



The Church of Scotland

**The Presbytery of .....**

**LOCAL  
CHURCH  
REVIEW  
PACK**

**Template 'A'**

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## INTRODUCTION AND PROCESS

Local Church Review (LCR) was enacted by the General Assembly in 2011 (Act 1 2011) and replaces the Superintendence Quinquennial Visitation programme as the Presbytery's process for Congregational Review. The Presbytery has the responsibility for conducting a review of every congregation in its bounds, normally every 5 years.

The object of the LCR is for the Presbytery:

- to give counsel and encouragement to the congregation;
- to facilitate the congregation in setting out their priorities and plans for at least the next 5 years;
- to give advice or take supportive or remedial action where anything unsatisfactory is found in the state of the congregation or not in accord with church law and order.

The LCR process is undertaken within the remit of the Presbytery ..... Committee, with the support of the ....., which also includes the responsibility to facilitate, co-ordinate and evaluate the development of LCR across the Presbytery.

There are various stages involved in the LCR process and these are outlined below:

1. The leader of the LCR Visiting Team [see note iv] offers to meet with the Kirk Session to outline the LCR process and answer any questions the Kirk Session might have prior to the process commencing.
2. Request made by the Presbytery for the church to complete a written report outlining the following:
  - The church's story.
  - The congregation's own analysis of its purpose and vision for the future as well as a picture of what congregational life is like in relation to worship, fellowship, service, discipleship and evangelism.
  - The nature of working relationships amongst office bearers, and between the office bearers and the minister.
  - Money.
  - Presbytery Plan implications,
  - Communication strategies.

[see note i]

3. Request made by the Presbytery for the church to complete some draft SMART goals which will be used as part of the discussion with the LCR Visiting Team during the visit. [see note i and Section 2]
4. Request made by the Presbytery in advance of the LCR Visit for factual and legal information regarding the congregation. [see note i]

*These 3 items of information are submitted to ..... and are circulated to the LCR Visiting Team. Churches will be able to submit these either in electronic format or in writing.*

5. Request made by the Presbytery in advance of the LCR Visit for the completion of the Presbytery Buildings Criteria documents [see section 4]. [see note ii]
6. The LCR Visiting Team [see note iii] meet in advance of visiting the church to familiarise themselves with the information submitted in stages 1, 2 and 3 above, in preparation for the LCR visit. Taking into account this information, and at the earliest opportunity, the LCR Visiting Team should contact

the congregation to discuss and agree the nature, number and purpose of visits, in order to ensure the process will be of maximum benefit to the congregation. If the congregation has already written articulated stories and plans (perhaps from another recent process) the LCR Visiting Team should be open to receiving these and indicating if they essentially fulfil the purpose of the Presbytery’s LCR forms.

7. The LCR Visiting Team visits the church to meet with members of the ministry team, office-bearers and other representative members of the congregation. The structure of the meeting(s) will be influenced by the information provided by the church in the reports in stages 1, 2 and 3 above and will reflect the needs of local church. [see note iv]
8. During the LCR Visit(s), the Visiting Team, working with the congregation, will help in the production of an Action Plan for the church expressing a vision of the local church for its mission over at least the next 5 years, taking account of the resources available and the provisions of the current Presbytery Plan and covering the headings outlined in stage 2 above. [see note v]
9. After the LCR Visit(s), the Visiting Team shall compile a report and submit this to the ..... Committee and to the minister and Kirk Session. 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 stage 8 above and make recommendations for action and support by the Presbytery, and a timetable for subsequent Superintendence, Presbytery and congregational action. [see note vi]
10. The ..... Committee, after having considered the report, will submit a final report to the Presbytery with its findings along with any notes from the minister or Kirk Session. Once the report is approved by the Presbytery, a copy of the report will be forwarded to ..... and any other relevant Presbytery committees in relation to the recommendations contained in the report.

The full text of Act I 2011 along with more in-depth guidelines on the LCR process can be found in *Appendix I*.

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## **Notes**

- i. These requests should be sent approximately 6 months prior to the time they are required. This gives congregations time to reflect on how they might use the request, or integrate it into the life and business of the Kirk Session etc.

Congregations can generate this information in various ways. Some examples are:

- The documents can be used as a stimulus for meetings and discussion
  - The documents can be used to engage in a helpful reflective process
  - A small group could be delegated to complete the information
  - An individual could be delegated to complete the information
- ii. In terms of information regarding buildings, each church should use the Buildings Criteria compiled by the Presbytery Property Committee. If the church has not completed the Buildings Criteria information by the date of the LCR, then this should also be completed as part of the LCR process and submitted to the Property Committee at the time of the LCR.

- iii. The LCR Visiting Team is the Presbytery Support and Development (PSD) Team. The visit(s) to the church shall all be chaired by the Superintendence representative on the relevant PSD Team.
- iv. The LCR Visit may include more than one visit, different meetings with different groups, follow-up meetings, separate meetings with the minister or office-bearers and any other such meetings as the Visiting Team deem necessary. For example, it may be a sensible option to have a separate meeting to draw up the Action Plan.
- v. The Plan of Action 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.
- vi. At this stage, the Visiting Team will make every effort to agree the terms of the report with the Kirk Session and shall indicate in the report any outstanding areas of disagreement.

### LCR PROCESS FLOWCHART

The leader of the LCR Visiting Team offers to meet with the Kirk Session to outline the LCR process and answer any questions that the Kirk Session may have in advance of the process commencing.

Presbytery requests *Section 1 – 'Your Church'* to be completed by the church

Presbytery requests *Section 2 – 'Action Plan'* to be completed by the church

Presbytery requests *Section 3 – 'Facts & Figures'* to be completed by the church

The church submit these completed documents along with *Section 4 – 'Buildings'* (if required) to the ..... for circulation to the LCR Visiting Team

The LCR Visiting Team meet in advance of visiting the church to familiarise themselves with the information submitted by the church in preparation for the LCR Visit(s) and make contact with the congregation to discuss the nature, number and purpose of visits required

#### THE LCR VISIT(S)

At the LCR Visit(s), the Visiting Team:

1. Meet with members of the ministry team, office-bearers and others from the congregation.
2. The meeting(s) will be influenced by the information submitted by the congregation in Sections 1, 2 & 3.
3. The Visiting team will work with the church to produce an Action Plan for the church for .....

#### THE LCR REPORT

1. The Visiting Team compile the report and send it to the Superintendence Committee, the minister and the Kirk Session.
2. The ..... Committee consider the report and submit a final report to the Presbytery.
3. If approved, a copy of the report is forwarded to ..... and other relevant Presbytery committees to ensure that recommendations are followed up.

## LCR REPORTING

Following the LCR Visit(s) to the church, the LCR Visiting Team compile the LCR report which is sent to the Presbytery ..... Committee, the minister of the church and the Kirk Session.

A suggested outline and structure for the LCR report is outlined below:

### Report Section 1

- Details of the church visited and those who represented the church at the LCR Visit(s).
- Details of the LCR Visiting Team.
- Date(s) and time(s) of the visit(s).

### Report Section 2

- Should include such background information as is relevant to future planning.
- Should include the information, or a summary of the information, provided by the church in *Section 1 – Your Church*, highlighting areas of specific interest or concern.
- Should include a summary of the information given by the church in '*Section 3 – Facts & Figures*', highlighting areas of specific interest or concern.
- Should include a summary of any areas of interest or concern from '*Section 4 – Buildings*' (if required in the LCR).
- Should include any relevant information from any separate meeting(s) held with the minister.

### Report Section 3

- Should include a summary of all relevant information and observations made by the Visiting Team from all the visits carried out during the process.

### Report Section 4

- the conclusion and any recommendations, including:
  - i. recommendations for the church;
  - ii. recommendations for the Presbytery;
  - iii. any other specific recommendations.
- Should include the SMART Goals for the church that were drawn up during the LCR Visit(s) from '*Section 2 – Action Plan*'.
- Should include a suggested timescale for follow-up, as well as suggestions for who has responsibility for ensuring that follow-up occurs (i.e. Presbytery committee, church).

The LCR Report should be succinct and should go much further than simply giving a general account of the life and state of the church. The LCR Report should clearly identify any emerging trends and challenges, and issues or problems that need to be addressed. The recommendations should be firm and precise and be clear as to who has responsibility for following up.

The LCR report should be completed and submitted within 1 month of the completion of the visits(s) to the church. It is suggested that it would be good practice for the LCR Visiting Team to meet together again as a team to reflect on the visit(s) prior to the drafting of the final report.

As well as the LCR Report, it would be good practice to prepare a brief summary of the Report to be submitted along with the Report. This summary should at least include all of Section 4 of the main report.

## SAMPLE LCR COVER LETTER

Below is a sample of the cover letter that will be sent to each church to be visited by ..... in advance of their scheduled LCR visit(s). Along with the letter, the church will be sent all the relevant documentation including the LCR Pack.

Dear [*insert name here*],

### LOCAL CHURCH REVIEW

As you will be aware, your church [*insert church name here*] is scheduled to be visited as part of the ..... Presbytery Local Church Review process. Local Church Review (LCR), under Act 1, 2011 of the General Assembly, replaces the former Quinquennial Superintendence system that you will be familiar with.

Enclosed with this letter, is the Presbytery of ..... LCR pack which outlines what LCR is and what it aims to achieve. In short, the object of the LCR is for the Presbytery:

- to give counsel and encouragement to the congregation;
- to facilitate the congregation in setting out their priorities and plans for at least the next 5 years;
- to give advice or take supportive or remedial action where anything unsatisfactory is found in the state of the congregation or not in accord with church law and order.

Included in the LCR Pack, you will find 3 documents (Section 1, 2 and 3) which require to be completed by your church and returned to ..... prior to the LCR Visiting Team coming to visit your church. These 3 documents are *your* documents and represent an opportunity for you, your office bearers and your members to report on your congregation and parish. Some of the statistical information has already been completed, taking information held in Presbytery records. But what we want to see most are your opinions, thoughts, concerns, hopes and aspirations. There is also a fourth document (Section 4) in relation to buildings, which should also be completed and returned.

Every parish church is unique; every story is different; you know your own story better than anyone else. That is why you are asked to write your story, tell us of church life in your parish, tell us of your worship, evangelism, service, discipleship, fellowship and so much more.

Before visiting your church, the LCR Visiting Team from Presbytery will have read with great care what you have submitted and will use it as a basis for their meeting(s) with you and for the questions they ask. The written word conveys only part of a picture and the visit(s) and dialogue will add so much more. Whilst some of what is asked for is factual, such as numbers and compliance with legal requirements, the overall context is mission. One of the aims of the LCR visit(s) is to agree with your church a set of goals by creating a Church Action Plan that will hold both your church and the Presbytery accountable to ensuring that the goals are reached, with Presbytery providing the necessary resources at its disposal to help you achieve these goals.

We hope that the questions are clear and that the processes to be followed are understood. If you have any questions at all at this stage, the LCR Visiting Team leader and/or myself as the convener of the Presbytery ..... Committee are happy to be contacted.

The leader of the LCR Visiting Team for you church is [*insert name here*] and can be contacted on [*insert contact details here*]. My own contact details are [*insert contact details here*].

The LCR Pack has been produced using Microsoft Word and can be completed electronically. As you type, the boxes will expand to accommodate your text. Responses need not be wordy, as the LCR Visiting Team will discuss responses with you and ask for more information if required. If you would rather receive the documents in hard copy and complete them in writing, please let ..... know, and this can be arranged.

In order to ensure that the LCR process is conducted in a timely manner across the whole Presbytery, I would be grateful if you could complete the necessary documents and return them to .....by *[insert date here]*.

The ..... contact details are:

Presbytery of .....

.....

.....

.....

Tel: .....

Email: .....

Following the receipt of your completed documents, the LCR Visiting Team leader will be in contact with you to arrange a date(s) for the LCR visit(s) to take place.

I look forward to hearing the outcome of your Local Church Review in due course.

Thank you for your cooperation in this important process in the life of your church and the Presbytery.

Yours sincerely

*[insert name of ..... Committee convener]*



The Church of Scotland

The Presbytery of .....

# LOCAL CHURCH REVIEW

## SECTION I

# YOUR CHURCH

The report that follows is your report; a report on your congregation and parish written by you – office bearers, members and minister. What this report is designed to reveal are your thoughts, opinion, concerns, hopes and aspirations.

Every parish church is unique; every story is different; you know your own story better than anyone else. That is why you are asked to write your story, tell us of church life in your parish, tell us of your worship, evangelism, service, discipleship, fellowship and so much more. Your story is vital in understanding the life of your congregation.

The report will be read by the LCR Visiting Team prior to their visit to your church and they will use it as a basis of their meetings with you and for the questions they will ask.

Once completed, please return this form to the ..... either by post if hand written or by email if completed electronically.

## YOUR CHURCH'S STORY

Please tell us something of your church's recent history. Think back over the last 10 years. Share the recent story of your congregation – the celebrations, the struggles, the achievements, the failures and the dreams. Where have you seen God at work? Does your church have a vision statement and how is that vision being reflected and currently being reflected in church life? What is going well and what could be better in church life?

The report that follows from section 1.2 onwards asks many questions and the answers given will tell much. Therefore, your story below need not be more than a few paragraphs.

**1.1**

## LIFE OF THE CONGREGATION

**Worship** – *The heart of what congregations do, coming from the shared experience of meeting God; we gather to express our need for God and to express our gratitude for all that God has done for us.*

- i. Style(s) of worship – describe a typical service format.
- ii. Number of weekly services; patterns of worship.
- iii. What place does intercessory prayer play in the life of the congregation?
- iv. Musical range; praise band; organ; soloists etc.
- v. Use of audio visual equipment.
- vi. Congregational member involvement in leading worship.
- vii. Anything else you would like to tell us?

Responses:

**I.2**

**Evangelism** – *The calling of every Christian to be a witness to the gospel of Jesus Christ. It is all the ways in which we share our Good News and bring others to the point of beginning their journey of faith.*

- i. How do you help people to become Christians?
- ii. In what ways do you communicate the Good News?
- iii. Anything else you would like to tell us?

Responses:

**I.3**

|            |   |
|------------|---|
| <b>I.4</b> | <p><b>Service</b> – <i>The living out of our faith in practical ways. Jesus called us to be servants of all and this is shown to others as we care for our neighbours.</i></p> <ul style="list-style-type: none"> <li>i. What systems of Pastoral Care (e.g. elders districts etc) do you have?</li> <li>ii. In what ways are you involved in the life of the community around you?</li> <li>iii. How do you respond to the needs of others in the parish and beyond?</li> <li>iv. Are you involved with school or other chaplaincies?</li> <li>v. In what ways are you involved with social issues?</li> <li>vi. In what ways do you share responsibilities with community groups or agencies and/or mission partnerships at home or abroad?</li> <li>vii. Anything else you would like to tell us?</li> </ul> |
|            | <p>Responses:</p>   |
| <b>I.5</b> | <p><b>Discipleship</b> – <i>The life of following Christ. It is about learning what it means to be a Christian as we experience life and question what we believe. The church should equip its members with 'practical guidance for expressing their faith in the world during the week.'</i></p> <ul style="list-style-type: none"> <li>i. How do you help people of all ages grow in their faith?</li> <li>ii. How do you promote the reading of scripture?</li> <li>iii. In what ways do you promote personal devotions, private prayer and opportunities to reflect on life experiences?</li> <li>iv. Which resources do you use?</li> <li>v. Anything else you would like to tell us?</li> </ul>   |
|            | <p>Responses:</p>   |

|            |   |
|------------|---|
| <b>I.6</b> | <p><b>Fellowship</b> – <i>The opportunity of experiencing God’s grace and love in and through God’s people; this is about people really getting to know each other.</i></p> <ul style="list-style-type: none"> <li>i. How do you build relationships within the church?</li> <li>ii. How do you encourage people to meet out with worship?</li> <li>iii. Anything else you would like to tell us?</li> </ul>  |
|            | <p>Responses:</p>   |
| <b>I.7</b> | <p><b>Wider Church</b> – <i>Your relationships and involvement with other denominations, overseas links, the World Church, non-denominational ministry links (e.g. SU, Bible Society, Tearfund, Iona Community etc.), Presbytery and Central Church structures.</i></p> <ul style="list-style-type: none"> <li>i. Tell us about any ecumenical relationships.</li> <li>ii. What links do you have with the World Church?</li> <li>iii. What involvement do you have with non-denominational organisations?</li> <li>iv. How would you describe your relationship with Presbytery?</li> <li>v. Tell us about any relationships with Councils (and/or their committees) of the General Assembly?</li> <li>vi. Anything else you would like to tell us?</li> </ul> |
|            | <p>Responses:</p>   |

|            |   |
|------------|---|
| <b>1.8</b> | <p><b>Local Leadership and Support</b> – <i>People helping to make your mission statement a reality.</i></p> <ul style="list-style-type: none"> <li>i. Who are your ministry team members?</li> <li>ii. What support is there for your minister/ministry team including administrative support?</li> <li>iii. How is training and development (in-service training, study leave, staff appraisals etc.) supported?</li> <li>iv. How does the Kirk Session function and how effectively does it work with the ministry team?</li> <li>v. How do you encourage and train elders?</li> <li>vi. How do the leadership structures of your congregation enable and encourage its mission?</li> <li>vii. With your present staffing and volunteers how well resourced are you to achieve the developments highlighted in this report?</li> <li>viii. Anything else you would like to tell us?</li> </ul> |
|            | <p>Responses:</p>   |
| <b>1.9</b> | <p><b>Money</b> – <i>Income, Reserves, Stewardship etc.</i></p> <ul style="list-style-type: none"> <li>i. How do you encourage one another to be generous givers?</li> <li>ii. When did you last address stewardship, what stewardship programme are you using and when will stewardship next be addressed?</li> <li>iii. Comment on your ability to finance all you are currently doing.</li> <li>iv. How is the work of your church financed – is it mainly from givings or is it dependent on income from hall lettings, legacy interest etc?</li> <li>v. Are you over-dependent on givings from any particular age groups or individuals?</li> <li>vi. Anything else you would like to tell us?</li> </ul>  |
|            | <p>Responses:</p>   |

**Communication Strategy** – Tell us about your communication strategy/plan including website and social media use.

- i. How do you promote your vision and mission?
- ii. How do you keep in touch with members?
- iii. How do you encourage members to keep in touch with one another?
- iv. How do you advertise your church and its activities?
- v. Anything else you would like to tell us?

Responses:

**I.10**

..... **Presbytery Plan**

- i. The ..... Presbytery Plan outlines the following interim steps for your congregation leading to the following anticipated plan by 2022:

**\*\*Insert Presbytery Plan here\*\***

- ii. How do you see the above being worked out?
- iii. Anything else you would like to tell us?

Responses:

**I.11**



The Church of Scotland

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# LOCAL CHURCH REVIEW

## SECTION 2

## ACTION PLAN

## CONGREGATIONAL ACTION PLAN

When responding it would be helpful to have in mind the acronym **SMART** often used when goal setting. The acronym **SMART** can be interpreted as follows:

**Specific** – state clearly what it is you plan to do.

**Measurable** – how will you measure full completion or stage completion?

**Applicable** – why are you doing this?

**Resourced** – do you have the people and the money to carry out the task?

**Time-bound** – by when will the aim be achieved?

**SMART** aims and goals are ones that can be easily monitored. They facilitate the management of progress and help communicate and celebrate success within the church.

**SMART** Goal example – *Replace current central heating boiler which is no longer easily repairable and extremely inefficient in performance and in running costs; Property Committee to take professional advice and invite tenders for consideration and approval by the Finance Committee; project to start early in 2014 with work being carried out in the summer months of 2014; new boiler, pipework, radiators and all controls to be fully working by the middle of August 2014.*

Please draft some outline SMART goals for discussion with your LCR Visiting Team. These can then be developed as a result of the discussions with your Visiting Team and will form part of the final LCR report to be written by the Visiting Team and submitted to Presbytery. It may well be that the Visiting Team will offer some suggestions of goals that you might tackle. **It is not necessary to offer a goal in every section below, just the ones that are most relevant to your situation at present.**

|            |   |
|------------|---|
| <b>2.1</b> | <p><b>Worship</b> – Tell us how you plan to explore and develop (in SMART goal format) new Worship initiatives.</p> <p>Responses:</p>       |
| <b>2.2</b> | <p><b>Evangelism</b> – Tell us how you plan to explore and develop (in SMART goal format) new Evangelism initiatives.</p> <p>Responses:</p> |

|     |  |
|-----|--|
| 2.3 | <p><b>Service</b> – Tell us how you plan to explore and develop (in SMART goal format) new Service initiatives.</p> <p>Responses:</p>  |
| 2.4 | <p><b>Discipleship</b> - Tell us how you plan to explore and develop (in SMART goal format) new Discipleship initiatives.</p> <p>Responses:</p>                                    |
| 2.5 | <p><b>Fellowship</b> - Tell us how you plan to explore and develop (in SMART goal format) new Fellowship initiatives.</p> <p>Responses:</p>  |
| 2.6 | <p><b>Relationships with the Wider Church</b> – Tell us how you plan to explore and develop (in SMART goal format) your relationships with the wider church.</p> <p>Responses:</p> |

|      |  |
|------|--|
| 2.7  | <p><b>Ministry Team</b> - Tell us how you plan to explore and develop (in SMART goal format) new ways to equip your ministry team and encourage more people to take up leadership roles.</p> <p>Responses:</p> |
| 2.8  | <p><b>Stewardship</b> – Tell us what plans you have (in SMART goal format) to promote stewardship.</p> <p>Responses:</p>   |
| 2.9  | <p><b>Communication</b> – Tell us what plans you have (in SMART goal format) to sustain and improve how you communicate.</p> <p>Responses:</p>   |
| 2.10 | <p><b>Glasgow Presbytery Plan 2012-2022</b> - Tell us what plans you have (in SMART goal format) in support of the ..... Presbytery Plan.</p> <p>Responses:</p>  |

|      |   |
|------|---|
| 2.11 | <b>Buildings</b> – Tell us how you plan to explore and develop (in SMART goal format) new initiatives to maintain and enhance your building(s) so that they better support the delivery of your mission and vision. |
|      | Responses:  |
| 2.12 | <b>Other</b> – Are there any other actions/goals/claims you would like to share?  |
|      | Responses:  |



The Church of Scotland

The Presbytery of .....

# LOCAL CHURCH REVIEW

## SECTION 3

# FACTS & FIGURES

## FACTS & FIGURES

Much of the following information has already been filled in from the data held in the Presbytery Office and so much of the remainder requires only a yes/no answer. However, where explanation or detail is required, please type/write in the relevant box and it will expand to fit your text (if typed).

Once completed, please return this form to ..... either by post if hand written or by email if completed electronically.

|            |   |                 |
|------------|---|-----------------|
| <b>3.1</b> | <b>Is the administration of the Sacrament of Baptism of infants in accordance with Act V, 2000? [see Appendix 2]</b>  | <b>Yes / No</b> |
|            | Comments:   |                 |
| <b>3.2</b> | <b>Are office bearers representative of the congregation and parish in terms of age and gender?</b>   | <b>Yes / No</b> |
|            | Comments:   |                 |
| <b>3.3</b> | <b>What constitution do you have and does it serve mission [see note 1]?</b>  | <b>Yes / No</b> |
|            | Comments:   |                 |
| <b>3.4</b> | <b>Does the employment status of members of staff, their working relationships and the prioritisation of their work serve effectively the congregation's mission?</b> | <b>Yes / No</b> |
|            | Comments:   |                 |

|            |  |                 |
|------------|--|-----------------|
| <b>3.5</b> | <b>Is the church in compliance with Act XII 2007 regarding the provision and maintenance of manses? [see Appendix 3]</b>   | <b>Yes / No</b> |
|            | Comments:  |                 |
| <b>3.6</b> | <b>Have recent property survey findings and recommendations been implemented?</b>  | <b>Yes / No</b> |
|            | Comments:  |                 |
| <b>3.7</b> | <b>Charities and Trustee Investment (Scotland) Act 2005 states that Charity trustees (or connected persons) cannot be remunerated unless certain conditions are met. If any Trustees or connected persons are in receipt of payments, have the correct processes (Law Department Circular) been followed? [see Appendix 4]</b> | <b>Yes / No</b> |
|            | Comments:  |                 |
| <b>3.8</b> | <b>Has your financial court adopted the General Assembly approved Bribery and Procurement Policy as instructed by the Presbytery in ..... [see Appendix 5]</b>   | <b>Yes / No</b> |
|            | Comments:  |                 |

|             | <b>SAFEGUARDING</b>  | <b>Yes</b> | <b>No</b> |
|-------------|--|------------|-----------|
| <b>3.9</b>  | Is the Church's 2010 Policy Statement on Safeguarding displayed in church premises and made accessible to the congregation?  |            |           |
| <b>3.10</b> | Has the Kirk Session appointed a Safeguarding Co-ordinator?  |            |           |
| <b>3.11</b> | Has the Safeguarding Co-ordinator's name been passed to the Presbytery Safeguarding Contact and the Church of Scotland's Safeguarding Service?   |            |           |
| <b>3.12</b> | Has the Safeguarding Co-ordinator undergone training by a trainer accredited by the Safeguarding Service?  |            |           |
| <b>3.13</b> | Has the Kirk Session appointed two or more others to work with the Safeguarding Co-ordinator in operating a Safeguarding Panel?  |            |           |
| <b>3.14</b> | Are all appointments of persons working with children and/or protected adults reported to and minuted by the Kirk Session?   |            |           |
| <b>3.15</b> | Is a register of all workers maintained by the Safeguarding Co-ordinator; has this been inspected and found to be up to date and in order, and has the Presbytery's Safeguarding Contact received two copies? Are past year's copies of the form stored? |            |           |
| <b>3.16</b> | Are all completed application forms, job descriptions and other schedules retained on file, viewed and found to be in order?   |            |           |
| <b>3.17</b> | Have all workers been issued with the Church's 'Safeguarding and Adults at Risk' Summary Card?   |            |           |
| <b>3.18</b> | Have all volunteers/employees been encouraged to attend Safeguarding training?   |            |           |
| <b>3.19</b> | Have all volunteers/employees been made aware of the procedures to be followed in the event of an allegation or declaration of harm or abuse?  |            |           |
| <b>3.20</b> | Are the Kirk Session, minister, Safeguarding Co-ordinator and the Safeguarding Panel aware of the policy for 'Including Those Who May Pose A Risk' and the procedures and support for working with convicted offenders?                                  |            |           |
| <b>3.21</b> | Have members of the Krk Session attended Safeguarding Training for the recruitment, management and support of workers they appoint?  |            |           |
| <b>3.22</b> | Is the Kirk Session implementing the Church's Safeguarding policies and procedures?  |            |           |

| <b>WORSHIP</b>    |  |  |   |   |                 |  |  |
|-------------------|--|--|---|---|-----------------|--|--|
| <b>3.23</b>       | <b>Average weekly attendance at Sunday morning worship</b> | <b>Total No.</b>   | <b>Age profile of attendees (approximate)</b> | <b>Under 16</b>                                     |                 |  |  |
|                   |  |  |   | <b>16-24</b>  |                 |  |  |
|                   |  |  |   | <b>25-44</b>  |                 |  |  |
|                   |  |  |   | <b>45-64</b>  |                 |  |  |
|                   |  |  |   | <b>65+</b>  |                 |  |  |
|                   | <b>Other Worship Services</b>                              | <b>Type of Service (Evening, Mid-Week, Care Home etc.)</b> | <b>Total Attending</b>                        | <b>Average age (approximate)</b>                    |                 |  |  |
|                   |  |  |   |   |                 |  |  |
|                   |  |  |   |   |                 |  |  |
|                   |  |  |   |   |                 |  |  |
|                   |  |  |   |   |                 |  |  |
|                   |  |  |   |   |                 |  |  |
|                   |  |  |   |   |                 |  |  |
|                   |  |  |   |   |                 |  |  |
| <b>FELLOWSHIP</b> |  |  |   |   |                 |  |  |
| <b>3.24</b>       | <b>Number on Communion Roll</b>                            | <b>2012</b>  |   | <b>Current Age Profile of Members (approximate)</b> | <b>Under 16</b> |  |  |
|                   |  | <b>2011</b>  |   |   | <b>16-24</b>    |  |  |
|                   |  | <b>2010</b>  |   |   | <b>25-44</b>    |  |  |
|                   |  | <b>2009</b>  |   |   | <b>45-64</b>    |  |  |
|                   |  | <b>2008</b>  |   |   | <b>65+</b>      |  |  |
|                   |  |  |   |   |                 |  |  |

| <b>SERVICE</b>      |  |                                |                                 |                                      |
|---------------------|--|--------------------------------|---------------------------------|--------------------------------------|
| <b>3.25</b>         |  | <b>Male</b>                    | <b>Female</b>                   | <b>Average Age<br/>(approximate)</b> |
|                     | <b>Elders</b>  |                                |                                 |                                      |
|                     | <b>Board Members<br/>(or Deacon's Court)</b>   |                                |                                 |                                      |
|                     | <b>Other Paid Members<br/>of Staff Details<br/>(other than the<br/>minister)</b>   |                                |                                 |                                      |
|                     | <b>Year</b>  | <b>Number of<br/>Baptisms</b>  | <b>Number of<br/>Weddings</b>   | <b>Number of Funerals</b>            |
|                     | <b>2012</b>  |                                |                                 |                                      |
|                     | <b>2011</b>  |                                |                                 |                                      |
|                     | <b>2010</b>  |                                |                                 |                                      |
|                     | <b>2009</b>  |                                |                                 |                                      |
|                     | <b>2008</b>  |                                |                                 |                                      |
|                     | <b>Please tell us about the specific<br/>demands of your situation (e.g.<br/>exceptional number of funerals,<br/>Chaplaincies etc.) and the ways that<br/>you share responsibilities</b> |                                |                                 |                                      |
| <b>DISCIPLESHIP</b> |  |                                |                                 |                                      |
| <b>3.26</b>         | <b>Numbers involved in<br/>Christian Nurture</b>   | <b>Children<br/>(up to 15)</b> | <b>Young Adults<br/>(16-24)</b> | <b>Adults<br/>(25+)</b>              |
|                     |  |                                |                                 |                                      |

| <b>FINANCE</b> |   |      |      |      |      |      |
|----------------|---|------|------|------|------|------|
|                |   | 2012 | 2011 | 2010 | 2009 | 2008 |
| <b>3.27</b>    | <b>Total Income</b><br>[note ii]                          |      |      |      |      |      |
|                | <b>Total Offerings</b><br>[note iii]                      |      |      |      |      |      |
|                | <b>Per Capita Giving</b><br>[note iv]                     |      |      |      |      |      |
|                | <b>Number of People Giving Under Gift Aid</b><br>[note v] |      |      |      |      |      |
|                | <b>Ministries &amp; Mission Contributions</b>             |      |      |      |      |      |
|                | <b>Balance Held in Reserves</b>                           |      |      |      |      |      |

\*All figures are to be taken from the Schedule of Financial Statistics which is completed by the Treasurer and submitted to the Stewardship & Finance Department each year.\*

### Notes

- i. The question regarding constitution means whether Unitary, Model, Quod Omnia or whatever constitution is used for the administration of affairs – and whether it is helpful in allowing the church to serve its mission or does the constitution demand effort in sustaining it, effort that might be better placed? For instance, some churches struggle to operate the Model Constitution as they have great difficulty finding people to populate a Congregational Board and matching Elders willing to serve on it. The Model Constitution works well for many, especially larger congregations, but can be burdensome for smaller congregations.
- ii. Total Income includes Total Offerings together with income from annual sales of work, donations from organisations plus extraordinary income used for general purposes; e.g. the income from an invested legacy. Figures do not include income from restricted funds, legacies, general trustees and fundraising.
- iii. Total Offerings includes offerings from the Open Plate, WFO, Standing Orders, Gift Aid, Tax recovered on Gift Aid, other donations including Gift Days etc. (It should be the bottom line figures at end of part I of the Financial Schedule.)
- iv. Per Capita Giving is total offerings divided by membership roll plus adherents.
- v. Figures for Gift Aid to include spouse members – a couple equals 2 Gift Aid givers.



The Church of Scotland

The Presbytery of .....

# LOCAL CHURCH REVIEW

## SECTION 4

## BUILDINGS

As part of the LCR process, the criteria and checklists are included here for completion so that an up to date record of all the buildings in the Presbytery is maintained. This information will provide the Presbytery with up to date information on the state of repair, the usability and the suitability for purpose for each set of Church buildings across the Presbytery.

| <b>BUILDINGS CHECKLIST</b>   |  |            |                                       |   |                                |
|--|--|------------|---------------------------------------|---|--------------------------------|
| <b>4.1a</b>  | <b>Date of Inspection:</b>                                 |            |                                       |   |                                |
|  | <b>Area</b>  | <b>OK?</b> | <b>Action Required &amp; Location</b> | <b>Priority<br/>(L)ow;<br/>(M)edium;<br/>(H)igh</b> | <b>Action Taken &amp; Date</b> |
|  | <b>Building Structure</b>                                  |            |                                       |   |                                |
|  | External Walls   |            |                                       |   |                                |
|  | Indication of damp penetration                             |            |                                       |   |                                |
|  | Flues & combustion vents clear?                            |            |                                       |   |                                |
|  | Damage to essential fabric due to vandalism?               |            |                                       |   |                                |
|  | <b>Grounds</b>   |            |                                       |   |                                |
|  | Appearance & Safety  |            |                                       |   |                                |
|  | Noticeboards in good condition and information up to date? |            |                                       |   |                                |
|  | Roof and covering  |            |                                       |   |                                |
|  | Slates/tiles/felt covering needing attention?              |            |                                       |   |                                |
|  | Flashings  |            |                                       |   |                                |
|  | Water penetration  |            |                                       |   |                                |
| Roof space insulation in place? (Remove any storage – fire hazard) |  |            |                                       |   |                                |

| 4.1a<br>(cont.)   | Area   | OK? | Action Required & Location | Priority<br>(L)ow;<br>(M)edium;<br>(H)igh | Action Taken & Date |  |
|---|--|-----|----------------------------|---|---------------------|--|
|   | <b>Guttering &amp; Drainage</b>                |     |                            |   |                     |  |
|   | All gutters cleaned in last year?              |     |                            |   |                     |  |
|   | Down pipes                                     |     |                            |   |                     |  |
|   | Gullies and grates clear?                      |     |                            |   |                     |  |
|   | Roof and ground surfaces adequately drained?   |     |                            |   |                     |  |
|   | <b>External Doors, Windows &amp; Paintwork</b> |     |                            |   |                     |  |
|   | Condition of doors/windows/window guards       |     |                            |   |                     |  |
|   | Condition of external paintwork                |     |                            |   |                     |  |
|   | Date of last external painting                 |     |                            |   |                     |  |
|   | <b>Internal Fabric</b>                         |     |                            |   |                     |  |
|   | Condition of internal doors/partitions/walls   |     |                            |   |                     |  |
|   | Any timber decay?                              |     |                            |   |                     |  |
|   | Ceilings satisfactory?<br>Any cracks?          |     |                            |   |                     |  |
| Any dampness?   |  |     |                            |   |                     |  |
| Floor coverings safe?   |  |     |                            |   |                     |  |
| Handrails/banisters safe for small children?                    |  |     |                            |   |                     |  |
| <b>Fire Safety</b>  |  |     |                            |   |                     |  |
| Fire doors and exists in working order & free from obstruction? |  |     |                            |   |                     |  |
| Designated assembly points in the building?<br>Where?           |  |     |                            |   |                     |  |
| Fire Extinguishers? Last serviced?                              |  |     |                            |   |                     |  |
| Fire alarm fitted? Last tested?                                 |  |     |                            |   |                     |  |

|                        | <i>Area</i>  | <i>OK?</i> | <i>Action Required &amp; Location</i> | <i>Priority (L)ow; (M)edium; (H)igh</i> | <i>Action Taken &amp; Date</i> |
|------------------------|--|------------|---------------------------------------|---|--------------------------------|
| <b>4.1a</b><br>(cont.) | <b>Heating &amp; Electrical Systems &amp; Appliances</b>             |            |                                       |   |                                |
|                        | Main heating system in good working order?                           |            |                                       |   |                                |
|                        | Boiler inspected and serviced in last year?                          |            |                                       |   |                                |
|                        | Condition of any supplementary heaters?                              |            |                                       |   |                                |
|                        | Current electrical safety certificate?                               |            |                                       |   |                                |
|                        | Inspection of electrical system by qualified inspector in last year? |            |                                       |   |                                |
|                        | All lights working?  |            |                                       |   |                                |
|                        | Electrical appliances inspected in last year?                        |            |                                       |   |                                |
|                        | <b>Sanitary &amp; Kitchen Facilities</b>                             |            |                                       |   |                                |
|                        | Kitchen facilities in good order?                                    |            |                                       |   |                                |
|                        | Toilets in acceptable condition?                                     |            |                                       |   |                                |
|                        | Hazardous cleaning chemicals locked up?                              |            |                                       |   |                                |
|                        | <b>Facilities for the Disabled</b>                                   |            |                                       |   |                                |
|                        | Wheelchair access to building?                                       |            |                                       |   |                                |
|                        | Wheelchair accessible toilet?  |            |                                       |   |                                |
|                        | Induction loop system?   |            |                                       |   |                                |
|                        | <b>First Aid</b>   |            |                                       |   |                                |
|                        | Up to date First Aid kit on premises? Last checked?                  |            |                                       |   |                                |



| 4.1b<br>(cont.) | Room/Hall | User Group | User Type e.g.<br>charity/<br>church/private | Time & For<br>How Long | How Often?<br>e.g.<br>daily/weekly/<br>monthly | Period of Let<br>e.g. calendar<br>year/summer | How<br>Many<br>People? | Age Profile<br>e.g. pre-<br>school, 17-25,<br>50 plus |
|-----------------|-----------|------------|--|------------------------|--|---|------------------------|---|
|                 |           |            |  |                        |  |   |                        |   |
|                 |           |            |  |                        |  |   |                        |   |
|                 |           |            |  |                        |  |   |                        |   |
|                 |           |            |  |                        |  |   |                        |   |
|                 |           |            |  |                        |  |   |                        |   |
|                 |           |            |  |                        |  |   |                        |   |
|                 |           |            |  |                        |  |   |                        |   |

**\*\*Did you know: Many funding applications ask what use is currently made of your facilities\*\***

**\*\*Please continue on another sheet if necessary\*\***

## HAZARDS CHECKLIST

|             | AREA                          | QUESTION  | YES/NO |
|-------------|-------------------------------|---|--------|
| <b>4.1c</b> | <b>Storage</b>                | Are stored items below shoulder height to prevent things falling onto people?   |        |
|             | <b>Stacking Chairs</b>        | Are chairs stacked in small numbers to stop them toppling onto people?  |        |
|             | <b>Trailing Cables</b>        | Are there any loose cables that might cause a trip?<br><i>N.B. Use gaffer Tape or cable protectors.</i>   |        |
|             | <b>Cleaning Chemicals</b>     | Are all cleaning materials kept in a locked cupboard?   |        |
|             | <b>Flooring</b>               | Do you have signs to warn people if the floor is either wet/uneven?<br><i>N.B. Try to avoid using loose mats and rugs.</i>  |        |
|             | <b>Lighting</b>               | Is there adequate lighting in all parts of the building?  |        |
|             | <b>Boilers &amp; Heaters</b>  | Are there suitable safety guards to prevent burns, and are other items stored an appropriate distance from heat sources?  |        |
|             | <b>Windows</b>                | Are any windows above ground-floor level fitted with restricting hinges/locks?  |        |
|             | <b>Exits &amp; Fire Exits</b> | Are these clear from obstruction at all times?  |        |
|             | <b>Fire Doors</b>             | Are these always closed and never propped open?<br><i>N.B. Smoke can very quickly spread through h doors that are propped open with a fire extinguisher.</i>  |        |
|             | <b>First Aid</b>              | Do you have at least one First Aid box on the premises, and are its contents checked regularly and do people know what to find it? Ideally you will also have a trained First Aider.<br><br><i>N.B. Some items in your First aid box have a limited shelf life so check the contents regularly. For more information on what should be in your First Aid box, visit the HSE website (<a href="http://www.hse.gov.uk">www.hse.gov.uk</a>).</i> |        |

## FABRIC & FINANCIAL

**Current Condition** – *Sanctuary, halls and manse to include all property under the management of the congregation.*

- i. Please provide a copy of the Property Register, the Manse Condition Schedule and the last Quinquennial Report or interim survey by the Presbytery Buildings Officer.
- ii. Please ensure that the buildings Checklist and Hazards Checklists (see Section 4.1 a&c above) are completed.

Responses (if any):

**4.2**

**Repairs** – *Planned or pending repairs refurbishment or improvements individually or together in excess of £10,000.*

- i. Please provide a copy of the Budget for the current year and a written statement of (and the budget details) for intended property works.

Responses:

**4.3**

|            |  |
|------------|--|
| <b>4.4</b> | <p><b>Maintenance History</b> – <i>Past 3 years maintenance history.</i></p> <p>i. Please extract from the congregational accounts a note of the fabric spend providing full detail of cost and nature of the repair or improvement or alteration work carried out over the past 3 years. The focus here is on <b>capital spend</b>.</p> |
|            | <p>Responses:</p>  |
| <b>4.5</b> | <p><b>Running Costs</b> – <i>Utilities including heat &amp; light, cleaning, repairs &amp; decoration, all maintenance costs including staff or outside contractors, insurances for the past 3 years.</i></p> <p>i. Please provide information as in 4.4 above with the focus here on <b>revenue costs</b>.</p>                          |
|            | <p>Responses:</p>  |

|     |   |
|-----|---|
| 4.6 | <p><b>Outstanding Works</b> – <i>by reference to the last Quinquennial Report or the last interim survey.</i></p> <p>i. Please give details of any recommended works that remain outstanding and what is the classification of those works (i.e. urgent/desirable etc.)</p>   |
|     | Responses:  |
| 4.7 | <p><b>Funds</b> – <i>What capital funds are available, both restricted and unrestricted, for buildings maintenance going forward and how robust is the revenue stream?</i></p> <p>i. The most recent accounts will supply this information, however it is recommended that you also supply a table or summary of income &amp; expenditure, surplus or deficit, income rising or falling, reserves being used or not, so as to deliver a financial health check.</p> |
|     | Responses:  |

|            |   |
|------------|---|
| <b>4.8</b> | <p><b>Buildings Management</b> – <i>How are your buildings managed?</i></p> <ul style="list-style-type: none"> <li>i. Who is responsible from within the congregation for the buildings/fabric?</li> <li>ii. Does the congregation have a fabric convener and what is the size and composition of the fabric committee?</li> <li>iii. Is there a full or part time church officer and do they have responsibility for fabric matters?</li> <li>iv. Who deals with buildings insurance?</li> <li>v. Have you listed any regular contractors in section 4.5 above?</li> </ul> |
|            | <p>Responses:</p>   |
| <b>4.9</b> | <p><b>Energy Saving</b> – <i>What 'green' credentials are evident in the life of the congregation?</i></p> <ul style="list-style-type: none"> <li>i. Please confirm what action has been taken or is planned by way of solar panels, insulation, upgraded heating, energy management control or similar to save energy or reduce the congregation's carbon footprint.</li> </ul>  |
|            | <p>Responses:</p>   |

## MISSION & OUTWARD LOOKING FOCUS

**Stakeholders (1)** – *State church organisations or groups, and external parties using the building resources as well as how use of the building promotes Outward looking Focus.*

- i. Please ensure that the Facilities Usage Table (see section 4.1b above) is completed.
- ii. Please outline below how use of the building promotes Outward Looking Focus.

Responses:

**4.10**

**Stakeholders (2)** – *Planned or anticipated changes to the stakeholders by way of increase or decrease.*

- i. Please outline below any changes that are expected to the information you have provided in section 4.1 above.

Responses:

**4.11**

|      |   |
|------|---|
| 4.12 | <p><b>Mission &amp; Outreach</b> – <i>Planned future mission and outreach.</i></p> <p>i. Please state any church/community/parish plans under consideration or in the course of planning.</p>   |
|      | <p>Responses:</p>   |
| 4.13 | <p><b>Fit for Purpose</b> – <i>Are existing buildings considered fit for current purposes and proposed future use or does the congregation see improvements to, or indeed a change of the church buildings that would assist mission?</i></p> <p>i. Please give an honest view of your buildings and what changes irrespective of budget might improve or expand utilisation of the buildings by any or all of the users listed in section 4.1 above.</p> <p>ii. What are capable of doing/not capable of doing in your locality because of your buildings?</p> |
|      | <p>Responses:</p>   |

|             |   |
|-------------|---|
| <b>4.14</b> | <p><b>Location</b> – <i>Are the buildings well located to serve the parish and in the event of union or linkage would they remain well located to serve an amended parish area? Please give details.</i></p>  |
|             | <p>Responses:</p>   |
| <b>4.15</b> | <p><b>Alternative Buildings</b> – <i>Are you aware of local buildings that could present an alternative to the current buildings for reasons of economy in maintenance or running costs or by way of improved operation within the parish and community area?</i></p> <p>i. Please state whether there is alternative suitable accommodation and report whether that accommodation has been investigated in the past or is likely to be considered in the future.</p> |
|             | <p>Responses:</p>   |

|             |  |
|-------------|--|
| <b>4.16</b> | <p><b>Congregational Demographics and Local Area</b> – <i>what proportion of your membership is resident out with the parish and out with the wider local area which the buildings seek to serve?</i></p> <p>i. Please investigate and confirm the approximate proportion of your membership roll who reside at a significant distance from your church buildings (e.g. more than 5 miles out with the parish boundaries) but who maintain an active commitment to your congregation and how many of these people are actively engaged in mission to the parish.</p> |
|             | <p>Responses:</p>  |
| <b>4.17</b> | <p><b>Neighbours</b> – <i>What relations exist with neighbouring congregations including those of other denominations?</i></p> <p>i. Please state if there is recent or long standing cooperation with other local congregations irrespective of denomination and whether they use your buildings or vice versa.</p>   |
|             | <p>Responses:</p>  |

## APPENDIX I

### ACT I, 2011 ANENT LOCAL CHURCH REVIEW

Edinburgh, 21 May 2011, Session I

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:
  - a) Act II 1984 is hereby repealed.
  - b) 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”.
  - c) 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”
  - d) Act VI 2004 is hereby amended by the deletion of section 20.
  - e) Regulation 2, 2004 is hereby amended by the deletion of the words “Presbytery visits” and the substitution of the words “Local Church Reviews”.

**APPENDIX to Act I, 2011****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:

- a) 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
- b) 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) 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)
- b) Resources available locally including human resources, buildings and finance
- c) 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:*

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

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

- a) What changes are needed in attitudes, relationships, strategy or structure?
- b) What specific resources are needed to meet this challenge e.g. developing worship, discipleship, practical skills in finance/fabric, deepening spirituality?
- c) What are the potential partnerships with other agencies, other churches?
- d) 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:*

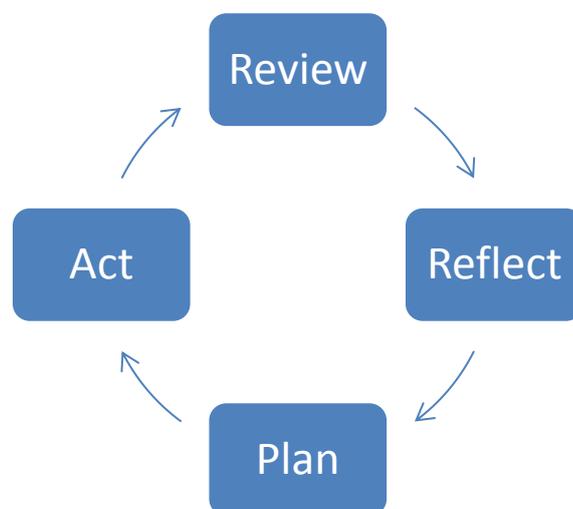
- a) What other form of Christian presence would they consider?
- b) What other partnerships would they consider?
- c) What resourcing is needed to equip the congregation for a new future?
- d) What is the pastoral process of closure and/or dissolution?

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

- a) What long-term process is needed to help them reconnect?
- b) 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:



**LOCAL CHURCH REVIEW INFORMATION REQUIRED IN ADVANCE****Factual Information**

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

- a) Membership: statistics for the past ten years including estimated age profile;
- b) Worship: average weekly attendance (numbers, age profile, gender), style, musical range, use of audio visual equipment, innovations;
- c) Pastoral Care: number of baptisms, weddings, funerals per year, specific demands of the situation, ways of sharing responsibilities;
- d) Christian Nurture: numbers involved in Christian nurture: children, young people, young adults, adults; resources used;
- e) Mission: specific mission initiatives – local or international, school involvement or other chaplaincies, evangelism training and strategies, communication;
- f) Leadership: staffing, numbers of office-bearers including age and gender profile, training, structure, constitution;
- g) Buildings: usage, state of repair, suitability, projects;
- h) Finance: accounts, budget, allocations, shortfalls, Christian giving plans, special projects, statistics for givings over ten years;
- i) Support for Minister or Ministry Team: administrative support, travelling expenses, study leave, additional staff needs;
- j) Wider Church: relationship with Presbytery, Councils of the Church and ecumenical relationships;
- k) Community: relationship with community groups or agencies;
- l) 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:

- 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 prioritization 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.

## APPENDIX 2

### ACT 5, 2000 CONSOLIDATING ACT ANENT THE SACRAMENTS (AS AMENDED BY ACT 9, 2003)

Edinburgh, 20 May 2000, Session I

(incorporating Acts XXI 1956, XVII 1963, IV 1975, III 1985 and XV 1992)

The General Assembly enact and ordain as follows:–

#### Administration of the Sacraments

1. The Sacraments of the Church may be administered only by the following persons:–
  - (1) a person who has the status of a minister of the Church of Scotland and who (a) has been ordained by a Presbytery of the Church of Scotland; or (b) has been inducted to a charge of the Church of Scotland; or (c) has been admitted by the General Assembly as a minister of the Church of Scotland;
  - (2) a person who has the status of an ordained minister of the United Reformed Church in England and Wales or any Presbyterian Church in Great Britain or elsewhere, whose Constitution is in agreement with the doctrine and practice of the Church of Scotland and who has been duly authorised to administer the Sacraments by the Presbytery of the bounds. Such authority may be given only in special circumstances (e.g. *locum tenens*, exchange minister) of which the Presbytery shall be the sole judge.
  - (3)a person who has the status of an ordained minister of one of the Lutheran and Reformed Churches in Europe along with Union Churches which grew out of them, and the related pre-Reformation Churches, the Waldensian Church and the Church of the Czech Brethren, and who has been duly authorised to administer the Sacraments by the Presbytery of the bounds; such authority may be given only in special circumstances (e.g. *locum tenens*, exchange minister) of which the Presbytery shall be the sole judge;
  - (4)a person who has the status of an ordained minister of a non-Presbyterian Church who has obtained a certificate issued on the authority of the Ministries Council to the effect that his or her ordination is in accordance with the standards of the Church of Scotland, and who has been duly authorised to administer the Sacraments by the Presbytery of the bounds. Such authority may be given only in special circumstances (e.g. *locum tenens*, exchange minister) of which the Presbytery shall be the sole judge.
  
2. Notwithstanding the foregoing provisions, ministers of the Church of Scotland may occasionally invite ministers of other Churches whose orders are in accordance with the standards of the Church of Scotland to administer the Sacraments. Any minister whose invitation to a minister of another Church in terms of this section has been accepted shall intimate the same in writing to the Clerk of Presbytery within fourteen days thereafter

#### Administration of Baptism

3. Baptism signifies the action and love of God in Christ, through the Holy Spirit, and is a seal upon the gift of grace and the response of faith.
  - (a) Baptism shall be administered in the name of the Father and of the Son and of the Holy Spirit, with water, by sprinkling, pouring, or immersion.
  - (b) Baptism shall be administered to a person only once.
  
4. Baptism may be administered to a person upon profession of faith.
  - (a) The minister and Kirk Session shall judge whether the person is of sufficient maturity to make personal profession of faith, where necessary in consultation with the parent(s) or legal guardian(s).
  - (b) Baptism may be administered only after the person has received such instruction in its meaning as the minister and Kirk Session consider necessary, according to such basis of instruction as may be authorised by the General Assembly.
  - (c) In cases of uncertainty as to whether a person has been baptised or validly baptised, baptism shall be administered conditionally.
  
5. Baptism may be administered to a person with learning difficulties who makes an appropriate profession of faith, where the minister and Kirk Session are satisfied that the person shall be nurtured within the life and worship of the Church.

6. Baptism may be administered to a child:
- (a) where at least one parent, or other family member (with parental consent), having been baptised and being on the communion roll of the congregation, will undertake the Christian upbringing of the child;
  - (b) where at least one parent, or other family member (with parental consent), having been baptised but not on the communion roll of the congregation, satisfies the minister and Kirk Session that he or she is an adherent of the congregation and will undertake the Christian upbringing of the child;
  - (c) where at least one parent, or other family member (with parental consent), having been baptised, professes the Christian faith, undertakes to ensure that the child grows up in the life and worship of the Church and expresses the desire to seek admission to the communion roll of the congregation;
  - (d) where the child is under legal guardianship, and the minister and Kirk Session are satisfied that the child shall be nurtured within the life and worship of the congregation;
- and, in each of the above cases, only after the parent(s), or other family member, has received such instruction in its meaning as the minister and Kirk Session consider necessary, according to such basis of instruction as may be authorised by the General Assembly.
7. Baptism shall normally be administered during the public worship of the congregation in which the person makes profession of faith, or of which the parent or other family member is on the communion roll, or is an adherent. In exceptional circumstances, baptism may be administered elsewhere (e.g. at home, in hospital). Further, a minister may administer baptism to a person resident outwith the minister's parish, and who is not otherwise connected with the congregation, only with the consent of the minister of the parish in which the person would normally reside, or of the Presbytery.
8. In all cases, an entry shall be made in the Kirk Session's Baptismal Register and a Certificate of Baptism given by the minister. Where baptism is administered in a chaplaincy context, it shall be recorded in the Baptismal Register there and, where possible, reported to the minister of the parish in which the person resides.
9. Baptism shall normally be administered by an ordained minister. In situations of emergency (a) a minister may, exceptionally, and notwithstanding the preceding provisions of the Act, respond to a request for baptism in accordance with his or her pastoral judgement, and (b) baptism may be validly administered by a person who is not ordained, always providing that it is administered in the name of the Father and of the Son and of the Holy Spirit, with water. In every occurrence of the latter case, of which a minister or chaplain becomes aware, an entry shall be made in the appropriate Baptismal Register and where possible reported to the Clerk of the Presbytery within which the baptism was administered.
10. Each Presbytery shall form, or designate, a committee to which reference may be made in cases where there is a dispute as to the interpretation of this Act. Without the consent of the Presbytery, no minister may administer baptism in a case where to his or her knowledge another minister has declined to do so.
11. The Church of Scotland, as part of the Universal Church, affirms the validity of the sacrament of baptism administered in the name of the Father and of the Son and of the Holy Spirit, with water, in accordance with the discipline of other members of the Universal Church.

### **Admission to the Lord's Table**

12. The Lord's Table is open to any baptised person who loves the Lord and responds in faith to the invitation "Take, eat".
13. In accordance with the law and practice of this Church a Kirk Session is obliged to test the response in faith of a baptised person before authorising admission to the Lord's Table. The Kirk Session requires to be satisfied that the baptised person has received instruction in the faith and order of the Church, is of Christian character and is ready to make public profession of faith, whereupon such person is admitted to the Lord's Table and his or her name is added to the Communion Roll of the congregation.
14. Notwithstanding the terms of Section 13 above there is nothing in the law of the Church which would

automatically disqualify a person with learning difficulties from admission to the Lord's Table and from having his or her name added to the Communion Roll of a congregation.

15. Notwithstanding the terms of Section 13 and recognising the free discretion of the Kirk Session in this matter, where a Kirk Session is satisfied that baptised children are being nurtured within the life and worship of the Church and love the Lord and respond in faith to the invitation "take, eat", it may admit such children to the Lord's Table, after pastorally overseeing the response of faith of such children to see when it is right for them to come to the Lord's Table. The names of such children shall be admitted to the Communion Roll of the congregation when they have made public profession of their faith.
16. For the avoidance of doubt:
  - (1) The Sacrament of the Lord's Supper shall normally be celebrated in Church at stated times determined by the Kirk Session.
  - (2) The Sacrament of the Lord's Supper may be administered privately in Church or elsewhere at the discretion of a minister.
17. The elders normally assist the minister in the distribution of the elements at the Lord's Supper.
18. This Act shall come into force on 1 January 2001 and Acts XXI 1956, XVII 1963, IV 1975, III 1985 and XV 1992 shall be repealed as at that date.

## APPENDIX 3

### ACT 12, 2007 ANENT CARE OF ECCLESIASTICAL PROPERTIES

Edinburgh, 25 May 2007, Session 8

The General Assembly enact and ordain as follows:-

#### Definitions

1. (a) *Ecclesiastical buildings*: All properties pertaining to a congregation whether or not in use for the purposes of the congregation and in particular but without prejudice to the foregoing generality all Churches, Church Halls, Manses, houses for assistant or associate ministers, Church Officers' houses, retirement houses, ancillary buildings or outbuildings and properties which are let.
- (b) *Financial Board*: The Kirk Session, Congregational Board, Deacons Court, Committee of Management or other congregational authority responsible for finance and for the maintenance of the ecclesiastical buildings pertaining to the congregation.
- (c) *Manse Condition Schedule*: The document contained in Appendix III of the Joint Report of the General Trustees and the Ministries Council to the General Assembly of 2007 and referred to in the Regulations for Manses 2007.
- (d) *Professional Reporter*: An Associate or Fellow of the Royal Incorporation of Architects in Scotland or of the Royal Institution of Chartered Surveyors and who has satisfied the Presbytery that he or she carries appropriate Professional Indemnity Insurance of at least £500,000 or such other professional person nominated by the Presbytery and approved by the General Trustees.

#### Duties of Congregations

2. The Financial Board shall in each congregation set up a Fabric Committee to take care of the ecclesiastical buildings of the congregation. The Fabric Committee shall be empowered to co-opt persons with appropriate skills to enable it to carry out its work.
3. (a) The Fabric Committee shall complete and maintain a Property Register and a Manse Condition Schedule.
- (b) The Property Register shall be in the form approved and issued by the Church of Scotland General Trustees ("the General Trustees") and shall contain the following sections in respect of the ecclesiastical buildings except the Manse of the charge:
  - (1) A list of the ecclesiastical buildings of the congregation and the title upon which each is held;
  - (2) The level of insurance cover in respect of each ecclesiastical building;
  - (3) An inventory of furnishings and equipment wherever located;
  - (4) Details of all repairs and improvements undertaken to the ecclesiastical buildings other than those identified by the Professional or Interim Reports;
  - (5) A summary of the urgent and essential items of repair identified by the Professional or Interim Reports.
- (c) The Manse Condition Schedule shall be in the form approved and issued by the General Trustees and the Ministries Council and shall contain the following information in respect of the Manse of the charge:
  - (1) Basic information as to address, building type, Listing, insurance cover and service contracts;
  - (2) A description of the internal condition by reference to each room, its current condition, when it was last decorated and/or up-graded and at what cost;

- (3) A description of the external condition including the garden; and clarification of the relative responsibilities of the Financial Board and Minister with regard to garden upkeep;
  - (4) Details of items such as floorcoverings, curtains, and white goods which are provided and maintained by the Financial Board.
4. The Fabric Committee shall inspect all ecclesiastical buildings including the Manse by the end of May each year. All matters which are found to require attention at the annual inspection, and at any other time, shall be recorded in the Property Register or the Manse Condition Schedule along with a note of the action taken thereon.
5. (a) The Property Register and the Manse Condition Schedule shall be submitted annually to the Financial Board when it considers its budget for the following year so that reasonable provision may be made for the repairs and renovations required. At the same time, the Financial Board shall consider the levels of insurance cover in respect of all ecclesiastical buildings including the Manse to ensure that they are realistic and to make allowance for increased premiums in the following year.
- (b) At least once in each ten year period the Financial Board shall instruct a valuation for insurance purposes of all the ecclesiastical buildings and heritable fittings and fixtures. A Financial Board which has not obtained a valuation for insurance purposes of any ecclesiastical building and heritable fittings and fixtures since 1 July 1997 shall instruct such a valuation no later than 1 July 2009. The Fabric Committee shall implement the recommendations as to the appropriate level of insurance cover.

Nothing in this section shall preclude Presbyteries from instructing valuations for insurance purposes on the ecclesiastical buildings of congregations within their bounds.

- (c) The Property Register, incorporating the revised insurance values, shall be attested and thereafter submitted to the Presbytery when called for.
  - (d) The Manse Condition Schedule need not be submitted annually to Presbytery but shall be submitted:
    - (1) to quinquennial visitors appointed by the Presbytery;
    - (2) to the Presbytery upon a vacancy in the charge;
    - (3) when permission in terms of the Work at Ecclesiastical Buildings Regulations 1998 (as amended) in respect of the Manse is being sought;
    - (4) at any other time when requested by the Presbytery or the General Trustees.
6. Where a Manse serves as the Manse of a linked charge, the Fabric Committee shall give a copy of the Manse Condition Schedule to the Fabric Committee of the other congregation or congregations in the linking.

### **Duties of Presbyteries**

7. Each Presbytery shall set up a Fabric Committee (the "Presbytery Committee") to which it shall appoint persons with technical knowledge and experience and appropriate skills and shall empower it to co-opt persons with such knowledge, experience and skills or to obtain such assistance as it may deem necessary.
8. The Presbytery Committee shall consider all Property Registers of congregations within the bounds on an annual basis and shall report thereon to the Presbytery. The Presbytery shall have power to instruct a congregation to undertake such repairs as it may deem necessary and to implement the recommendations of insurance valuations.
9. (a) At least once in the five year period beginning on 1 July 2007 and thereafter at intervals of not more than five years from the date of the previous inspection and report, the Presbytery Committee shall instruct an inspection and report on the ecclesiastical buildings of each congregation within the bounds. The said reports shall take one of two forms:
- (1) A Principal Report which shall be carried out by a Professional Reporter at least once in each ten year period beginning on 1 July 2007.

Instructions for Principal Reports shall be given jointly on behalf of the following bodies which are directly interested in the maintenance, or the supervision of the maintenance of all ecclesiastical buildings: (1) the Presbytery of the bounds, (2) the Financial Board of the congregation concerned and (3) the trustees in whom the ecclesiastical buildings are vested; and the Presbytery is hereby authorised to act on behalf of such bodies.

- (2) In Presbyteries where a Principal Report is carried out once in each ten year period, the intervening Report shall be carried out by a person approved by the Presbytery and shall be known as an Interim Report.
- (b) Reasonable notice of intended inspections shall be given to the Clerk of the Financial Board and to the Minister of the charge and it shall be their duty to afford all reasonable facilities for the carrying out of inspections.
- (c) All Principal and Interim Reports shall be in such form and shall contain such information as may be decided by the General Trustees and shall identify as “Urgent” all works required for the safety of the public or persons using the buildings; as “Essential” all works required to keep the buildings wind, water-tight and fit for use; and as “Desirable” all other works including works of modernisation and improvement.
- (d) Professional and Interim reporters shall also have regard to the terms of the previous Report and shall comment on whether the Financial Board has dealt with the Urgent, Essential and Desirable works identified therein.
- (e) On receipt of either a Principal or Interim Report, the Presbytery Committee shall transmit a copy to the Financial Board of the congregation and to the Church of Scotland General Trustees for their records. The Financial Board shall engross a summary of the report in the Property Register and, with regard to the Manse, in the Manse Condition Schedule to be taken into consideration at its annual budget meeting.
- (f) The cost of all Principal Reports shall be met by the Presbytery.
10. The Presbytery Committee shall consider Principal and Interim Reports with particular reference to the items identified as Urgent and Essential in the immediately preceding Report. It shall consult with the Fabric Committee of the congregation concerned before presenting the Report to the Presbytery with instructions as to the timescales, prior to the next Report, within which the said Financial Board shall complete the works classified as “Urgent” and those classified as “Essential”. The Presbytery may instruct an energy survey to be carried out by the General Trustees’ Heating Consultant. The Financial Board shall advise the Presbytery when these works have been completed and, if required by the Presbytery, when an energy survey has been undertaken. The Presbytery Clerk shall inform the Presbytery if such advice from the Financial Board is not to hand within the stated timescale and the Presbytery shall take such action as it deems appropriate.
11. Each Presbytery shall annually prepare and transmit to the General Trustees not later than 31 December, and containing such information as may be prescribed by the General Trustees, a report on its diligence in carrying out the provisions of this Act within its bounds. The General Trustees shall report thereon to the General Assembly.
12. The Act will not apply to (a) congregations and Presbyteries outwith the United Kingdom but these Presbyteries shall take such steps as they deem wise in their own circumstances for the inspection of all ecclesiastical buildings within their bounds and (b) congregations of Church Extension Charges or New Charges until they attain full status.
13. The Act shall come into force on 1 July 2007.
14. Act IX 1979 (as amended) is hereby repealed.

## APPENDIX 4

### CHURCH OF SCOTLAND LAW DEPARTMENT CIRCULAR CHARITIES AND TRUSTEE INVESTMENT (SCOTLAND) ACT 2005 REMUNERATION FOR SERVICES

Sections 67 and 68 of the Charities and Trustee Investment (Scotland) Act 2005 deal with charity trustee remuneration. Charity trustees must not be remunerated from charitable funds unless certain conditions are met. These provisions apply not only to payments made direct to the charity trustee but also to connected persons who include:

- A person, married to, the civil partner of or living with the charity trustee.
- The child (including stepchild), parent, grandchild, grandparent, brother or sister of the charity trustee (or the spouse of such person).
- A company where the charity trustee or connected person has a substantial interest.
- A Scottish partnership where the charity trustee or connected person is a partner.

What steps require to be undertaken to comply with the Act if a charity trustee or connected person is to be employed, e.g. where a member of the Session or the Board is the Church officer, cleaner or organist?

The Congregational (or other Financial) Board, if there is one, or the Kirk Session will require to enter into a written agreement with the charity trustee or connected person, i.e. a contract of employment, which should set out the services to be provided and the maximum amount of remuneration to be paid for these services. This agreement will have to be agreed at a Board or Session meeting, as appropriate, and in addition the charity trustees will have to agree that the remuneration is reasonable in the circumstances and that it is in the interests of the charity that these services are provided by the charity trustee or connected person. The charity trustee in question should be required to leave the meeting whilst this item was discussed.

The Minute of the meeting should clearly specify the services being provided, the maximum amount of remuneration and that it is considered that this is reasonable in the circumstances. The Minute must also state that it is considered to be in the interests of the charity that these services be provided by the charity trustee or connected person. It should also indicate who is authorised to execute the written agreement on behalf of the Board/Session. In the case of employment the Board or Session will have to Minute any future change to the salary of the charity trustee or connected person and affirm that it is reasonable etc

If the Charity Trustee or connected person was employed when the 2005 Act came into force in April 2006 the Board/Session requires to review the position and Minute (a) the services being provided, (b) the maximum amount of remuneration, (c) that the remuneration is considered reasonable in the circumstances and (d) that it is considered to be in the interests of the charity for these services to continue to be provided by the charity trustee or connected person. There should already be a written agreement in place but if there is not a written agreement will be required.

It should be noted these provisions also apply where other types of services are being provided by charity trustees or people connected to the charity trustee, e.g. a plumber mending a burst pipe; a builder repairing the church roof etc. Therefore, if a charity trustee or connected person is to be engaged to say paint the Church halls then it will be necessary to minute:

- the services being provided,
- the maximum amount to be paid for these services
- that the payment is considered reasonable in the circumstances and
- that it is considered to be in the interests of the charity for these services to be provided by the charity trustee or connected person.

The Law Department is happy to advise further should any particular points of difficulty arise.

## APPENDIX 5

### BRIBERY ACT 2010

#### BRIBERY AND PROCUREMENT POLICY

Following the publication of the Bribery Act 2010 the Church is obliged to state in all levels of Church courts that bribery is unacceptable. This statement should be incorporated into the minutes of Presbytery and of Kirk Sessions.

Bribery is a broad concept. In the supplementary guidance published alongside the Act, it is very generally defined as 'giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so. This could cover seeking to influence a decision-maker by giving some kind of extra benefit to that decision-maker rather than by what can legitimately be offered as part of a tender process.'

Under the new Act there are two general offences:

1. **Active Bribery** – Section 1 of the Act prohibits offering, promising or giving a financial or other advantage (a bribe) to a person with the intention of influencing a person to perform their duty improperly.
2. **Passive Bribery** – Section 2 of the Act prohibits a person from requesting agreeing to receive or accepting a bribe for a function or activity to be performed improperly.

The Act also contains a new 'corporate' offence which provides that an organization will be guilty of bribery if an 'associated person' bribes a third party.

Congregations and their financial boards are not regarded as being corporate bodies. However given the nature and position occupied by the Church of Scotland, it is not unforeseeable that it might in the future be argued that this new 'corporate' offence could be extended and applied to the church in its capacity as a charity. As a result members of Kirk Session/Congregational Board; Elders; members of the congregation; volunteers; contractors or agents could all be deemed to be associated persons.

Guidance notes and a draft policy are available from the Church of Scotland Law Department [www.churchofscotland.org.uk](http://www.churchofscotland.org.uk) (search 'Law Department Circulars')

These should be circulated to your financial board and you must ensure that members read it.

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