

**NOTE:** This is an example document offered in good faith.  
It must be tailored to each context, iaw Canon Law, Scottish Charity Law, & the congregation's constitution.

## ST MILDRED'S-BY-THE-SEA CHURCH, EDINBURGH

### Role and Responsibilities of Vestry Members

The governance of St Mildred's-by-the-Sea is the responsibility of the rector, wardens and vestry working closely together. As a body they act as the board of trustees of the charity under Charity Law. They need to comply with the Canons of the Scottish Episcopal Church, and the constitution of St Mildred's-by-the-Sea, as well as with all matters of Charity Law.

#### **BASIC DUTIES**

**Care:** in their individual and corporate roles to take positive actions that promote the well-being of the congregation, its members and mission.

**Obedience:** to all national, local and church laws.

**Loyalty:** the expectation is that vestry members will not disparage the congregation or its leadership, and will work for the good of all.

Vestry members are expected to support the work of the congregation by participating in corporate worship and by giving of their time, talents and treasure. Vestry members should be people of prayer and be especially diligent in their prayers for God's mission as it is being lived out in the ministry and mission of St Mildred's-by-the-Sea.

#### **Personal Specification**

- You are a regular communicant at St Mildred's-by-the-Sea and a person of prayer.
- You are a trusted member and leader, or potential leader, of the congregation.
- You have not been declared bankrupt and can sign the OSCR trustee declaration.

Vestry needs a wide variety of views, ages, and people to ensure its smooth running and good honest discussion.

You are not 'representing' the congregation – you are 'representative' of the congregation. In other words, you take decisions based on your views, not based on canvassed views of the congregation – although obviously your views are likely to be influenced by others.

#### **Legally**

You are a charity trustee under Charity Law and thereby responsible for such matters as: finances and the production of accounts; the good use of resources; health and safety, including food safety; building upkeep; safeguarding and PVG compliance. Any conflicts of interest should be declared at vestry meetings. Vestry members are also bound by the Canon Law of the SEC and the Constitution of St Mildred's-by-the-Sea.

#### **WHAT IS VESTRY RESPONSIBLE FOR?**

The work of Vestry is guided in church law by Canons 35 and 60. Canon 35 concentrates on the responsibility of vestry for the furniture and property of the church.

Canon 60 outlines the full responsibilities:

1. The Vestry shall co-operate with, and generally assist, the Rector in all matters relating to the spiritual welfare of the congregation and the mission of the whole Church, subject always to the canonical rights and duties of the clergy.
2. With the Rector, the Vestry shall, unless the duty is placed under the Constitution of the charge on Church Wardens or others, have the care of the property and fabric of the Church including the parsonage house or houses, halls, offices and any other properties acquired in connection

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with the Church and gifts and bequests, unless otherwise directed, accruing to the Church for whatever purpose, and shall see to the safe custody, maintenance, insurance, use and administration of the same.

3. The Vestry shall make such reports on, and compile such inventories of, the matters committed to its charge as may be prescribed by resolution, and shall take whatever steps it considers necessary or which shall be required by the Bishop in Synod for the safe custody and preservation of such reports and inventories.
4. All such reports and inventories shall be made available to the Bishop when required, or to the Dean as provided in Canon 42, or by resolution thereunder, or to any Diocesan Official upon the Bishop's instruction.
5. Any communicant member having attained the age of sixteen years shall be entitled to stand for Vestry membership.

### **In short, vestry members are to:**

- Assist the Rector in mission and spiritual welfare.
- Take good care of property, fabric and finances.
- Take good care of reports and documents of the charge.

### **WHAT WE REQUIRE AT ST MILDRED'S-BY-THE-SEA**

- Regular attendance at, and contribution to, vestry meetings and our email discussions between meetings.
- Involvement in, and commitment to, setting and carrying out the mission, vision and priorities of St Mildred's-by-the-Sea.
- Appropriate confidentiality of vestry business, whilst ensuring information that needs to be shared with the congregation is promulgated effectively.
- Desire and ability to work collaboratively with the priest, vestry and congregation of St Mildred's-by-the-Sea.
- Commitment to the decisions of the vestry as one body.
- Take responsibility for an area of church activity in line with your own interests and skills – as a steward and leader in a particular area of activity. Reporting to the wider vestry on this area.

During a vacancy the vestry takes on additional responsibilities to ensure the smooth running of the ministry and mission of St Mildred's-by-the-Sea and work with the diocesan officers to prepare a parish profile, person specification and advert for a new rector.

### **Time Commitment**

- Vestry meetings are held in the evenings about every 6 weeks; Tuesday evenings are favoured.
- Between vestry meetings, the commitment to vestry business should take no more than about 2 hours a week, unless you are an officer / official of the church.
- Vestry away days are organised about once a year and should be a priority for all members.

### **Who sits on Vestry?**

*Two Church Wardens*, a Lay representative and an Alternate Lay Representative (all elected positions on a yearly basis); a Treasurer, Secretary (both appointed positions); plus 6 elected members of vestry (2 elected each year). Please refer to the constitution for more detailed explanations.

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## Some notes and links to further information

This is an example of what congregations could produce when inviting people to consider serving on a Vestry. It is important that people know what is involved *before* they step into the role!

The Code of Canons can be found online: [www.scotland.anglican.org/who-we-are/publications/code-of-canons/](http://www.scotland.anglican.org/who-we-are/publications/code-of-canons/). It is best to use them online to ensure you are reading the most up-to-date information.

The Scottish Charity Regulator, OSCR, provides comprehensive information on charity laws and regulations via its website: [www.oscr.org.uk](http://www.oscr.org.uk). It also provides useful guidance on the duties and responsibilities of charity trustees: [www.oscr.org.uk/guidance-and-forms/guidance-and-good-practice-for-charity-trustees/](http://www.oscr.org.uk/guidance-and-forms/guidance-and-good-practice-for-charity-trustees/).

Information specific to each congregation is detailed in its constitution. Every vestry member should have or be given a copy of the constitution.

Vestry members are both charity trustees and leaders of Christ's church. Both these identities need to be held together in the work that they do.

Certain people are excluded, under charity law, from being a trustee. All vestry members must therefore sign a declaration to say they are willing to take on the role and are not disqualified: [www.scotland.anglican.org/wp-content/uploads/2014/03/Charity-Trustee-declaration.pdf](http://www.scotland.anglican.org/wp-content/uploads/2014/03/Charity-Trustee-declaration.pdf).

Some congregations have church wardens, and some do not. Where there are Wardens, there are usually two: a People's Warden (elected by the congregation) and a Rector's Warden (appointed by the Rector).

The whole vestry is responsible for all decisions made, whether individuals personally agree or not. Decisions should be properly recorded in approved minutes, available to all vestry members; this is particularly important should there be any disputes or concerns. Vestry members must work with and towards these decisions and, if they cannot, resign from the vestry.

Whilst the whole vestry is responsible for what happens in the congregation, often information and paperwork is held by a particular person or group. In church settings, particularly small congregations, a very few individuals can hold much of the information. Wherever possible, redundancy of knowledge and roles should be built into the vestry structure and, at the very least, more than one person should know where to find things, and passwords should be held in a sealed envelope somewhere accessible but safe. Tragically there have been situations whereby a key vestry member has suddenly taken very ill or died and no one else knew how to access key documentation or operate building systems. This is not only unfair on the remaining trustees, it is also unfair to expect one person to hold so much by themselves.

Each year, at the AGM, a new vestry is appointed. Even if it is the same people stepping back into the same roles, it is a **new** vestry for a **new** year. It is pastorally and practically good to have a commissioning of the vestry the Sunday following the AGM. This both formally commissions and blesses the new vestry, whilst ensuring the congregation know who they all are and hold them in prayer.