

The 2022 Conference Special Resolution 44/7 – Re the proposed Connexional Council

Briefing Note for Synods

The Oversight and Trusteeship process adopted by recent Conferences seeks to enable appropriate governance at each layer of the Methodist Church to enable us to fulfil *Our Calling* in the present context. As part of this, it has been proposed that a Connexional Council should be established to replace the Methodist Council and the Strategy and Resources Committee. The Connexional Council would also act as a formal charity trustee body in place of the members of the Conference, whilst ensuring that the Conference remains as the governing body of the Methodist Church in Great Britain.

The link for the relevant report to the Conference of 2022 is: <https://www.methodist.org.uk/media/26061/conf-22-44-oversight-trusteeship.pdf>. Section D of the report concerns the Connexional Council, and can be found at pages 481-492. The report explained that further work (including concerning the interconnected new connexional committee structure) would mean that changes to Standing Orders (and some Model Trusts) would be brought as a whole to the Conference of 2023, with the intention that the new arrangements should commence as a whole on 1st September 2024.

In the meantime, since establishing a Connexional Council requires changes to the Deed of Union, which under s.5 of the Methodist Church Act 1976 and Standing Orders 122 and 126 involves a two-year consultative process, the proposed amendments to the Deed were brought to the Conference of 2022 and were provisionally adopted by Special Resolution 44/7. The process was explained in paragraph 43 (at page 483) of the report, part of which is set out immediately below, followed here by the Conference's special resolution (the proposed amendments themselves are set out later in this note.)

The creation of the Connexional Council necessitates changes to the Deed of Union which must be made by special resolution under Standing Order 126. The advice of the Law and Polity Committee (Standing Order 126(1)(b) and (d)) is that the resolutions should be submitted to the Synods (and, as is required, also formally to the Law and Polity Committee) for approval or disapproval.

Special Resolution:

- 44/7. The Conference amends paragraphs 1, 18 and 21 and adopts a new Section 9A comprising paragraphs 37A, 37B and 37C of the Deed of Union as set out in this report, and, in accordance with Standing Orders 122(3) and 126(1)(d), directs that**
- a) consultation on this resolution shall be with the Synods and the Law and Polity Committee who may approve or disapprove; and that**
 - b) this resolution shall be submitted for confirmation at the Conference of 2023 together with a report of the opinions of the bodies consulted, and such amendments as are confirmed shall take effect from a date specified by that Conference.**

Accordingly, every Synod needs in their representative session during the connexional year 2022-23 to consider the proposed Deed of Union amendments. The amendments seek to balance the legal and other responsibilities of both the Conference and the proposed Connexional Council. They have been prepared by the Law and Polity Committee and approved by a leading barrister. Using the standard convention, additions are indicated in bold italicised type, and deletions by being scored through. The Standing Orders regulating this consultation mean that on this occasion Synods are not able to propose amendments or variations of their own; it is simply a question of approving or disapproving the proposed amendments set out below. The opinions of the Synods, recorded by numbers voting for and against, need to be reported to the Conference Office in time for the 2023 Conference, at which the Conference will again consider and vote on the proposed amendments.

Would every Synod please therefore vote on the following resolution:

In accordance with Standing Orders 122(3) and 126(1)(d), the Synod approves the Conference's provisional amendment of paragraphs 1, 18 and 21 and adoption of a new Section 9A comprising paragraphs 37A, 37B and 37C of the Deed of Union, as set out below:

1 Particular Expressions. In this Deed, unless the context otherwise requires

(xA) 'the Connexional Council' means the body, so named, constituted under clause 37A;

~~(xA)~~ **(xB) 'the Convocation' means the Convocation of the Methodist Diaconal Order, as constituted by Standing Orders;**

18 General Responsibilities. **(a)** The government and discipline of the Methodist Church and the management and administration of its affairs shall be vested in the Conference, and the Conference shall have and may exercise and shall perform all the powers, authorities, rights and duties necessary or desirable in its discretion **to fulfil its functions as the governing body of the Methodist Church, but not in such a way as to prevent or inhibit the members of the Connexional Council from or in performing their duties as its trustees.** ~~for such government, discipline, management and administration; and without prejudice to and not so as to limit or restrict in any way the general powers, authorities, rights and duties conferred or imposed by this clause or any powers, authorities, rights or duties confirmed or imposed by any other clause of this Deed upon the Conference it is hereby expressly declared that until the Conference otherwise resolves the~~

(b) Without prejudice to the generality of sub-clause (a) the Conference shall in particular have final authority over:

(i) doctrine, including its powers under section 3(2) of the 1976 Act;

(ii) legislation, in accordance with clause 19, provided that Standing Orders may confer on the Connexional Council the power to amend, supplement or revoke the legislation of the Conference, pending the next meeting of the Conference, if and only if that becomes necessary in order to meet legal requirements or to avoid infringement of the Methodist constitution;

(iii) connexional mission and policy;

(iv) connexional polity;

(v) the formation, admission and discipline of ministers, officers and members;

(vi) the stationing of ministers and probationers, in accordance with clause 20, subject to the powers of the President under clause 29;

(vii) the connexional budget and allocation of district contributions, to the extent and in the manner determined by Standing Orders.

(c) The Conference shall have and may also exercise and shall perform the particular powers, authorities, rights and duties specified in clauses 19, 20 and 21 below.

21 Other Particular Powers. The Conference shall have power at its discretion, **but not so as to prevent or inhibit the members of the Connexional Council from or in performing their duties as the trustees of the Methodist Church:**

- (i) to continue or found or authorise the founding of connexional funds or institutions for the promulgation of the Gospel at home and abroad, for assistance to Circuits or Local Churches or for the benefit of retired and superannuated ministers or the widows, widowers or children ~~spouses, civil partners or dependants~~ of deceased ministers or for other objects and purposes of or in connection with the Methodist Church and to direct the application and management thereof and to approve any scheme for the amalgamation of any such funds or institutions, whether founded before or after the date of this Deed, and whether belonging to or connected with any of the said Churches or denominations existing at the date of union or to the Methodist Church and for the transfer in connection with any such amalgamation of any of such funds from the existing trustees or other persons having the legal control thereof to the trustees of any other of such funds or institutions;**
- (ii) to continue or establish such printing or publishing offices carried on or to be carried on by or on behalf of or in connection with the Methodist Church (hereinafter referred to as 'Book Rooms') as the Conference thinks fit;**
- (iii) to manage all matters connected with the Book Rooms and publications, connexional property, missions, colleges and schools of the Methodist Church;**
- (iv) to elect committees for the management of the various connexional institutions; provided that the**

election of any such committee is not in contravention of any provision of any trust deed relating to the relevant institution;

- (v) to appoint boards and committees for the despatch of connexional business or for the exercise of any of the powers or duties of the Conference during or in the interval between its sittings, in such numbers and with such terms of reference, membership, powers and duties as the Conference thinks fit;
- (vi) to appoint such treasurers, secretaries, stewards, editors and other officers of connexional committees, funds or institutions as the Conference thinks fit and to specify their powers, duties and terms of office;
- (vii) to appoint such representatives or delegates as the Conference thinks fit to act for and represent the Conference;
- (viii) to delegate to any officer of the Conference or to any board, committee, officer, representative or delegate appointed in exercise of the powers conferred by this clause all or any of the powers of the Conference including, if the Conference thinks fit, power to sub-delegate any power of the Conference so delegated.

Section 9A. The Connexional Council

37A Constitution. (a) There shall at all times be a Connexional Council, constituted as follows:

- (i) the President and Vice-President of the Conference;***
- (ii) the Secretary of the Conference;***
- (iii) other members of the council as prescribed by Standing Orders, which shall include a chair of the council.***

(b) The members of the council under head (a)(iii) shall be members of the Methodist Church with relevant skills and experience to oversee its connexional administration and shall be appointed by the Conference. Provision shall be made by Standing Orders for their appointment, normal period of service and possible variations in that period for good cause.

37B Responsibilities. The members of the Connexional Council shall, without derogation from the position, authority and powers of the Conference as governing body, have the general control and management of the connexional administration of the Methodist Church, and shall accordingly be its trustees.

37C Particular Powers. (a) The provisions of sub-clauses (b) and (c) of this clause are without prejudice to the generality of clause 37B.

(b) The Connexional Council shall have exclusive authority over:

- (i) the direction and management of the persons stationed, appointed or employed, whole time or part time, to carry out connexional duties as a 'team', or by some other title, under Standing Orders;***
- (ii) all matters relating to or arising out of the employment of persons by connexional bodies;***
- (iii) compliance with legal requirements affecting the conduct of connexional bodies, including requirements under charity law or regulation or the law of trusts or as to data protection, safeguarding children, vulnerable adults and others, or health and safety;***
- (iv) recommendation to the Conference of legislation or guidance affecting Districts, Circuits or Local Churches to be adopted with respect to the subject-matter of head (ii) or (iii) above.***

(c) The Connexional Council shall, except on subjects assigned for this purpose by Standing Order to other bodies, formulate and analyse connexional policy options for presentation to the Conference with the council's appraisal and recommendations.

(d) The Connexional Council shall have such further powers, responsibilities and functions as may from time to time be delegated to it by the Conference in Standing Orders or by other means.