

# CORONAVIRUS – COVID19

## REPRESENTATIVE BODY OF THE CHURCH IN WALES

### GUIDANCE ON VESTRY MEETINGS, PCC MEETINGS AND ELECTORAL ROLLS

UPDATED SEPTEMBER 2020

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#### VESTRY MEETINGS

The Constitution of the Church in Wales envisages that all Vestry Meetings take place on or before 30 April in any given year. The majority of 2020 Vestry Meetings had not taken place by the time we went into lockdown and guidance was issued in April relating to this.

This guidance (September 2020) supersedes the previous guidance, dated 2 April 2020.

#### Current Position

Any parishes who have been able to hold their 2020 Vestry Meetings already need to take no further action.

For everybody else, the effects of a Vestry Meeting not taking place on or before 30 April are set out in Regulation 5 of Chapter IV C (Regulations) of the Constitution. Where:

*5.1 the Annual Vestry Meeting has not been held; or*

*5.2 Churchwardens, Parochial Church Councillors, or the parochial representatives on the Diocesan Conference or the Deanery Conference have not been elected or appointed; or*

*5.3 the parochial representatives on the Diocesan Nomination Board have not been elected or appointed; or*

*5.4 meetings of the Parochial Church Council have not been held as provided by Chapter IV C section 8;*

*the Bishop may appoint Churchwardens, Parochial Church Councillors or parochial representatives as the case may require and may summon a meeting of the Parochial Church Council, and in each such case the Bishop shall report any action taken by him under this Regulation to the next meeting of the Diocesan Conference.*

The Governing Body of the Church in Wales met on 8 September 2020 and amended the Constitution of the Church in Wales to permit the majority of church meetings to be held online. Vestry Meetings may now be held online in exceptional circumstances approved by the Diocesan Bishop. Such permissions may be given either individually or generally, and have been given generally in relation to this year's meeting (see below).

#### The Agreed Actions of the Bishops

The Bench of Bishops have agreed the following actions in respect of all parishes who have been unable to hold their 2020 Vestry Meeting:

- I. The current situation is an exceptional circumstance as envisaged by the Constitution. Therefore a Vestry meeting for 2020 may be held as an online meeting providing that the following conditions are met:
  - a. The PCC is satisfied that a majority of those entitled to attend such a meeting have the technological means to do so;

- b. The PCC is satisfied that reasonable provision has been made to distinguish between those persons entitled to vote at the meeting and those persons entitled to attend the meeting but not vote;
  - c. In addition to the constitutional requirements for notices on the principal door of the church[es], at least two weeks' prior notice of the date and time of the meeting is published on the church website (if there is one) and any church newsletters/emails. All notices shall include instructions for how to access the online meeting; and
  - d. The meeting takes place by 30 November 2020.
2. The relevant Bishop will appoint all persons elected at such a meeting (or at an in-person meeting which took place after 30 April 2020) under their powers set out Regulation 5 of Chapter IV C (Regulations) of the Constitution. The result of all elections should be reported to the Archdeacon.
  3. If a Parish is unable to hold a Vestry Meeting in-person<sup>1</sup> or online by 30 November 2020 they must contact their Archdeacon, who has been given delegated power to authorise the following on behalf of the Bishop:
    - a. That all officers ('People's' Churchwardens, Parochial Church Councillors and parochial representatives) in office be reappointed and remain in office until 30 April 2021 or the 2021 Vestry Meeting (if earlier);
    - b. That a vacancy in any of the above offices be filled by an eligible person nominated by resolution of the PCC for a period commencing on the Archdeacon's approval and concluding on 30 April 2021 or the date of the 2021 Vestry Meeting (if earlier); and
    - c. That a vacancy in the office of 'Incumbent's' Churchwarden be filled by an eligible person nominated by the Incumbent for a period commencing on the Archdeacon's approval and concluding on 30 April 2021 or the date of the 2021 Vestry Meeting (if earlier).

## **Other matters – Vestry Meeting Business**

### ***Accounts***

Whilst it is part of the Constitutional requirements for the Vestry Meeting to receive and discuss the Parochial Church Council's accounts, the *approval* of the Vestry Meeting is not required. The delay or cancellation of a Vestry meeting must not delay the finalisation of the 2019 accounts and the submitting of annual returns and accounts to the Charity Commission (in the case of PCCs who are registered with the Charity Commission). Those PCCs which have not already done so should arrange a meeting (in person or online) to approve the 2019 accounts.

### ***Electoral Roll***

As it currently stands, 2020 is an electoral roll 'full revision' year, although a new roll does not come into effect until the Annual Vestry Meeting. Many parishes will not therefore have revised their electoral rolls this year as required by the Constitution.

It had been intended that a range of changes to the Constitution would be taking effect in April 2020. These changes included changes to the electoral roll revision process to ensure compliance with civil law (including the Data Protection Act 2018 and the General Data Protection Regulation).

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<sup>1</sup> See below for further advice regarding in-person meetings.

Due to cancelled and adjourned Governing Body meetings, these changes will not come into force until November 2020 at the earliest. In light of external legal advice received, the advice from the Provincial Office is that the full revision of the electoral roll should not take place until such point in time as the rules have been changed so that they are GDPR-compliant.

For those parishes who are yet to hold a Vestry Meeting in 2020, the current electoral roll continues in full force and effect. The Governing Body will be asked, in due course, to approve changes which alter the years of the full revision to electoral rolls from years ending in '0' and '5' to years ending in '2' and '7'. This would mean that the next complete rewrite of electoral rolls would take place in 2022, under new rules which will be compliant with GDPR.

In the meantime, names may continue to be added and removed from the Roll in the usual way, as set out in Chapter IV C of the Constitution.

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## **PAROCHIAL CHURCH COUNCILS – ELECTRONIC MEETINGS**

Subject to the provisions of the Constitution and the associated Regulations, a Parochial Church Council is authorised to regulate its own procedures by way of Standing Orders (Chapter IV C, Section 12(a)).

Parochial Church Councils meeting by electronic means (a video or telephone conference) is now specifically authorised by the Constitution of the Church in Wales, as a result of the Constitutional changes approved on 8 September 2020. Therefore, specific Standing Orders are not required to be adopted for an online PCC meeting to be validly held.

Additionally, some parishes may already have Standing Orders in place which allow decisions to be made by written/mailed resolutions. Parishes which do not currently have such provisions in place may wish to consider adopting them (which would need to be done at either an in-person or an online meeting).

## **LAWFULNESS OF IN-PERSON GOVERNANCE MEETINGS (as at 16 September 2020)**

Although not covered in detail in statutory guidance, Welsh Government has confirmed to the Provincial Office that charity governance meetings may take place in a 'Covid-secure' venue (for example a Church open for public worship, or a Church Hall, where a risk assessment has been undertaken and approved by the Archdeacon).

Face-coverings must be worn by all attendees (unless an exemption applies) and social distancing of 2m is maintained. Such meetings are not subject to the 'Rule of 6'; they may be attended by as many persons as the venue may safely accommodate.

This would apply to meetings including a Vestry Meeting, a Congregational Meeting, and a PCC meeting.

However, just because such a meeting in-person is lawful does not mean that it is advised. Each local body must carefully consider all relevant factors (such as the safe capacity of the venue, the views and concerns of attendees, any relevant health information and the building's risk assessment).

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**Representative Body of the Church in Wales**  
**16 September 2020**