

Annual Meetings, Accounts and Church Electoral Rolls Guidance on New Rules

New Church Representation Rules (“Rules”) came into effect on 1st January 2020. The Measure which introduced them also made changes to two other Measures which affect our Annual Meetings (see below).

A comprehensive introduction to the new Rules may be found on the internet at <https://www.churchofengland.org/more/policy-and-thinking/church-representation-rules/church-representation-rules-online-introduction>

If you are a PCC member or involved in Church administration at any level, I urge you to read this introduction. I will quote here just two paragraphs to give you an impression of the likely impact of the new Rules:

“Although the new Rules entirely replace the old Rules, many of the concepts remain familiar. The Rules continue to provide for church electoral rolls, annual meetings, PCCs, deanery synods and diocesan synods, and the House of Laity of the General Synod. But there are significant changes to the way in which the Rules are presented and to their substance.

The new Rules have been completely redrafted and are a great deal easier to understand. They are no longer characterised by over-long sentences; provisions are broken down into more easily digestible parts. Secondly, all the provisions relating to parish governance are now in a self-contained Part of the Rules (Part 9). This should make navigation around the Rules easier.”

The first paragraph I’ve quoted is probably uncontentious, but some may question how easy the new Rules are to understand. However, the Rules form part of English law, and therefore do need to be in formal unambiguous language.

The new Rules take account of the General Data Protection Regulation (GDPR) and have been designed to avoid any need to obtain consent from individuals for processing their personal data for the purposes of the Rules. See the Introduction to the Rules referred to above for details of the basis on which data can be processed in the ways required by the Rules.

The full rules are available online at <https://www.churchofengland.org/more/policy-and-thinking/church-representation-rules/church-representation-rules-online-contents>. If you prefer it in book form paperback and ePUB copies are available from Church House Publishing at £9.99 and £10.00 respectively, and numerous other online stores have them in stock but at the time of writing they are not available at the Cathedral Bookshop. If you prefer a Kindle edition it is available from Amazon at £9.49.

I am not a lawyer, and this article, which only summarises the requirements, must not be relied on as a definitive or comprehensive statement of the law. For definitive and complete information consult the full Rules. Whilst I will attempt to assist you if I can, for formal legal assistance contact the Diocesan Registrar, Nadine Waldron.

Most of the forms relating to the Roll and Annual Meetings have been changed by the new Rules, and therefore you will need to prepare fresh documents. The Parish Resources website <https://www.pariahresources.org.uk/pccs/apcms/>, has revised forms, but at the time of writing the Electoral Roll Privacy Notice on that page has not been revised. Care must be taken in printing the

forms on the Parish Resources website as most of them are formatted as double sided A4 documents. To produce the A5 documents normally used, you will need to set your software and printer appropriately.

There is also information on the Diocesan website at <https://derby.anglican.org/en/church-admin/church-information.html>, but at the time of writing that has not been revised.

Church Electoral Rolls

Church Electoral Rolls must be revised annually, except in a year in which a new roll is prepared. A Notice of Revision of roll must be displayed for at least 14 days before the revision begins and the revised roll must be published for at least 14 days. This means that you need to commence the preparations to revise the roll over a month before the date of the Annual Meetings.

As a new roll was prepared last year, this year the roll only needs to be revised. However, one significant provision of the new Rules is that **email may be used for any communication required to be in writing if the person to whom it is addressed has provided an email address**, therefore you may wish to ask the current members to provide you with an email address if possible, in order to be able to use this method of communication in future.

Another significant change is that the roll as published, and the copy made available for inspection, **must include every name entered on the roll but no other personal data**, i.e. you must **not** now include addresses on the copy of the roll published on your noticeboard or elsewhere. However, the electoral roll officer must still hold the roll including addresses and now email addresses if they have been provided.

Annual Meetings

What we generally refer to as “the Church Annual Meeting” is in fact two separate meetings, which most Parishes hold one after the other, but which have different rules on who can attend and vote and also who convenes and chairs them during an interregnum.

Probably the most significant change affecting Annual Meetings is that under an amendment to the Churchwardens Measure and the new Rules, the meetings must now be held between 1 January and 31 May (rather than 30 April).

The notice of each of the meetings must be displayed for a period including the last two Sundays before the meeting.

Meeting of the parishioners

The first meeting is the Meeting of the parishioners, which both people who are on the Church Electoral Roll of the Parish and people who live in the parish whose names are entered on a register of local government electors are entitled to attend and vote. The purpose of this meeting is to elect Churchwardens, and it is also customary to announce the date of the Archdeacon’s visitation.

For the legal requirements regarding this meeting see the Churchwardens Measure 2001 as amended, which can be found at <https://www.legislation.gov.uk/ukcm/2001/1/contents>. Care must be taken in reading the text online as the changes made in 2019 are in headnotes and not yet in the main text.

This meeting is convened by the minister, or during an interregnum by a Churchwarden and is chaired by the minister, or if (s)he is not present by a chair chosen by the meeting.

Churchwardens may only serve for six years, unless a meeting of the parishioners has passed a resolution that this limitation shall not apply in the parish. Candidates for election must be nominated in writing on the prescribed form and the nomination paper must be received by the minister of the parish (or in an interregnum by the Churchwarden who signed the notice of the meeting) before the commencement of the meeting.

There are several forms that must be completed after the meeting by the Churchwardens and the chair of the meeting. These are normally issued by the Registrar to the minister, but in an interregnum, they usually go to the Area Dean for him/her to send to an appropriate person in the parish. If nobody has received them a few days prior to the meeting, please contact the Area Dean/Acting Area Dean to check the position.

The new Churchwardens become members of the PCC immediately they are elected (provided they are actual communicants whose names are on the roll of the parish), but until they are admitted to office (which normally takes place at the Archdeacon's visitation, but special arrangements can be made if the Churchwarden is unable to attend any of the Archdeacon's visitations) the existing Churchwardens continue in office and as members of the PCC. If following the meeting there is a vacancy for one or both of the Churchwardens, or if the new Churchwarden has not been admitted by 31 August, the retiring Churchwarden continues in office and as a member of the PCC until 31 August.

Annual Parochial Church Meeting

The second meeting is the Annual Parochial Church Meeting (APCM), which carries out the remaining elections and receives the Annual Report and Financial Statements of the PCC, and various other reports. The Rules covering the APCM can be found at <https://www.churchofengland.org/more/policy-and-thinking/church-representation-rules/church-representation-rules-online-part-9>.

People who are on the Church Electoral Roll of the Parish are entitled to attend and vote. Certain clergy are entitled to attend the meeting and take part in its proceedings, but not to vote in elections.

This meeting is convened by the minister, or during an interregnum by the vice-chair of the PCC. The meeting is chaired by the minister, or if (s)he is not present by the vice-chair of the PCC.

The reports to be presented to the meeting are listed in Rule M5. I think most of these are self-explanatory, but guidance may be needed on the Annual Report and Financial Statements of the PCC. This is outside the scope of this article, but I would stress that although generally drafted by the Secretary and Treasurer of the PCC, **they are the joint responsibility of the whole PCC**. There is guidance available in the PCC Accountability Guide, which is available online at <https://www.churchofengland.org/more/policy-and-thinking/pcc-accountability-guide/pcc-accountability-guide-contents>. It can also be obtained in book form as a Paperback or ePUB document from Church House Publishing at £11.99 or as a Kindle Edition at £8.92 from Amazon. Please ensure you get the latest edition "PCC Accountability: The Charities Act 2011 and the PCC 5th edition: Incorporating SORP 2015" as there are copies of earlier out-of-date editions still available online, which will not give you correct guidance.

When reading the next paragraph, bear in mind that the examined/audited accounts, approved by the PCC, need to be published and signed copies made available at least seven days before the APCM.

In advance of the APCM and after the Financial Statements have been prepared, they must be Independently Examined or Audited before approval by the PCC. See the PCC Accountability Guide for guidance on whether to have your accounts Independently Examined or Audited, and on the people who may be appointed as Independent Examiner or Auditor. If you need to appoint a new professional Independent Examiner or Auditor it may be helpful to obtain recommendations from neighbouring Parishes, and it is advisable to obtain quotations from a number of firms, as the charges vary considerably.

After they have been Independently Examined or Audited and approved by the PCC the Annual Report and Financial Statements must be published for at least seven days.

The elections and appointments to be carried out at the meeting are listed in Rule M6 and must be carried out in the order specified.

They may be carried out by the single transferable vote system (Rule M10) and/or by Postal voting (Rule M11) if the APCM so resolves. Details of these provisions are outside the scope of this article, but please note that such a resolution will not take effect until the next APCM.

Candidates for election must be nominated, either before the meeting in writing or at the meeting, by two people entitled to attend and vote.

This year the triennial elections to the Deanery Synod must take place. The Diocesan Secretary has sent PCC Secretaries a certificate of the number of representatives to be elected. The number is determined by the number on your Church Electoral Roll in 2019 according to a formula decided by the Diocesan Synod. The formula has changed since the last election, so the number of representatives you have may have changed if your electoral roll in 2019 was larger or smaller than that in 2016 or you are affected by the changes to the formula.

Following the election, the Secretary of the PCC must give the names and addresses (including email addresses if provided) to the **Diocesan Secretary's PA, Sian Kellogg, to your Deanery Secretary and to your Deanery Administrator**. No special agreement from the member is needed to supply this data, which will be held confidentially. (See the reference to GDPR above.)

The representatives on the Deanery Synod become members of the Synod and PCC on 1 July.

After the results of the elections are declared a notice of the result must be displayed for at least 14 days, giving only the names of those elected and no other personal information.

Sidesmen are no longer appointed by the APCM. They are now appointed by the PCC under the Parochial Church Councils (Powers) Measure 1956 as amended, which may be found at <https://www.legislation.gov.uk/ukcm/Eliz2/4-5/3/contents>. Care must be taken in reading the text online as the changes made in 2019 are in headnotes and not yet in the main text.

Peter Vincent

Secretary, Derby City Deanery Synod

Endorsed by Nadine Waldron, Diocesan Registrar

24th January 2020