The Church of Scotland

The Presbytery of ………………..

LOCAL CHURCH REVIEW PACK

Template 'C'

CONTENTS

INTRODUCTION AND PROCESS

Local Church Review (LCR) was enacted by the General Assembly in 2011 (Act I 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 five years.

The object of LCR is:

- to encourage the congregation.
- to facilitate the congregation in setting out their priorities and plans for the next five years.
- to support the congregation as it begins to execute their plans following the completion of the review.

There are several stages to the LCR process:

1. The church is requested to complete a questionnaire. This provides the Visiting Team with the congregation's own account of its story.
2. The Visiting Team meets with the church, to identify desired changes and goals for the next five years.
3. The Visiting Team compiles a report and submits it to the Superintendence Committee.
4. The report is sent to the Minister and Session Clerk of the congregation being reviewed, with an opportunity to discuss the report before it is finalised.
5. Final report is agreed with representatives of the Congregation and the Visiting Team.
6. LCR Team Member is assigned to provide ongoing support through the following five-year time frame.

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LCR PROCESS FLOWCHART

Information on the new Local Church Review (LCR) process sent out to the Minister, Session Clerk and Office Bearers of the charges who will receive a LCR.
LCR visitation team members identified and training in the LCR process undertaken if required.

LCR Questionnaire sent to Minister and Session Clerk for completion.

LCR Questionnaire retuned to Superintendence Team.

In advance of visit, LCR Questionnaire responses passed to Visiting Team.

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LCR Visitation teams meet with allocated charges working with the congregation to create a church action plan for the next 5 years that utilises SMART objectives.

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LCR Visitation team compiles the LCR report and submits it to the Superintendence Committee.

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LCR report sent to the Minister and Session Clerk of the charge being reviewed.
An opportunity and date to meet and discuss the report before it is finalised is offered/arranged.

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Meeting held to discuss final LCR report with representatives from the LCR visitation team and representatives from the congregation present.
The final report will include commendations, the 5 year plan including SMART objectives and the identified LCR team member who will continue to be a support /contact for the charge.

SECTION A – WORSHIP

1. What worship opportunities are there during the week?

2. What different forms of worship do you use: Who leads this worship and how will this develop in the near future? (include any midweek forms of worship).

3. How are people in the congregation encouraged to participate in worship?

4. What changes have you seen in people attending church each week, eg demographics.

5. Give an example of how your worship is accessible to all (eg children, disabilities, language, culture)

6. In what way does Act V, 2000 (Sacrament of Baptism) enable you to engage with the community?

7. Describe the ways that you offer Communion to the entire worshipping community.

SECTION B – DISCIPLESHIP

1. How is the responsibility of the Minister and Kirk Session for the Christian Education of adults within the congregation being exercised, and how could this be developed? What resources have been used?
2. How are you encouraging and supporting growth in faith at every stage?
3. What wider opportunities are there in the life of the congregation for Christian service?

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TO BE COMPLETED BY THE VISITING TEAM

The Church of Scotland
Presbytery of ___________

For Congregation ____

Questionnaire for use in Presbytery Visits to Congregations
The Protection of Vulnerable Groups

		YES	NO
1.	Is the Church's Policy Statement on the Protection of Vulnerable Groups displayed prominently on church premises and/or been made accessible to the congregation in other ways?		
2.	Is there currently in place a Co-ordinator for Safeguarding in the Protection of Vulnerable Groups appointed by the Kirk Session?		
3.	Has the name of the current Co-ordinator been passed to the Church of Scotland's Safeguarding Office for inclusion in the National Register of Co-ordinators?		
4.	Has the name of the current Co-ordinator been passed to the Presbytery Co-ordinator?		
5.	Has the current Co-ordinator undergone training by a trainer accredited by the Church's Safeguarding Office?		
6.	Has the Kirk Session appointed two or more others to work with the Co-ordinator in operating a Safeguarding Protection Panel?		
7.	Are all appointments of voluntary workers with the Vulnerable Groups reported to, and minuted by, the Kirk Session?		
8.	Is a register of all voluntary workers with the Vulnerable Groups maintained by the Kirk Session?		
9.	If so, has this been inspected and found to be up to date and in order?		
10.	Are all completed application forms, job descriptions and other schedules retained on file?		
11.	If so, have these been viewed and found to be in order?		
12.	Have all volunteers been encouraged to undergo training in the procedures for working with Vulnerable Groups?		
13.	Have all volunteers been made aware of the procedures to be followed in the event of a disclosure/declaration of abuse?		

SECTION C – MISSION

1. In what ways is the congregation currently involved in the life of the community, listening to its needs and responding?
2. How did you determine what the needs of the community were?
3. How do you see your community changing, and what plans are in place to respond?
4. In what way does the congregation, or people from it, take part in joint ventures or partnerships with other Church of Scotland congregations?
5. In what way does the congregation, or people from it, take part in joint ventures or partnerships with congregations of other denominations?
6. What people and organisations make use of the church buildings? Describe ways in which you have taken steps to build relationships with them?
7. How are members encouraged to share and assume responsibility in the wider work of the Church, both in Scotland and in the World?

SECTION D – PASTORAL CARE

1. What provision is made for pastoral care?
2. What training has been offered in the last two years to the Team/Group, Elders and anyone else involved in pastoral care?

SECTION E – CONGREGATIONAL LIFE

1. What change have you noticed in your congregation's profile, and is this representative of the wider community?

2. List your organisations and who they are for.

Please complete the table to show the approximate numbers attending *church* activities (ie not community groups that are only using the building) at any time in a *typical* week (Sundays or weekdays but not, for example, during a holiday club). Indicate the *main* purpose(s) of the activity from the list below (please do not select more than two). The first row has been filled in as an example only.

A Community Service
B Fellowship / social
C Outreach
D Prayer
E Teaching / education
F Worship

Activity / Group	Frequency	Aimed at?	Typical Attendance	Primary Purpose
Housegroup	Weekly	Members	12	D, E

3. What changes have you observed in the congregation and how are you responding?

4. How do you help people to develop relationships with one another?

SECTION F – USE & DEVELOPMENT OF OFFICE-BEARERS

1. What opportunities are there for continuing development for office-bearers?
2. In what ways are non office-bearers involved in leadership?
3. When was the last time you reviewed your leadership structure? What criteria did you use?

SECTION G – FINANCE AND RESOURCES

1. Given the circumstances of your congregation, how have you prioritised your work?
2. How has a Stewardship Campaign helped your congregation's attitude towards giving?
3. How have you worked in partnership with others to achieve what you could not do on your own?

SECTION H – FABRIC

1. What was the date of the last inspection of the church and manse, and how do you comply?
Place an X on the scale to indicate how well your buildings are used during the week. Not used at all ………………………………………………………… In use every day Is there any other community space available in your parish?
2. Describe how the buildings support the worship and mission of this congregation.
3. What have you identified as any foreseeable changes or developments in the community, which would alter the demand or need for the existing buildings?
4. Please comment on the ways in which the church buildings and technology ensure equality of access and participation for all members of the community, eg disabled access.

SECTION I – MINISTRY SUPPORT

1. In what ways does the Kirk Session support and encourage the Minister and Ministry Team?
2. If you had a paid Ministry Team (Minister with assistance), how are priorities set for each member of staff and how do you develop relationships among them?

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PARISH PROFILE

Town / Village and Parish
Population
Geographical Location
Housing
Schools and Chaplaincies
Nursing/Care Homes or Sheltered Housing
Church buildings and facilities

Please use this page if you require more space for any of your answers or any additional information you wish to submit

Section	Question No.	Comment

APPENDIX 1

Presbytery of ____________
Superintendence sub-committee

Local Church Review
5 yearly visits

Report from Visiting Team

Representatives from the congregation will meet with superintendence convener and the visitation team after the visit to discuss the final report from the visit.

It would therefore be helpful if teams included in their report facts/comments learned from the questionnaire completed by the congregation before the visit and the knowledge and experience they gained during the visit.

Congregation:			
Minister contacted and process outlined	Date:		
Key Office-bearers appointed	Name		Designation
Team met with Key Office-bearers	Date:		
a) Process explained in detail	Date:		
b) Dates of visits confirmed	Date:		
Visit			
a) What has gone well in past three years?			
b) What challenges have there been and what has been difficult?			
c) Congregation's strengths			
d) Congregation's weaknesses			
e) How has the life and work of the congregation developed since last visit?			
f) Response to the statistical information received			
g) Does the congregation understand its role in the Presbytery Plan?			
h) Identify changes that may take place in the congregation and parish in the next three years.			
i) Commendations: Superintendence will pass relevant good news stories to the Mission & Discipleship Committee.			
j) Plan of Action with a timetable for the action agreed (Appendix 6).			

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Highlight significant points under each of the following headings:

1. Worship
2. Discipleship
3. Mission
4. Pastoral Care
5. Congregational Life
6. Use and Development of Office-bearers
7. Finance
8. Fabric and Resources
9. Ministry Support

Team member who will encourage and support the congregation	
Name	
Telephone	
Email	
Congregational Contact	
Name	
Telephone	
Email	

APPENDIX 2

ACT 1, 2011 ANENT LOCAL CHURCH REVIEW

Edinburgh, 21 May 2011, Session 1

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 1, 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:

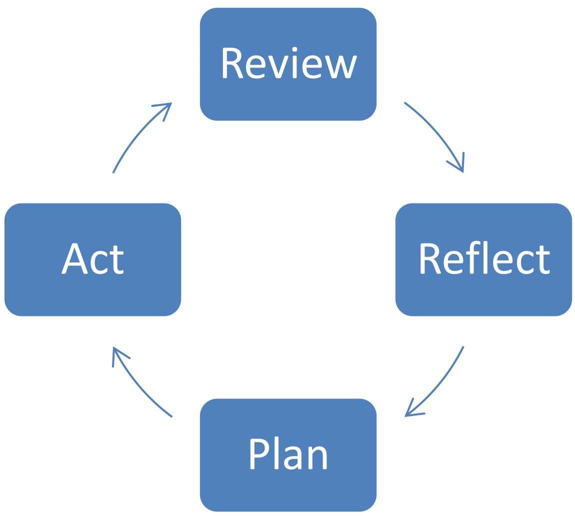
a) What other form of Christian presence would they consider?
b) What other partnerships would they consider?
c) What resourcing is needed to equip the congregation for a new future?
d) What is the pastoral process of closure and/or dissolution?

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:



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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 3

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

Edinburgh, 20 May 2000, Session 1

(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 4

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 5

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 6

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 (search 'Law Department Circulars')

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

Appendix 7

Local Church Review Action Plan Summary
Date ……………………………………

Agreed Goal	Actions	Person Responsible	Due Date	Resources Needed	Agreed Budget	Status (eg not started / in progress / complete)
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	• • •					
	• • •					
	• • •					