

PRESBYTERY OF THE NORTH EAST AND THE NORTHERN ISLES
PRESBYTERY PLANNING AND DEPLOYMENT COMMITTEE (PPDC)
STEP BY STEP TO ADJUSTMENT

1.	Consent of Incumbent Ministers for discussion to begin (Note 1) – in writing/email to PPDC and Presbytery Clerk	
2.	Consult with local parties (Note 2) – supported by PPDC	
3.	Drafting of Basis of Adjustment Document (Note 3)	
4.	Submission of draft Basis Document to PPDC (who will consult Faith Action, Principal Clerk and the Solicitor of the Church) (Note 4)	
5.	Update Communion Roll, approve as a Kirk Session, and send to Presbytery Clerk for attestation.	
6.	Kirk Sessions Vote on Basis Document (Note 5). Extract Minute to PPDC.	
7.	Choose a date for Congregational Votes in consultation with PPDC and Presbytery Clerk. Edicts and Voting Papers to be issued by Presbytery Clerk. First Reading of Edict for congregational vote two weeks before vote (Note 6) – may be Sunday following Kirk Session vote.	
8.	Second Reading of Edict – one week after First Reading.	
9.	Congregational Vote on Basis Documents (Note 7).	
10.	Outcome of Votes reported to PPDC (Note 8)	
11.	Presbytery or PPDC under delegated powers asked to approve the adjustment if all in order.	
12.	After PPDC or Presbytery approval granted. (Note 9)	

Note 1

In all cases of adjustment (unions, linkages, deferred unions, parish groupings, etc as below), this consent of incumbent minister(s) should be given at the outset - the simplest way is by email to the Presbytery Clerk with cc to the PPDC Convener. “No proposed Adjustment involving the rights of the minister shall be discussed with the office bearers of the congregation as in (a) above [i.e. conferring with local parties as in Note 2] without his or her consent in writing” (s10.1(b)).

N.B. Please note that the consent being given by incumbent ministers at this stage is only consent for discussions to begin. There is no implied consent to any proposed adjustment that may emerge from discussions.

Note 2

PPDC will discuss possible adjustment with the ministers, the elders and members of Financial Boards (if any). Other members of a ministry team should be included in the consultation. Often the most helpful first step is a gathering of all Kirk Sessions involved for question and answer with someone from PPDC. Experience has shown that a “light touch” by the Presbytery representative may suffice where there is already substantial agreement about the proposed adjustment, but in other circumstances, more direction and support will be needed.

Note 3

If the initial discussions are positive, a Basis of Adjustment document is drafted and negotiated. As the negotiations progress, it would be expected that each Session Clerk should keep the remaining office bearers informed as to progress.

Templates for various Bases can be provided from **PPDC**.

The “date of xxxx” (union, linkage, whatever) in the Basis can be left as “on a date to be agreed by Presbytery” up until after Presbytery has approved the Basis. In practice, congregations will probably have a target date for the adjustment actually to take place, but it is not essential to state this.

If a new name is planned, it may be useful **to get PPDC to run this past the Law Dept** to check it is acceptable in terms of geographical identification.

It is important to note that no mention is made of informing or consulting the congregation at this stage – this is not accidental as the process up to the congregational vote is the business of the office bearers. However, it is clearly sensible for the Minister and Session Clerk to keep the congregation apprised on what is happening.

Note 4

Once a draft Basis has been prepared it should be forwarded to PPDC so that it can be submitted to Faith Action Forum/Presbytery Planning (for confirmation it accords with the PMP) and to the Principal Clerk and the Law Department (to ensure it complies with church law and civil law). Once these approvals/confirmations have been obtained and any recommended changes incorporated, PPDC will communicate with the kirk sessions who can then set dates for voting.

At this stage, the process of preparing the congregational Electoral Rolls or updating the Communion Roll as necessary.

When considering a timetable, it is often helpful to look at planned Presbytery and PPDC meetings and coordinate dates with the meeting at which it is hoped the Basis will be put forward for approval following Kirk Session and congregational votes.

Note 5

Kirk Sessions should meet (but not all together) and vote on the Basis document finalised. At this point, the Basis cannot be amended because it is being voted on by both/all Kirk Sessions contemporaneously. The vote is usually by a show of hands and only those present may vote. A simple majority prevails. Abstentions are not noted. If one Kirk Session votes by a simple majority not to approve the Basis, that should be reported to PPDC so that enquiry can be made as to whether changes could be negotiated which would result in approval by both/all Kirk Sessions.

Note 6

Once all Kirk Sessions have voted in favour of the Basis, congregational votes can be arranged. It is recognised that in rural situations it may not be possible to have all congregations vote on the same day although this is the preferred process. It should be checked that the Electoral Roll/Communion Roll process is completed before voting date(s) are fixed. **These dates should be communicated to PPDC and Presbytery Clerk. The Presbytery Clerk will send out to Session Clerks (i) the Edict with detailed instructions and (ii) voting papers.** The Edict must be read out at Sunday worship for the two Sundays preceding the Sunday on which the vote will take place.

Note 7

A secret ballot with voting slips is not mandatory (except in certain circumstances narrated below) but it **is usually preferred**. The Minister/Interim Moderator and the Session Clerk should organise the voting at the end of worship, usually having first asked those who are not members or adherents to leave. It is necessary to have a copy of the Electoral Register/ Communion Roll available so that it can be ensured that those receiving voting slips are on it.

It is not mandatory to have a Presbytery representative present.

It should be made plain that the Basis cannot be altered at this stage. Questions may be asked on the process or on the meaning of the clause in the Basis. However, discussion on aspects in the Basis which have already been decided by the Kirk Sessions should be discouraged, as these cannot be changed. Members must vote either For or Against the Basis (and Clause 7 if applicable).

The Minister/Interim Moderator and Session Clerk should then count the votes, counting separately if there are two votes (see below). Abstentions and spoiled papers are not noted. **The Session Clerk should advise the voting numbers to the PPDC and Presbytery Clerk as soon as possible.** The result may be announced to those in the congregation who have waited behind unless it is desired to keep these back if other congregations are voting on later dates.

Section 7 (or ministry) votes:

Section 7 of the Basis is usually the section which specifies who the minister(s) of the new charge will be.

Where there is no incumbent minister in any of the congregations who are parties to the Basis, a single vote on the Basis as a whole can be taken.

Where one or more of the congregations is vacant and are agreeing that the minister of another congregation in the Basis will be the minister of the new charge, the members of the vacant charge(s) must vote twice: once on the Basis except Section 7, and separately on Section 7.

Where there is a linkage, both congregations must vote separately on section 7.

The following is based on advice received informally from the Principal Clerk:

Where the minister of the new charge is to be a Team Ministry (even with incumbent Ministers of some or all of the congregations), two votes should again be taken – one on the Basis except Section 7, and second, on Section 7 of the Basis. In these circumstances, Section 7 will refer to the Basis of Team Ministry so acceptance or rejection of the Basis of Team Ministry is included in acceptance or rejection of Section 7. The rationale is that all congregations are being asked to accept a new ministry arrangement, different from the one charge-one minister arrangement which they have.

Note 8

It is the responsibility of PPDC in liaison with the Presbytery Clerk to report the votes to Presbytery and request Presbytery's approval, or to approve the adjustment using delegated powers, if appropriate.

Note 9

Once Presbytery has approved the adjustment, **the Presbytery Clerk will forward an Extract Minute to Faith Action, and Stewardship for noting.** If all the relevant parties approved the draft at Step 4, this should be a formality but it may take a few weeks for the official response to arrive.

In the case of unions, there are important steps to be taken by the Law Department in relation to OSCR, which could delay the date on which the union is put into effect. Although charities are still required to obtain OSCR consent to make certain changes to the charity including change of name, the 42-day notice period is no longer required. The Law Department is responsible for obtaining OSCR consent for these changes and presbytery would aim to provide the appropriate paperwork to the Law Department at least **28 days prior to the date you wish the change to take effect. This must be borne in mind when considering a date for the union to become effective.**

The Presbytery Clerk will finalise with the Kirk Sessions the date when the adjustment will take effect, and if appropriate, arrange a Presbytery service – usual for unions and linkages where there is an incumbent minister.

FINALLY.....PLEASE NOTE THAT PPDC CAN BE CONTACTED AT ANY TIME FOR ADVICE AND SUPPORT THROUGH THE CONVENOR (TStephen@churchofscotland.org.uk)

Appendix

PROCESS OF Adjustment – Possible Timetable

1. DEVELOPMENT OF BASIS OF Adjustment Documents

<i>Function</i>	<i>Target Date</i>
Drafting of Documents based on Templates	
Final draft deemed a 'fit document' by Presbytery Planning, Law Dept and Principal Clerk (Submitted via PDDC)	
KS Meeting to approve (no amendment) by show of hands/vote Extract Minute to PPDC.	

2. PREPARATION OF ELECTORAL REGISTERS (or update Congregational Roll)

<i>Timing (CoS)</i>	<i>Function</i>	<i>Target Date</i>
	KS meet to (agree any additions &) attest Register SC and Minister/IM to sign 2 x Hard Copies	
After Attestation	Forward to Presbytery Clerk with intended Vote date P. Clerk (or Deputy) issues Edicts and Voting Papers to S.Clerks /IM	

3. CONGREGATIONAL VOTES to confirm support for Basis of Adjustment

<i>Instructed Timing (CoS)</i>	<i>Function</i>	<i>Target Date</i>
1 st Sunday	First Reading of Edict from Presbytery.	
2 nd Sunday	Second Reading of Edict	
Later Sunday	Congregational Vote held by secret ballot	

4. APPROVAL AND ESTABLISHMENT OF ADJUSTMENT

<i>Function</i>	<i>Target Date</i>
Presbytery approval at their scheduled meeting, Or PPDC by powers	
Ratification by Presbytery Planning, Law Dept, Principal Clerk	
Commencement of Adjustment Date (allow 30 days)	