



Berwick Holy Trinity and Saint Mary

Code of Conduct

Purpose of the Code

- 1) This Code of Conduct has been adopted by the Parochial Church Council (PCC/'the Council') of Berwick Holy Trinity and St. Mary as an expression of what it means, in the context of the work of the Council, to "Love God and love our Neighbour as ourselves". It is intended to guide Members of the Council and others volunteering or working under its auspices in how they discharge their responsibilities and is consistent with the expectations in that respect of the Diocese and the Charity Commission.
- 2) The Code was last reviewed by the Council and was re-adopted with some amendments on [date]. It will continue to be reviewed at two yearly intervals, or more frequently if required.

Duties of Members of the PCC

- 3) The functions of the PCC are briefly set out in the Appendix to this Code. The primary duty of Members of the Council 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 Council on behalf of the Church.
- 4) 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, as summarised in the Brief Guide to Safeguarding also approved by the PCC) which are issued from time to time by the PCC, the Diocese of Newcastle or the Charity Commission and which bear on their responsibilities. Advice on such matters can be obtained at any time via the Secretary to the Council¹.

Duties of others acting on behalf of the PCC

- 5) The PCC from time to time will establish subgroups or engage individual volunteers or employees to act on its behalf in certain matters; the specific duties of the subgroups or individuals will be defined in their remit, volunteer role description² or job description.
- 6) The guidelines in this Code of Conduct are equally applicable to all such persons, unless explicitly stated to be related only to Members of the PCC.

Term of Office

- 7) In accordance with a decision of the Annual Parochial Church Meeting (APCM), Members of the Council are elected for a three year term, one third of the Members of the Council retiring each year. Once elected, Members of the Council are expected to attend its meetings diligently: failure to attend three or more meetings in succession without reasonable excuse may lead to a Member forfeiting their place on the Council. The

¹ or if there is no Secretary, then the Vice Chairman

² or customary duties if there is no written role description

Council also has a number of ex-officio members, including the clergy, lay reader, churchwardens and deanery synod representatives.

Conduct guidelines

- 6) Members and any volunteers or employees of the PCC acting under its auspices must conduct themselves at all times in ways which further the best interests of Holy Trinity and St. Mary and inspire trust and confidence in the Council. They should not undertake any action which brings the Council or the Church into disrepute.
- 7) 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.

They should also seek to represent and promote the interests of all members of the congregation and parish rather than merely those of a section of it.

- 8) They should not engage in any behaviour that would potentially undermine the dignity or respect of others, or be perceived as constituting bullying or harassment (see Appendix for further details).

Conduct at Meetings

- 9) They must act towards one another in meetings of the Council or other groups meeting under its auspices 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.
- 10) When attending meetings or other events on behalf of the Council, they should conduct themselves in a manner which reflects positively on the Council.

Conflicts of Interest

- 11) They must act at all times in the best interests of Holy Trinity and St. Mary's and avoid situations where there may be an actual or potential, real or perceived, conflict of interest between their personal interest, or the interests of any other organisation to which they belong, and the interest of the Council.
- 12) They must declare at once any conflict of interest which may arise in relation to a matter under consideration by the Council and refrain from participating in the Council's decision on that matter. If in doubt about how to proceed, they should seek advice from the Chairman or Secretary of the Council.

Authority to Speak on behalf of the Council

- 13) They must not purport to speak on behalf of the Council unless specifically authorised to do so by a meeting of the Council or by the Standing Committee or Chairman of the Council.
- 14) They must also ensure that in using social or other media they do not bring discredit on the Council.

Safeguarding

- 15) They must familiarise themselves with the Safeguarding Policy of the Council. They must complete the Safeguarding Declaration required of them and be willing to undertake DBS checks and safeguarding training from time to time as required.

Trustee Responsibilities

- 16) 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.

Reporting of Serious Incidents

- 17) As a registered charity, the PCC is obliged to report any "serious incident" to the charity commission. Any member aware of a serious incident should report this at once to the Chairman or Vice-Chairman of the Council. Further details of what constitutes a "serious incident" are given in the Appendix.

Failure to Comply with this Code

- 18) Any alleged failure to meet the terms of this Code must be reported in writing to the Secretary of the Council³ 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 Vice-Chairman of the Council.
- 19) After conferring with the Vice-Chairman, 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.
- 20) 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 Council may, after conferring with the Vice-Chairman, issue a verbal or written warning to the person who is the subject of the complaint in question.
- 21) 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 PCC or the Standing Committee of the Council may establish a panel of three Members of the Council 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.
- 22) The panel shall report the outcome to the Council and to the person who is the subject of the complaint. If the panel upholds the complaint, the Council 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) Invite the person concerned to stand down from their role, whether as Member of the Council or volunteer; or in the case of an employee, invoke the employee disciplinary procedure.

³ Or Vice-Chairman if there is no secretary

This Code was reviewed and adopted by the Council in its present form on 16 January 2023.

Date of next review: 31 March 2024

Signed:

Signed:

Revd Dennis Handley

Dr David Mason

Vicar

Vice-Chairman

The Functions of the PCC

Under the Parochial Church Councils (Powers) Measure 1956 the PCC has the following functions:

- iv) co-operation with the minister in promoting in the parish the whole mission of the Church, pastoral, evangelistic, social and ecumenical;
- v) 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;
- vi) 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;
- vii) giving advice to the diocesan synod and the deanery synod on any matter referred to the council;
- viii) 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.*

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.

Other areas of responsibility of the PCC include:

- Notifying the **Data Protection** Commissioner, where necessary, in respect of data held in accordance with the Data Protection Act 1998 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.
- Complying with the church's policies on bullying and harassment – see <https://www.churchofengland.org/resources/diocesan-resources/how-we-relate-one-another>. **Bullying** is unwanted behaviour from a person or group that is either:
 - offensive, intimidating, malicious or insulting, or
 - an abuse or misuse of power that undermines, humiliates, or causes physical or emotional harm to someone;**Harassment** is defined under the Equality Act 2010 as any unwanted conduct relating to age, race, disability, sex, gender reassignment, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity (i.e. 'Protected Characteristics' under the Act) which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.
- Reporting serious incidents to the Charities Commission: a **Serious Incident** is defined as being an adverse event which results in or risks significant harm to beneficiaries, staff, volunteers, or anyone we come into contact with in the context of the PCC's responsibilities, or significant loss of money or assets or damage to property, or to the PCC's work or reputation, taking into account the context of the PCC as a charity.