

E3 VACANCIES AND APPOINTMENT PROCEDURES

The Patronage(Benefices) Measure 1986 sets out the procedures for filling benefices which become vacant. For most purposes the provisions do not apply where the patron is the Crown, the Duchies of Lancaster or Cornwall or the Lord Chancellor. In addition they do not apply when filling an office of team vicar (as opposed to team rector) in a team ministry, (although there are similar provisions within the Pastoral Measure as amended). Nor do the provisions apply in those cases where the right of presentation is suspended and a priest in charge is to be appointed by the bishop.

If such suspension takes place then the Patronage Measure procedures do not apply. Instead the benefice remains technically vacant, and its pastoral care is normally undertaken by a priest in charge licensed by the bishop for that purpose.

It is therefore important for a PCC to realise that whilst the Patronage Measure procedures will normally apply, that will not automatically be the case and should not be presumed. Early contact with the archdeacon may help to clarify a particular position.

Suspension of Presentation

In situations where pastoral re-organisation is envisaged or where a parochial cure is combined with another post, the patron's right of presentation may be suspended by the Bishop. In other words the patron is unable to exercise a right to nominate a new parish priest but the bishop is able to appoint a priest in charge. This process is governed by the Pastoral Measure 1983 and its associated Code of Practice. In such cases the bishop has to obtain the consent of the Diocesan Pastoral Committee and to consult with the patron(s), the PCC(s) of the parish(es) concerned and with the rural dean and lay co-chairman of the deanery synod before exercising this power. In this diocese the consultation is normally carried out by the archdeacon on behalf of the bishop. In practice in this diocese, the Archdeaconry Pastoral Sub Committee offers such advice which is normally endorsed by the Diocesan Pastoral Committee and followed by the bishop.

If suspension takes place (and it may not be for more than five years in the first instance), then before a priest in charge is appointed by the bishop there will be further consultation with the patron and parish representatives elected by the PCC.

Appointments

Except in those cases where presentation to a benefice is suspended, the procedures will be governed by the Patronage (Benefices) Measure 1986, which has been in force since late 1989: most parishes in the diocese will therefore have had some experience of its operation. The following gives a brief summary of the powers and duties of the PCC on the filling of a vacant benefice. Further information can be obtained from the archdeacon.

Matters begin with the bishop giving notice of the vacancy or impending vacancy to the Designated Officer, (based at Churchgates House), who then gives notice and detailed procedural information to all patrons of the benefice informing them which of them is entitled to act on this occasion. Additionally, the PCC secretary is notified by the Designated Officer of the PCC's rights and the various steps which it needs to take.

The PCC Meeting (Section 11 meetings)

Within four weeks of the notice of vacancy the PCC must hold one or more meetings (from

which the outgoing incumbent and spouse and the patron and (his representative) are excluded) for the purpose of:-

- preparing a statement describing the conditions, needs and traditions of the parish. Annex 1 gives details. This must be sent as soon as practicable to the archdeacon who passes copies to the patron and the bishop;
- appointing two lay members of the PCC to act as representatives of the PCC in connection with the selection of an incumbent;
- deciding whether to request the patron to consider advertising the vacancy. The final decision on advertising rests with the patron; if a decision is made to advertise the patron or parish (benefice) will bear the cost.
- deciding whether to pass a resolution under S3(1) or (2) of the Priests (Ordination of Women) Measure 1993.
- deciding whether to request a written statement from the bishop describing, in relation to the benefice, the needs of the diocese and the wider interest of the Church.

Multi-parish benefices

As a result of pastoral re-organisation most benefices in the diocese now comprise two or more parishes. In a multi-parish benefice which does not have a team council or a joint PCC the meeting or meetings of the PCC required by section 11 of the measure are to be joint meetings of all the PCCs of the benefice. The PCCs may make a joint statement or may wish each to make a separate statement dealing with the parish concerned, but the other decisions of the meeting must be joint decisions.

With regard to the appointment of lay representatives, in a multi-parish benefice the joint meeting of PCCs (not the individual PCCs) must appoint “such number of persons, but not less than four, as will enable each of those councils to have at least one representative”. The object is to give fair representation to all parishes whilst keeping the number of representatives to manageable proportions for the job they have to do.

Joint (“Section 12”) Meeting

Under the Patronage Measure a Section 12 Meeting does not normally take place unless one of the “interested parties” (patron, PCC, or bishop) requests it. In this diocese it has been decided that a Section 12 Meeting will normally be arranged for the purposes of an exchange of views between the interested parties about the PCC(s) statement and the statement made by the bishop if one has been requested. This is also an opportunity to explain and agree the process of appointment. In practice these meetings have proved to be extremely valuable and give an opportunity to clarify a number of details including diocesan policy with regard to the care and letting of parsonage houses during a vacancy, and also to explain any deanery proposals for pastoral re-organisation which may affect the benefice at the present or in the future.

The bishop and / or the patron may send a representative to the meeting if unable to attend personally. At least one third of the members of PCC(s) must attend and the rural dean (unless he is the outgoing incumbent) and lay chair must also be invited.

Selection of Incumbent

The candidate (or candidates) for interview will either be chosen by the patron or the parish representatives and archdeacon. These will be interviewed by the parish representatives, archdeacon, rural dean and lay chair. The bishop or patron will then be notified of their recommendation. In the case of parishes where the rights of patrons have

not be suspended this is done by the exchange of forms as set out in the Patronage Measure.

Lapse

If no priest has accepted appointment to the benefice within nine months of the date when the benefice becomes vacant the patron's right to select the new incumbent (assuming this has not been suspended) lapses to the Archbishop of Canterbury. He must consult the bishop and the PCC representatives as well as anyone else he thinks fit, but he does not normally need their approval before offering the benefice to a priest.

Institution or Collation (the service that installs a new incumbent)

The bishop must give at least three weeks' written notice of his intention to institute or collate the priest to the PCC Secretary, who must see that it is displayed at or near the principal door of every church and licensed place of worship in the parish for two weeks. The institution or collation can then take place. Arrangements for the service will be made by the churchwardens in discussion with the archdeacon. The archdeacon or rural dean will normally conduct a rehearsal a few days before the service.

Sequestrators (those responsible for a parish during a vacancy)

Churchwardens and the rural dean are automatically appointed as sequestrators for the benefice. (Section 1(1) of the Church of England (Miscellaneous Provisions) Measure 1992).

Duties of the sequestrators include receiving the profits from the benefice (i.e. fees normally payable to the incumbent) and paying them over to the Board of Finance. Annex 2 sets out the range of issues that need to be attended to during the interregnum

The main duty of the churchwardens, as sequestrators, is to ensure that pastoral care within the benefice does not suffer during the vacancy. They should therefore set up an early meeting with the rural dean to arrange services. Payment of fees and / or expenses to clergy or readers for duties undertaken during the period of sequestration will be made by the Board of Finance on receipt of claim details for services taken and travel duly authorized by the archdeacon. Note NSMs, OLMs and readers do not receive fees). Full details about the administration of claims should be directed to the archdeacon.

Parsonage House

Within this diocese it is the policy of the Diocesan Board of Finance to let parsonage houses during the interregnum.

If the vacancy continues beyond the annual appointment of churchwardens, then the retiring wardens should ensure that their successors are fully aware of the sequestration arrangements. Likewise, any retiring rural dean should inform his or her successor of any vacant benefice for which there are sequestration responsibilities.

The sequestration period and responsibilities of the sequestrators will come to an end when a new incumbent is instituted or (for all practical purposes) when a priest in charge is appointed.

The answers to these questions provide the basis for the parish profile that will be read by all those clergy interested in applying for the post. The Archdeacon will supply the churchwardens with a copy of the profile questions.

THE COMMUNITY

POPULATION (total number, predominant age groups if applicable)

HOUSING (type, eg privately owned, tied housing, council, with approximate percentages)

EMPLOYMENT

SCHOOLS

OTHER COMMUNITY INSTITUTIONS

ANY OTHER FACTORS

THE CHURCH

CHURCH BUILDINGS (age, size, situation, including halls):

CHURCHMANSHIP (eg, Evangelical, Anglo-Catholic, Central)

SERVICES

Time

**BCP/ASB/
CW**

**Average
Attendance**

WHICH HYMN BOOK DO YOU NORMALLY USE?

OCCASIONAL OFFICES (how many approximately in the last 12 months):

BAPTISMS, WEDDINGS, FUNERALS

CHURCH ORGANISATIONS

ASSISTANTS IN THE PARISH (e.g. NSM, retired clergy, Readers, Elders)

RELATIONSHIPS WITH OTHER CHURCHES/FAITHS

PARSONAGE HOUSE (location, age & size of house, amount of garden, any other features)

ARE THE PRIEST'S EXPENSES PAID IN FULL?

DID THE PARISH PAY ITS QUOTA IN FULL LAST YEAR?

PCC's ASSESSMENT OF PARISH STRENGTHS

PCC's ASSESSMENT OF AREAS FOR DEVELOPMENT

WHAT THE PCC ARE LOOKING FOR IN THE NEW PRIEST

2005

ANNEX 2 Checklist for an Interregnum

- 1 Who is responsible for arranging cover for Sunday services and which members of the clergy and readers will mainly be drawn on if they are available? (Visitors to be asked to stick to the established rite / office for the service in question, e.g. the communion service in use should remain in use during the interregnum)
- 2 If the usual pattern of services has to be altered in any way (e.g. during special seasons such as Easter), who beside each member of the standing committee (wardens, PCC secretary and treasurer) should first be consulted?
- 3 Emergency calls: to whom should they be referred?
- 4 Baptism enquiries: to whom should they be made?
- 5 Who will do baptism visits?
- 6 Wedding enquiries: to whom should they be made?
- 7 Who will be responsible for arranging weddings, their legalities, the entering of banns in banns book and ensuring banns are called and 'signed for' in book?
- 8 Who will give banns certificates to couples when weddings are elsewhere?
- 9 Who is responsible for dealing with funeral enquiries and organizing funerals? NB Local funeral directors need to be told this (by whom?).
- 10 Any request for monuments/inscriptions should be forwarded to rural dean. Who will keep him informed of any proposed changes to churchyard or church building & fabric?
- 11 Any sick/home communions need arranging?
- 12 Who will deal with reimbursing of visiting clergy (fees and travel) / OLMs, NSMs and readers (travel only)?
- 13 When will the vicarage be empty? Who will then ensure its security, and that the water is drained down, etc? And who will make arrangements with outgoing incumbent over reading electric/gas meters and payments of final telephone bill? (but see below)
- 14 Normally the vicarage is let during the vacancy. Churchwardens should get in touch with the Property Assistant at Churchgates House as soon as the date when the vicarage will be empty is known.
- 15 Is the vicarage telephone to remain connected? If so, who is to inform the telephone company? (PCC will be responsible for the account). NB It is possible at a reasonable cost to arrange for the transfer of calls to another house in the parish. Does the PCC wish to do this? If so, transfer to which house?

- 16 Has the PCC and / or DCC a Diocesan Handbook and a Diocesan Directory? NB Directory needed for many useful addresses and telephone numbers.
- 17 Who is to check with the outgoing priest the location of files, terriers, quinquennial inspection reports, etc? Where will these be kept? Church safe if possible, but important not to leave papers and files in the vicarage.
- 18 Who will deal with church correspondence, and to consult whom?
- 19 Who will ensure notices are prepared for each Sunday, to ensure they are announced? And who to keep notice boards up to date?
- 20 Who will ensure that church and buildings etc., remain insured, with current insurance certificate(s) on view?
- 21 Vice chair of PCC to consult standing committee members on number and location of PCC meetings.
- 22 Do PCC secretary, electoral roll officer and wardens have information about calling meetings (including Annual Parochial Church Meeting) and about church representation generally? If in doubt, consult rural dean.
- 23 Is each PCC member aware of parish 'policies', e.g. on baptism or re-marriage of divorced people? Important that the PCC is clear about whether they are going hold the same policies during the vacancy?
- 24 Any other matters to be decided or noted?