

**THE UNITED REFORMED CHURCH**

**MODEL CONSTITUTION FOR**

**LOCAL CHURCHES**

**Adopted by Mission Council, March 2010**

**[N.B. The version printed in the General Assembly Reports 2010 contained errors. This is the correct version.]**

## **INTRODUCTION**

The United Reformed Church was formed in 1972 by the union of the Congregational Church in England and Wales and the Presbyterian Church of England. Since then the United Reformed Church has continued to express its deep commitment to the visible unity of the whole Church. In 1981 it entered into union with the Re-formed Churches of Christ and in the year 2000 with the Congregational Union of Scotland. The United Reformed Church is in frequent dialogue on unity with other traditions and has more than 400 Local Churches united with other denominations.

Though one of the smaller of Britain's 'mainstream' denominations, the United Reformed Church stands in the historic Reformed tradition, whose member denominations make up the largest single strand of Protestantism with more than 70 million members world-wide.

Along with other Reformed churches the United Reformed Church holds to the Trinitarian faith expressed in the historic Christian creeds and finds its supreme authority for faith and conduct in the Word of God in the Bible, discerned under guidance of the Holy Spirit. The United Reformed Church's structure also expresses its faith in the ministry of all God's people through the structure of Councils by which the Church is governed.

## **Notes about this Model Constitution Document:**

There is an increasing expectation that Local Churches will have a written Constitution. The Charity Commission does not wish to see it as part of the registration process but has indicated it would expect to have sight of one if problems arise in the future. Also, grant funders and even banks are asking for details of how Local Churches are constituted to verify their collective identity and that of their signatories and better understand their governance. Not only to satisfy the outside world, but also to make the Church's workings transparent to new members and to obviate later disagreement within the fellowship, it is helpful to have a clear stated understanding of how local decisions are taken and appointments made.

This document has been prepared with the benefit of legal advice and it is therefore commended to Local Churches. However, it has been drafted according to the law of England and Wales. The URC congregations in Scotland do not require by law to have such a document. Churches in Jersey, Guernsey and the Isle of Man will be advised on meeting the requirements in those jurisdictions.

Local Churches may already have their own written rules of operation, or established but unwritten 'custom and practice', on some or all of the matters covered in this model. Those whose rules are written are encouraged to compare them with this model; some Churches may wish to incorporate useful material from the model into their own rules, others to adopt a version of the model in place of their old rules. Those whose rules are unwritten are urged to consider adopting a version of this model (incorporating local practices when appropriate). If a written constitution exists it is important that people should be able to rely on it; so once adopted it will prevail over any inconsistent unwritten custom. Subject to the Scheme of Union, which prevails over local practice whether written or not, Local Churches decide for themselves how they will operate and are free to adopt this model as it stands or with variations; however there are reasons for everything contained in the model and Churches are urged not to amend it without careful consideration and competent advice.

In a few cases a Local Church may have appointed persons other than the members of the Elders' Meeting to serve as charity trustees of the Church's general funds. The Church does not now recommend this practice and would encourage those Congregations which have a designated group of Trustees to adopt the pattern of governance agreed with the Charity

Commissioners and approved by the General Assembly. Nevertheless, where separate groups of trustees exist references to trustees contained in this document should be taken to refer to those bodies.

The Manual of the United Reformed Church which contains full details of the Basis of Union; the Structure of the Church; Rules of Procedure; Baptism; Ministries; the Disciplinary Procedure for ministers and Church Related Community Workers and other aspects of the Church's work can be accessed on the Church's website at [www.urc.org.uk](http://www.urc.org.uk) under the heading "Our work".

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**The members of Anytown United Reformed Church assembled in Church Meeting on (date) have adopted the following Constitution:**

## **1 THE LOCAL AND THE WIDER CHURCH**

*Anytown* United Reformed Church ('the Church') is a local association for the public worship of God, Christian witness and service in accordance with the principles and usages of the United Reformed Church ('the URC'). Admission to the full responsibilities and privileges of membership confers membership simultaneously in the Church and in the URC. The Church supports the wider councils of the URC through giving and participation, and may share in activity with other faith communities on an ecumenical basis.

## **2 BASIC CONSTITUTIONAL DOCUMENTS**

2.1 As a local church of the URC, the Church is governed by the Scheme of Union of the URC ('the Scheme of Union') and those constitutional decisions of General Assembly binding on Local Churches. This constitution supplements the provisions of these as they affect the Church. In the event of any conflict between those provisions and this constitution, those provisions prevail.

2.2 The Scheme of Union:

	Principal provisions of the Basis of Union (B) or Structure (S)	Related clauses of this constitution
a) assigns the immediate oversight of the Church to the Church Meeting and the Elders' Meeting	S1(3), 2(1), 2(2)	6
b) provides for the membership and functions of the Church Meeting (in particular, in the Call of a Minister) and for non-voting attendance	S2(1)	5

c) provides for the membership and functions of the Elders' Meeting	S2(1)(viii), 2(2)	5 and 6
d) provides for councils of the wider church, for the Church's direct or indirect representation upon them and for appeals from more local councils to a council having wider responsibility	S1(2)(a), 1(3), 2(1)(vi), 2(3), 2(4), 2(6)  and 5	
e) provides for consultation in decision-making	S4	--
f) contains (in the Basis of Union) a statement concerning the Faith of the United Reformed Church	B10, 12-18	--
g) provides for the celebration of the Gospel sacraments	B14, 15; S2(2)(ii), 2(4)(A)(xx)	--
h) provides for the ministry of Word and Sacrament, for the ministry of other Elders, and for Ministers' and Elders' ordination and induction	B19, 20, 21, 23, 25; S2(1)(vii), 2(2), 2(4)(A)(vii)	5
i) provides for the ministry of Church-related Community Workers and for their commissioning and induction	B19, 22; S2(1)(vii), 2(2), 2(4)(A)(vii)	--
j) provides for the admission of baptised persons to the full privileges and responsibilities of church membership	B14; S2(1)(ix), 2(2)(vi)	4

This constitution makes further provision for these matters in the clauses indicated.

### **3. PROPERTY TRUSTS AND ADMINISTRATION**

3.1 Property is held upon trust for purposes which include the charitable purposes of the Church. This includes:

a) land and buildings governed by trusts set out in Schedule 2 to the United Reformed Church Acts 1972 and 1981 ('the URC Acts'), which provide that the statutory power of appointing new trustees and certain powers of direction are vested in the Church Meeting<sup>1</sup>.

b)

*[Use this wording if your general funds are registered as a charity and the Church Meeting has passed the declaratory resolution agreed with the Charity Commission for that purpose]*

The general funds of the Church, governed by trusts declared in a resolution of the Church Meeting on *(date)*, which provides that the qualified members of the Elders' Meeting are charity trustees<sup>2</sup> and that Trustees are to act in accordance with procedures laid down by the Church Meeting

*[Use this wording otherwise]*

The general funds of the Church, comprising all assets and funds held by and on behalf of the Church (other than land and buildings held under the trusts declared in Schedule 2 of the URC Acts and those held on other specifically declared trusts), which are held upon trust for the advancement of the Christian faith for the benefit of the public in accordance with the Scheme of Union and whose charity trustees are the members of the Elders' Meeting qualified to serve as such, acting in accordance with procedures laid down by the Church Meeting.

3.2 The Church Meeting, after considering the recommendations of the Elders' Meeting and any guidance issued under the authority of councils of the wider URC, will review

a) the uses to be made of the property in 3.1.a, and

b) procedures for proper administration of the general funds of the Church

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<sup>1</sup> A small number of properties are held by Local Churches on special trusts which fall outside the URC Acts. If in doubt, Churches should contact their Synod Office for advice.

<sup>2</sup> Consult your Synod Trust office for advice if this is not the case



3.3 The charity trustees of the general funds of the Church are responsible for presentation of an annual set of accounts to the Church Meeting and, where Charity registration has been completed, for preparation and submission of the annual Trustees report.

#### **4. MEMBERSHIP**

4.1 Admission to membership of the Church on profession of faith takes place when a person

- a) is considered by the Elders' Meeting able to make a meaningful profession of faith;
- b) has received preparation that the Elders' Meeting considers adequate;
- c) is accepted by the Church Meeting on the advice of the Elders' Meeting;
- d) makes during public worship the profession of faith prescribed in the Basis of Union; and
- e) if not previously baptised, is baptized;
- f) is not eligible for admission by transfer.

4.2 Admission to membership of the Church by transfer takes place when a person

- a) is a member of another local church of the URC, or of a Church with which the URC General Assembly has declared pulpit and table fellowship and
- b) is accepted by the Church Meeting or (by delegation) by the Elders' Meeting.

4.3 There shall be a Roll of Members on which persons admitted to the full privileges and responsibilities of membership in the Church, whether on profession of faith or by transfer, are to be entered. Names are to be removed from this roll

- a) on transfer to another church of the URC;
- b) at the written request of a member wishing to relinquish membership;
- c) by resolution of the Church Meeting on advice from the Elders' Meeting
- d) on death.

A member by transfer shall be welcomed in public worship at an early opportunity but enjoys the full privileges and responsibilities of membership from the passing of the accepting resolution.

## **5. LEADERSHIP**

The exercise of the total caring oversight by which Christ's people grow in faith and love is the special concern of elders and ministers, which may be complemented by the work of a Church Related Community Worker ['CRCW']. Before a call can be issued by a Church Meeting to a Minister of Word and Sacrament or a CRCW the procedures to be followed shall have been agreed by the Church Meeting after considering the recommendations of the Elders' Meeting and any guidance issued under the authority of councils of the wider United Reformed Church.

### **5.1 MINISTERS**

A Local Church may, at any one time, have one or more ministers in pastoral charge; these are called to the Ministry of Word and Sacrament.

### **5.2 CHURCH RELATED COMMUNITY WORKERS**

A Local Church may at any one time have one or more Church Related Community Workers. They are called to a ministry of caring, challenging and praying for the community.

### **5.3 ELDERS**

5.3.1 *Alt. 1* The church meeting shall adopt such methods of electing Elders as it shall from time to time see fit and determine how long elected Elders shall serve and whether or not there must be an interval between the completion of a period of service and election for a subsequent period.

*Alt.2 churches may, if they wish, as an alternative to the above set out here the detail of their procedure for electing elders, length of service etc.*

5.3.2.

*Alt 1* [The Church Meeting/the Elders] shall make such rules and regulations relating to the calling and conduct of Elders Meetings as they shall from time to time think fit.

*Alt 2 Churches may, if they wish, as an alternative to the above set out here in detail how Elders Meetings are to be called and conducted.*

## **6. HONORARY OFFICERS, REPRESENTATIVES AND COMMITTEES**

6.1 The Church Meeting shall:

- a) consider the candidates nominated by the Elders' Meeting for the office of Church Secretary, and by the charity trustees of the Church's general funds for the office of Treasurer. If the candidate for Church Secretary is not acceptable to the Church Meeting then a fresh nomination is to be sought from the Elders' Meeting.
- b) elect a Church Treasurer
- c) elect a person or persons to represent the Church on the Synod. These shall normally be members of the Elders' Meeting
- d) elect such other honorary officers and representatives to external bodies as it sees fit;

6.2 The Church Meeting and Elders' Meeting may each establish such committees or ministry groups as they see fit, prescribing their method of appointment, terms of reference and frequency of reporting to the parent body. The Church Meeting may determine to which council of the church (itself or the Elders' Meeting) any committee or group established by it is to report.

6.3 Control of a delegated budget, with or without the competence to sign cheques drawn on church funds, may be delegated by the charity trustees of the funds concerned to committees, ministry groups or individual officers.

## **7. EMPLOYEES AND PAID CONTRACTORS**

7.1 To avoid doubt, this clause does not apply to the appointment of stipendiary ministers or church-related community workers.

7.2 Appointment to any employed position in the service of the Church will be made by the charity trustees of the church funds from which the employee is to be paid. The charity

trustees of the relevant funds will also be party to any contract with an independent contractor for services to the Church. Unless the services to be rendered are solely to assist the trustees in their function as such, the following rules will apply:

- a) The creation of a new permanent employed position or its permanent abolition requires a resolution of the Church Meeting acting on advice from the Elders' Meeting.
- b) The selection of an employee, the decision to vary contractual terms or terminate an employment (except for disciplinary reasons) or the decision to contract or terminate a contract with an independent contractor are matters for the Elders' Meeting, on whose directions the charity trustees are to act.
- c) Another church committee may act in lieu of the Elders' Meeting under the foregoing paragraph but only by express delegation from the Elders' Meeting.
- d) The charity trustees are to scrutinise the terms of any contract of employment or for services before it is concluded, and may defer acting on a direction in order to allow the relevant Meeting or committee time to consider any concerns the charity trustees have.
- e) The charity trustees are at liberty to take, without receiving explicit directions, such other measures in relation to employees as good employment practice may indicate.

7.3 Charity trustees who employ or may employ staff on behalf of the church will adopt and from time to time review, subject to the approval of the Church Meeting, written procedures for disciplinary cases and for the settlement of employee grievances. Disciplinary procedures are to provide for warnings when appropriate, emergency suspension when appropriate, a hearing if an employee so requests and for an appeal procedure.

7.4 Charity trustees may decline to act upon a direction to employ one of their own number or to contract with a charity trustee for the supply of goods or services, They may only act upon such a direction if all requirements of charity law in relation to the remuneration of trustees are satisfied.

7.5 A charity trustee must be absent from the part of any meeting at which his or her employment or remuneration, or any matter concerning a contract to which he or she is party other than as a trustee (including his or her performance in that employment or the performance of the contract) are discussed. He or she must not vote on any matter

relating to his or her employment or the contract and must not be counted when calculating whether a quorum of charity trustees is present for that item of business.

## **8. AMENDMENT**

Alterations of, or additions to, this constitution may be made by the Church Meeting, normally on the recommendation of the Elders' Meeting. They must be consistent with charity law and relevant trust instruments where applicable and with the provisions mentioned in clause 2.1 that affect the Church, and must receive the support of at least 75% of the members present and voting at the session of the Church Meeting.

## **9. CLOSURE AND DISSOLUTION**

9.1 Any resolution to close the Church must be passed by the Church Meeting and approved by the appropriate wider council of the URC. When approved the resolution will have the effect of dissolving the Church as an association, at the date agreed between the Local Church and the Synod.

9.2 A direction may be given by the Church Meeting for unrestricted monies held as part of the general funds of the Church to be applied after the satisfaction of debts and liabilities, in a specific manner determined by the Church Meeting (within the charitable objects set out in the relevant trust instrument).

9.3 If no such direction is given the Church Meeting shall be deemed to have directed the trustees to apply the unrestricted monies held as part of the general funds of the Church, after the satisfaction of debts and liabilities, as determined (within the charitable objects set out in the relevant trust instrument) by the Synod.

## **10. INTERPRETATION AND MISCELLANEOUS**

In this constitution:

'Elder' refers to a serving Elder but 'ordained Elder' refers to any person ordained to the Eldership and includes ministers of word and sacrament who are on the Roll of Members but

currently hold no active office in the URC. 'Minister' refers also, where the context allows, to the Interim Moderator during any vacancy.

'Synod' refers to the Synod of the URC on which the Church is, or was last, represented.