stands eager to share with other churches in Christian mission and service to the people of Scotland;
  - (4) The Church of Scotland understands the words "a national church representative of the Christian faith of the Scottish people" as a recognition of both the Church's distinctive place in Scottish history and culture and its continuing responsibility to engage the people of Scotland wherever they might be with the Gospel of Jesus Christ.
  - (5) The Church of Scotland understands the phrase "bring the ordinances of religion to the people in every parish of Scotland through a territorial ministry" to mean a commitment to maintain worshipping, witnessing and serving Christian congregations throughout Scotland.
4. Affirm the key role of Presbyteries in the delivery of the commitment expressed in the third Article Declaratory as

understood by the Church and instruct Presbyteries anew to engage with the process instructed by the General Assembly of 2008 to create a Presbytery structure which can more effectively manage the deployment of the Church's ministerial and other resources.

## **INSTRUCTIONS TO COUNCILS AND COMMITTEES**

NB: These are listed according to the Assembly debate in which they were agreed, so Committees may find relevant instructions throughout these pages

### **LEGAL QUESTIONS COMMITTEE**

9. Instruct the Committee to review the Baptismal Register having particular regard to the section seeking father's occupation; to consider whether mother's occupation should also be sought; and whether there is any need to record parental occupation at all.

### **SPECIAL COMMITTEE ON THE REVIEW OF CHARITY GOVERNANCE**

2. Appoint the voting members of Council of Assembly to act as the charity trustees for the Unincorporated Councils and Committees of the General Assembly (The Church of Scotland, Scottish Charity Number SC011353) with immediate effect.
3. Require that the members of the various Councils and Committees of the General Assembly apply to their duties the same standards as are required of charity trustees.
4. Approve the Special Committee's recommendations for the selection process, skill set and experience required for voting members of the Council of Assembly.
5. Instruct the Nomination Committee to implement the Special Committee's recommendations.

### **COUNCIL OF ASSEMBLY**

5. Approve the proposals set out in the Report for continuing the work of the HIV/AIDS Project as the "Church of Scotland HIV Programme", but give permission to the World Mission Council to distribute funds for the project within Scotland as well as overseas.
11. Agree that, in the absence of any other appointing agency to whom powers have been delegated by the General Assembly, the Council, in terms of section 22 of its remit, should be the body to deal with issues arising in relation to trust bodies to which the Church of Scotland appoints members, which are not component elements of the Church of Scotland for the purposes of Designated Religious Charity status.
14. Welcome the Council's budgetary objective of maximising resources available to congregations and the consequent efforts being made to control spending and prioritise the work of Councils and Committees; at the same time acknowledge the potential for increasing Christian liberality across the Church; resolve that the Church should embark upon a national stewardship programme and instruct the Council to bring detailed proposals for the implementation of such a programme to the General Assembly of 2011.

### **SPECIAL COMMISSION ON THIRD ARTICLE DECLARATORY**

5. Instruct the Ecumenical Relations Committee, in consultation with the Ministries Council and relevant Presbyteries of the bounds, to seek discussions with sister churches with a view to identifying areas where a sharing of ministries

and buildings would enable a more effective ministering to communities throughout Scotland and to report to the General Assembly of 2012.

6. Instruct the Ministries Council to give consideration to the establishing of arrangements similar to the Shetland arrangements for other remote areas and to report to the General Assembly of 2011.
7. Urge ministers of word and sacrament to give prayerful consideration to serving urban priority area and remote rural parishes and invite the Ministries Council to keep these options before ministerial candidates and ministers.
8. Instruct the Ministries Council, as it takes forward the Presbytery planning process, to engage with the General Trustees and Presbyteries on the development of a strategic plan for church buildings and to report to the General Assembly of 2012.
9. Instruct the Ministries Council in consultation with the Worship and Doctrine Task Group of the Mission and Discipleship Council to consider authorising identified and appropriately trained individuals to celebrate the sacraments in the absence of an ordained minister and to report to the General Assembly of 2011.
10. Instruct the Ministries Council, in consultation with the Legal Questions Committee, to review the helpfulness of Act VI 1984 anent Congregations in Changed Circumstances with regard to ministerial flexibility and to report with proposals to the General Assembly of 2011.

### **WORLD MISSION COUNCIL**

2. Give thanks for the life and witness of overseas staff who have died, salute those who have completed their period of service overseas, and uphold in prayer all overseas staff who continue to serve.
3. Instruct the Council to sustain and strengthen its commitment to offering meaningful solidarity to partner churches in contexts where the Christian community comes under severe pressure because of its minority status.
4. Instruct the Council to work with partner churches on the development of inter-religious dialogue with a view to promoting religious freedom and resolving the difficulties currently faced by Christians who suffer on account of their minority status.
5. Instruct the Council to make known to the Church at large the situations of discrimination and/or persecution which are faced by partner churches and other Christian communities at this time.
6. Instruct the Council to raise awareness among elected politicians of the discrimination and persecution Christians face in many countries, and as a part of that awareness raising to send copies of the report to appropriate Scottish and UK Government Ministers, Members of Scottish Parliament, Members of Parliament representing Scottish constituencies, and Members of the European Parliament representing Scotland.
8. Instruct the Council to explore the relationship of Christian Aid to local Christian churches in the Middle East and to report to the Assembly of 2011.
10. Approve the *Priority Areas Action Plan* (Ministries Council, section 1.3) and commit the World Mission Council, in partnership with others, to its effective delivery over the next seven years.

### **MINISTRIES COUNCIL**

2. Note the ongoing work of the Council in relation to the review of tenure, affirm the ongoing commitment of the General Assembly to an urgent overhaul of the system of tenure and, notwithstanding the support shown by Presbyteries for the continuation of unrestricted tenure as the norm, instruct the Council to bring forward to the General Assembly 2011 full and detailed plans for the implementation of the range of issues documented

in the Council's consultation with Presbyteries in the autumn of 2009 that would see the reversal of the present presumption that unrestricted tenure would be the norm.

3. Invite the Council to spell out in their 2011 report the key spiritual factors that build a sense of dignity in Christ, zeal to share the Gospel and Christian liberality in a congregation.
4. Note the continuing work of the Council in reviewing its patterns of training for ministries and approve in principle the key pointers towards the future shape of ministries training outlined.
5. Note the outline of *Strands for Ministries* presented below and instruct the Council to bring to the General Assembly 2011 plans for the implementation of an Ordained Local Ministry.
6. Affirm the long term objective of the Council to ensure that all training for ministries in Scotland be conducted intentionally in ecumenical partnership and instruct the Council to work together with the Ecumenical Relations Committee in encouraging all denominations in Scotland to consider ways in which ecumenical partnership in training can be strengthened.
7. Note the collaborative work undertaken with others in the production of the *Priority Areas Action Plan*, approve its content and instruct the Council to continue to work together with the many partners who have agreed to commit to joint working.
9. Instruct the Ministries Council to review the allocation of geographical weightings used in the 2005 Guidelines and report to the 2011 General Assembly.
11. Instruct the Council to work together with the Mission & Discipleship Council in preparing plans for the delivery of such training as is necessary to ensure the provision of well-equipped local ministries to work alongside Parish Ministers in the fulfilment of the remit of the Church of Scotland as a National Church.
12. Instruct the Council to work together with the Council of Assembly's Finance Group in seeking to address the financial issues arising out of the Council's commitment to establishing a balanced budget and to bring the results of this discussion to the General Assembly of 2011 in as concise, clear and understandable a way as is possible.
13. Note the continuing development of *A Place for Hope* and instruct the Council to continue its programme of mediation training to assist in conflict resolution throughout the Church and to urge Presbyteries to minimise conflict in the implementation of section 8.
17. Instruct the Council, in consultation with the General Trustees, the Legal Questions Committee and the Housing and Loan Fund, to prepare a report for the General Assembly 2012 on the future of manse provision.
19. Instruct the Council, through its Priority Areas Committee, to engage with the General Trustees and Faith in Community Scotland in enabling the development of sustainable buildings in designated priority area parishes.
20. Note the work being undertaken on a Youth Work Strategy for priority areas and instruct the Council to continue the implementation of this important work.
21. Welcome the report on numbers of Women in Ministry and instruct the Council to continue to monitor and report on the issues raised therein.
22. Instruct the Ministries Council to consult with the Legal Questions Committee with a view to publishing a list of male only Kirk Sessions in the annual Reports to the General Assembly.
23. Instruct the Council, as part of its training review for ministries, to explore further the relationship between the Accompanied Review process and the variety of opportunities that are available for personal development and further study.

29. Instruct the Council to adopt a policy for future recommendation for stipends and salaries whereby these will not rise by a figure greater than any increase in income coming to the Ministries Council from congregational contributions.
30. Instruct the Council to work together with the Legal Questions Committee to prepare a report for the General Assembly on the way in which the tension arising out of the need to process a grievance raised by an employee against an office holder under two separate legal jurisdictions can be resolved.

### **SOCIAL CARE COUNCIL**

2. Commend the Corporate Management Team for their management of the organisation throughout a period of significant change and express appreciation to those staff who, as a result of the restructuring exercises, are no longer employed by CrossReach.
4. Approve the *Priority Areas Action Plan* (see Ministries Council Section 1.3) and commit the Social Care Council in partnership with others to its effective delivery over the next seven years.
9. Encourage the Council to continue to develop partnerships particularly with other ecumenical partners.
10. Encourage the Council to continue its work on its strategic plan and welcome the initiatives in 2010 to create an organisation 'fit for purpose' to face the challenges of the developing social care environment.

### **PANEL ON REVIEW AND REFORM**

2. Approve the request for an extension of time to develop the proposals for reform set out in section 2 of the report and instruct the Panel to report further to the General Assembly of 2011.
4. Instruct the Panel, in consultation with the Ministries Council and others, to consider changes to Act VII 2003, to remove the need for Presbytery Plans and other appraisal decisions to be approved by the Ministries Council.
5. Instruct Councils, Committees and Presbyteries to engage with the Panel as required with a view to sharing their experience and expertise in delivering the vision for the Church of Scotland.
7. Instruct the Mission and Discipleship Council to produce and maintain guidance on the objectives of Local Church Review and instruct the Legal Questions Committee to monitor the effectiveness of relevant legislation.
11. Affirm the World Mission Council for the work undertaken so far in the development of partnerships and twinnings at local level and recommend that the research be used as a basis for future work.
12. Encourage the World Mission Council in its development of policy and strategy in relation to partnerships and twinnings which support and resource congregations and Presbyteries in line with section 4.8 of this report.
13. Encourage the World Mission Council in its development of mechanisms for shared learning for congregations and Presbyteries involved in partnerships and twinnings.

### **CHURCH OF SCOTLAND GUILD**

6. Commend the Guild for its contribution to the Decade to Overcome Violence and the continued value of raising the profile of the issues involved.
7. Approve the *Priority Areas Action Plan* (Ministries Council, Section 1.3) and commit the Guild, in partnership with others, to its effective delivery over the next seven years.
8. Commend the Guild for its contribution to the ACTS Trafficking Task Group and urge the Church of Scotland to adopt its report, to be contained in the Supplementary Reports.

## **CHURCH AND SOCIETY COUNCIL**

### **Parish Action**

#### ***Resource Development***

2. Instruct the Church and Society Council to work with other partners to develop worship and discussion resources, where appropriate using real life experiences and reflections of the issues, to support congregations to engage in and act on the questions and challenges explored in its reports.
3. Instruct the Council and the Mission and Discipleship Council, together with all Presbyteries and other Councils of the Church, to bring to the General Assembly of 2011 a report on the ways in which each is enabling the voices of children and young people to be heard in appropriate and effective ways in their decision-making processes.

#### ***Mental Health***

7. Instruct the Church and Society Council and the National Youth Assembly to continue to work together to develop a better understanding of the issues of mental health in young people and to provide, in their 2011 report, guidelines for churches on how to be mental-health-friendly'.

#### ***Suicide Amongst Young Men***

8. Instruct the Church and Society Council to consult with young people in developing the work begun on suicide amongst young men and to report to the 2011 Assembly.

#### ***Microcredits***

9. Instruct the Church and Society Council to continue in its discussions on the issue of microcredits and to report to the 2011 Assembly.

### **Science and Ethics**

#### ***Synthetic Biology***

10. Instruct the Church and Society Council to create opportunities for congregations to engage with the issues raised by the report on Synthetic Biology.
11. Instruct the Church and Society Council to encourage further debate within civil society on the issues raised by the report on Synthetic Biology.

### **Caring for the Earth**

#### ***Campaigning***

13. Endorse the leading role that the Church plays in responding to climate change and instruct the Church and Society Council to work with UK and Scottish Government and others to meet the national targets in the Climate Change (Scotland) Act.

#### ***Congregational Actions***

14. Note the success of those Presbyteries that have put into effect the instruction of the General Assembly 2009 to prepare a plan to enable congregations to measure their carbon footprint and ask the Church and Society Council to work with General Trustees and others to ensure all Presbyteries share successfully in this work.

## **Societal Issues**

### ***Practical, Congregational Responses to Poverty***

19. Urge the Council of Assembly and also the Panel on Review and Reform to keep the Gospel priority for the poorest and most marginalised at the forefront of its considerations.
21. Encourage the Church and Society Council in partnership with the Priority Areas Committee and others to continue to engage with the issues involved in benefits and routes out of poverty.
22. Instruct the Council to pursue concerns for the most vulnerable people raised by possible changes to the Lloyd's TSB Foundation.

### ***Priority Areas Action Plan***

24. Approve the Priority Areas Action Plan (Ministries Council, Section 1.3) and commit the Council, in partnership with others, to its effective delivery over the next seven years.

### ***Travellers***

25. Note that the Church and Society Council is working with the Scottish Churches Racial Justice Group to bring forward a report on the attitudes of the Churches in Scotland to Travellers.

### ***Scotland's Constitutional Future***

27. Instruct the Church and Society Council in partnership with other denominations to provide materials for discussion and reflection on the issues raised by the debate on Scotland's constitutional future and to report to the 2011 Assembly.

## **Politics and Government**

### ***Living Wage***

28. Welcome the announcement on the level of a Scottish Living Wage, and instruct the Church and Society Council to work with presbyteries to help congregations become Living Wage employers.

### ***Human Rights***

29. Instruct the Church and Society Council to seek to establish an ecumenical working group to reflect theologically on human rights law, the practical applications of rights based policy and their implications for society.
30. Instruct the Council to work together with the Ministries Council and the Guild in a review of the recommendations of the Church and Nation Report to the General Assembly 2003 on domestic abuse with a view to strengthening the implementation of its recommendations.

## **Peacemaking**

### ***Working with Military Chaplains***

31. Welcome the discussions between Church and Society staff and military chaplains on common work and encourage further dialogue.

## **International Affairs**

### ***Afghanistan***

36. Instruct the Church and Society Council to progress work on this issue including meeting with the Foreign and Commonwealth Office and the Ministry of Defence to express the concerns of the Church about the long term consequences on global stability from this conflict.

### ***International Development and the Financial Crisis***

38. Instruct the Church and Society Council to raise with HM Government the concern regarding the negative impacts of tax evasion and avoidance which are estimated to cost poor countries \$160bn each year.
39. Welcome the commitment from the Organisation for Economic Cooperation and Development, supported by the UK Government, to include a country by country reporting standard in their Guidelines for Multinational Corporations by the end of 2010 and seek to see this extended to an international binding standard for all multinational companies.

### ***Thanks and Distribution***

40. Thank all those who assisted the Council in the preparation of the Report and instruct the Council to send copies of the Report with the Deliverance to appropriate Scottish and UK Government Ministers, Members of the Scottish Parliament, Members of Parliament representing Scottish constituencies, Members of the European Parliament representing Scotland, and others involved in the issues addressed by the Report.

### **Economics Working Group**

41. Appoint a Commission on the Purposes of Economic Activity as described in the report and supplementary report.
42. Instruct all Councils and agencies of the Church to cooperate fully with the working of the Commission.
43. Encourage Presbyteries and Kirk Sessions to involve themselves fully in the work of the Commission.

### **End of Life Assistance (Scotland) Bill**

47. Instruct the Council to continue campaigning against any such legislation.

### **SAFEGUARDING COMMITTEE**

3. Instruct the Committee to continue to raise the awareness of the Report of the Forgiveness and Proportionality working Group '*For of such is the Kingdom of Heaven*' and provide appropriate training and support to congregations in the implementation of the policy in the Forgiveness & Proportionality report.
6. Instruct the Council of Assembly to ensure appropriate financial resources are made available to implement the Protection of Vulnerable Groups (Scotland) Act 2007 in order to accommodate the likely impact of a significant increase in the work of the Safeguarding Office.

### **JOINT REPORT OF THE SOCIAL CARE COUNCIL AND THE SAFEGUARDING COMMITTEE**

2. Endorse the decision by the Social Care Council and the Safeguarding Committee to introduce the 'Whole Church Safeguarding Service' and instruct that the service should be fully operational by Summer 2010.

### **MISSION AND DISCIPLESHIP COUNCIL**

5. Approve the *Priority Areas Action Plan* (Ministries Council, Section 1.3) and commit the Mission and Discipleship Council, in partnership with others, to its effective delivery over the next seven years.

### **Education and Nurture**

7. Encourage the Youth Strategy Working Group to prepare its recommendations and proposals for consideration by the General Assembly 2011.

8. Instruct the Council and the Council of Assembly, in consultation with the Committee on Ecumenical Relations and other interested parties, to review the place and priority of doctrinal reflection within the Church, and to report to the General Assembly of 2011.
11. Instruct the Council, in consultation with the Ministries Council, to include material on the ordination of women in its resourcing of worship, witness and discipleship. Such material should include the Biblical justification for and blessings gained from the ordination of women as elders and ministers.

### **Mission and Evangelism**

16. Acknowledge and give thanks for the longstanding commitment of the General Assembly to The Well Asian Information and Advice Centre since its inception in 1994; welcome the continuing commitment of the Council to finding a secure future for The Well; and instruct the Council to consult with the Council of Assembly in exploring ways of ensuring a sustainable future for The Well, and to report to the General Assembly.

### **Rural Scotland**

22. Welcome the publication of the research into 'How rural is that parish?' and encourage the Council to collaborate with other Councils and agencies of the Church on how best to use it in planning for the future.

### **Life and Work Review Group**

26. Encourage Council and Committee Secretaries to ensure that the Editor is made aware of current topical issues of individual Councils and Committees in the fulfilment of their remit.
27. Encourage the continuation of sensitive reflective and balanced expressions of personal opinions in the magazine in order to enable the Church to explore theological questions with insight and knowledge.
28. Instruct the Mission and Discipleship Council to seek ways of enabling the magazine to be published in other forms in addition to the current printed media, and to review this after an appropriate period.
29. Instruct the Mission and Discipleship Council to instigate a process of promotion and development of the magazine, and report on the progress made to the General Assembly of 2013.
30. Resolve that an Editorial Advisory Panel of seven to assist the Editor, with a Convener independent of other communication groups within the Church, be appointed by the General Assembly on the Report of the Nomination Committee.
31. Instruct the Advisory Panel to meet regularly (at least twice per year), and be consulted by the Editor on other occasions by the most convenient means possible as and when questions or issues arise.
32. Instruct the Mission and Discipleship Council to prepare guidance notes for the Advisory Panel members and the Editor which ensure that their distinctive roles are clarified in relation to editorial independence while emphasising their collaborative function in offering guidance and opinion to the Editor.
34. Discharge the Publishing Committee and thank its members for their service to the Church and the Council.
35. Resolve that the membership of the Council be increased by the addition of three members with skills in the area of publishing.

## SECTIONS OF REPORTS

### **SAFEGUARDING**

**2.2** *'Ensuring a Safe Church for All'* is a revision of the 1997 Policy Statement to take account of the changes in legislation.

The revised policy now reads

#### **Ensuring a Safe Church for All**

##### **The Policy Statement of the Church of Scotland**

The Church of Scotland has a deep concern for the wholeness and wellbeing of each individual. Through its Safeguarding Office and its contacts with the Statutory Agencies the Church seeks to safeguard the welfare of all people, regardless of age, who come into contact with the Church and its organisations. *'Of Such is the Kingdom of Heaven'* the Report of the Forgiveness & Proportionality Working Group affirms that it is the responsibility of each individual within the fellowship of the Church to prevent harm. Harm or abuse of any type or level towards Children, Young People or Adults at Risk is unacceptable and we will always strive to minimise the risk of harm occurring.



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Produced by APS Group, 7-9 North St. David Street, Edinburgh EH2 1AW Tel 0131-524 9600