

## Code of Conduct for PCC Members

### Purpose of the Code

1. St Mary's recognises that the role of PCC member is a voluntary one. However, it also has to be recognised that by becoming a member of the PCC, parishioners agree to be bound by church regulations as well as acting in such roles as charitable trustees and employers. It is therefore important for proper standards of conduct to be set in the best interests of PCC members themselves and in the best interests of third parties such as charitable beneficiaries and employees. This Code of Conduct seeks to strike a balance between the voluntary nature of the role of PCC member and the more formal requirements and duties. The code applies not only to elected members of the PCC, but also to ex-officio and co-opted members.
2. This Code of Conduct has been adopted by the Parochial Church Council (the 'PCC') of St Mary's Church Newick as an expression of what it means, in the context of the work of the PCC, to respond to the Gospel imperative to "Love God and love our Neighbour as ourselves". It is intended to guide members of the PCC in how they discharge their responsibilities and is consistent with the expectations in that respect of the Diocese and the Charity Commission.
3. The Code was adopted by the PCC on 12 September 2024. It will be reviewed at two yearly intervals, or more frequently if required.

### Duties of Members of the PCC

4. The functions of the PCC are briefly set out in section 19 below. The primary duty of members of the PCC is to ensure that those functions are discharged effectively, in cooperation with the Incumbent and in compliance with the relevant requirements of the Church of England and of applicable secular legislation. In particular members have all the responsibilities of Charity Trustees in relation to the management of the resources (buildings and money) held by the PCC on behalf of the Church.
5. Members must therefore ensure that they are familiar with and at all times have regard to relevant provisions of ecclesiastical and secular legislation and to any policies or guidance (e.g. in relation to safeguarding) issued from time to time by, for example, the Diocese of Chichester or the Charity Commission which bear on their responsibilities. Advice on such matters can be obtained at any time via the Secretary to the PCC.

### Responsibilities

6. The incumbent and the PCC each have their own particular rights and responsibilities in the life of the church but the important theme here is partnership and co-operation.

More specifically, the PCC is responsible for the maintenance of the church buildings and churchyard, and, with the incumbent, for deciding how the church's money is to be spent. The PCC is formally the employer of any paid workers. The PCC has the right to be consulted about major changes to the forms of worship used in the parish and about the appointment of a new incumbent. It is also consulted about any pastoral scheme affecting the parish and, through its representatives on the Deanery Synod, plays its part in the wider life of the Deanery and the Diocese.

As a consequence of their responsibility for the financial wellbeing of the parish, PCC members are also **Charity Trustees**. As Trustees, their role is:

- To ensure that the PCC is able to meet all its financial responsibilities, and that PCC funds and assets are used appropriately.
- To report on what the PCC has achieved, and how it has used its money and resources.
- To manage the PCC's money, and balance risk and reserves.

The Charities Act 1993 and the Church Representation Rules (CRRs) charge the Trustees with the following specific duties in relation to **finance**:

- i.) The keeping of proper accounting records. This means records that show from day-to-day amounts received and expended, including the matters to which they relate, and a record of assets and liabilities. The records should be sufficient to show the financial position of the PCC at any time.
  - ii.) The preparation of annual financial statements and an annual report that complies with the CRRs and the Charities Statement of Recommended Practice (SORP).
  - iii.) Appointment of an independent examiner or auditor and making arrangements for the examination or audit to be carried out.
  - iv.) Presenting the annual report, financial statements and independent examiner's or auditor's report to the APCM and displaying those before and after the meeting. As the annual report and financial statements are the responsibility of the PCC, the CRRs require them to be approved by the PCC and signed by the Chairman and one other PCC member before presentation to the APCM.
7. Members must complete, on their election or appointment to office, the required Declaration that they comply with the 'Fit and Proper Persons' legislation and so are not disqualified from acting as a charity trustee. As a Trustee, members are also governed by a number of requirements as outlined on the Charity Commission website. See <https://www.gov.uk/government/collections/list-of-charity-commission-cc-guidance-publications>.
8. Other areas of responsibility include:
- Notifying the **Information Commissioner's Office** (ICO), where necessary, in respect of data held in accordance with the Data Protection Act 2018 and ensuring church organisations comply with the requirements of the General Data Protection Regulations (GDPR).
  - As the PCC and the incumbent have a duty of care to ensure the protection of the vulnerable in their church community, the incumbent and the PCC must work together to promote a safer church for all in the church community and ensure that there is a plan in place to raise awareness of, promote training and ensure that **Safeguarding** is taken seriously by all those in that community. This means that the PCC must ensure that the parish complies with the Practice Guidance on Safeguarding issued by the House of Bishops in October 2017 and any other relevant guidance or policies of the Diocese.

### **Term of Office**

9. Elected members of the PCC will be elected for a three-year term, one third of the members of the PCC retiring each year.

### **Conduct of Members**

10. Members must conduct themselves at all times in ways which further the best interests of St Mary's Church and inspire trust and confidence in the PCC. They should not undertake any action which could bring the PCC or the Church into disrepute.

11. They should perform their duties in accordance with the seven principles of public life enunciated by the Committee on Standards in Public Life. These are:

*Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; Leadership*

Members should also seek to represent and promote the interests of **all** members of the congregation and parish.

### **Conduct at Meetings of the PCC**

12. Members must act towards one another in meetings of the PCC as they would expect to be treated themselves, that is in a manner which is respectful, considerate and courteous, even in the face of disagreement, and which helps to build collective trust.
13. When attending meetings or other events on behalf of the PCC, members should conduct themselves in a manner which reflects positively on the PCC.

### **Conflicts of Interest**

14. Members must act at all times in the best interests of St Mary's Church and avoid situations where there may be an actual or potential, real or perceived, conflict of interest between their personal interest and the interest of the PCC.
15. Members must declare at once any conflict of interest which may arise in relation to a matter under consideration by the PCC and refrain from participating in the PCC's decision on that matter. If in doubt about how to proceed, they should seek advice from the Chairman or Secretary of the PCC.

### **Authority to Speak on behalf of the PCC**

16. Members must not purport to speak on behalf of the PCC unless specifically authorised to do so by a meeting of the PCC or by the Standing Committee or Chairman of the PCC.
17. Members must also ensure that in using social or other media they do not bring discredit on the PCC.

### **Safeguarding**

18. Members must familiarise themselves with the Safeguarding Policy agreed by of the PCC. They must complete any Safeguarding Declaration required of them and be willing to undertake DBS checks and safeguarding training from time to time as required.

### **The Functions of the PCC**

19. Under the Parochial Church Councils (Powers) Measure 1956 the PCC has the following functions:
  - i) co-operation with the minister in promoting in the parish the whole mission of the Church, pastoral, evangelistic, social and ecumenical;
  - ii) the consideration and discussion of matters concerning the Church of England or any other matters of religious or public interest, but not the declaration of the doctrine of the Church on any question;
  - iii) making known and putting into effect any provisions made by the diocesan synod or the deanery synod, but without prejudice to the powers of the council on any particular matter;
  - iv) giving advice to the diocesan synod and the deanery synod on any matter referred to the council;
  - v) raising such matters as the council consider appropriate with the diocesan synod or deanery synod.

The Synodical Government Measure 1969 states: *It shall be the duty of the incumbent and the Parochial Church Council to consult together on matters of general concern and importance in the parish.*

It then goes on to set out a number of functions of the PCC, of which perhaps the most important, and certainly the widest, is: *co-operation with the incumbent in promoting in the parish the whole mission of the Church, pastoral, evangelistic, social and ecumenical.*

### **Failure to Comply with this Code**

20. Any alleged failure by a member to meet the terms of this Code must be reported in writing to the Secretary of the PCC in the first instance, detailing the nature of the alleged failure. The Secretary shall report the receipt of such a complaint to the Chairman and the Standing Committee of the PCC.
21. After conferring with the Standing Committee, the Chairman may direct the Secretary or one of the Churchwardens to enquire into the circumstances of the alleged failure and in so doing to seek an explanation from the person who is the subject of the complaint.
22. Upon receipt of the report of such an enquiry, if it appears that there is a prima facie case that the requirements of this Code have not been observed but that the breach of the Code is minor and the person who is the subject of the complaint accepts the finding of the inquiry, the Chairman of the PCC may, after conferring with the Standing Committee, issue a verbal or written warning to the person who is the subject of the complaint in question.
23. If it appears that the breach of the Code is major and/or the person who is the subject of the complaint contests the findings of the inquiry, the Standing Committee of the PCC may establish a panel of three members of the Committee not previously involved in the case to hear the complaint and the response to it of the person who is the subject of the complaint.
24. The panel shall report the outcome to the PCC and to the person who is the subject of the complaint. If the panel upholds the complaint, the PCC may in its absolute discretion resolve to do any of the following:
  - i) Issue a written warning to the person against whom the complaint has been upheld.
  - ii) Publicly censure the person concerned by reporting the complaint and its outcome to the congregation.
  - iii) Request that the person concerned stand down from being a trustee / member of the PCC.

This Code was last reviewed and was adopted by the PCC on 12 September 2024.

Signed:

Chair of the Parochial Church Council

Date:

2024