

WHITSTABLE BAPTIST CHURCH MIDDLE WALL



Church Constitution

2014

THE CONSTITUTION OF WHITSTABLE BAPTIST CHURCH

PREAMBLE:

As a Baptist Church we are autonomous but we see ourselves as part of the wider Body of Christ and in all things we seek to function in a manner that is faithful to the Bible. We recognise that we should have a Constitution which makes appropriate provision for the governance of our Church and also, in view of our charitable status, a Constitution which meets current standards of charity practice and charity law.

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This Constitution was prepared in accordance with the guidance document produced by the Baptist Union of Great Britain after consultation with the Charities Commission. It was agreed and adopted by Members at a Special Meeting held on Thursday, 24th July 2014 and replaces the previous Church Rules.

1. THE CHURCH AND ITS NAME

The Church means members of the charitable unincorporated association governed by this constitution and known as WHITSTABLE BAPTIST CHURCH (or such other name as shall subsequently be adopted by decision of the Church Members' Meeting and with the consent of the Charity Commission).

2. PURPOSE

The principal purpose of the Church is the advancement of the Christian faith according to the principles of the Baptist denomination. The Church may also advance education and carry out other charitable purposes in the United Kingdom and/or other parts of the world.

3. BELIEFS

As a Member of the Baptist Union the Church subscribes to the Union's Declaration of Principle:

"That our Lord and Saviour Jesus Christ, God manifest in the flesh, is the sole and absolute authority in all matters pertaining to faith and practice, as revealed in the Holy Scriptures, and that each Church has liberty, under the guidance of the Holy Spirit, to interpret and administer His laws.

That Christian Baptism is the immersion in water into the name of the Father, the Son and Holy Spirit, of those who have professed repentance towards God and faith in our Lord Jesus Christ who 'died for our sins according to the Scriptures; was buried, and rose again on the third day'.

That it is the duty of every disciple to bear personal witness to the gospel of Jesus Christ, and to take part in the evangelisation of the world."

4. ACTIVITIES

- **4.1** In fulfilling the Purpose the Church will engage in a range of Activities either on its own or with others that will vary from time to time with Activities being initiated, expanded, or closed, as appropriate.
- **4.2** The Activities may include but are not restricted to:
 - regular public worship, prayer, Bible study, preaching and teaching;
 - baptism, as defined in the Union's Declaration of Principle;
 - the Communion of the Lord's Supper which shall normally be observed at least once a month;

- evangelism and mission, locally, regionally, nationally and internationally;
- the teaching, encouragement, welcome and inclusion of young people;
- nurture and growth of Christian disciples;
- education and training for Christian and community service;
- giving and encouraging pastoral care;
- supporting and encouraging charitable social action in the United Kingdom and abroad;
- encouraging relationships with and supporting Baptists and other Christians.

4.3 We recognise that we require leaders to promote and oversee the abovementioned Activities. Provisions relating to the appointment of Deacons are set out in Section 15. Provisions relating to the appointment of a Minister including, when necessary, a temporary Moderator, are covered in Sections 21, 22 and 24. All additional appointments to positions of responsibility within the life of the Church shall be made in the context of full accountability to both the Diaconate (i.e. our Charity Trustee body, consisting of the Minister and Deacons), and the Church Members' Meeting. Any such proposed appointments shall be considered by the Minister and Deacons in the first place and, prior to confirmation of these appointments, a report and recommendation shall be made to the Church Members' Meeting. Notwithstanding the appointment of persons to accept responsibility for any of the Activities, all individuals, organisations, groups, and committees operating within the life of the Church, and their leaders, shall be accountable to the Diaconate and also ultimately accountable to the Church Members' Meeting. Those leading the Church's Activities remain accountable to the Church, and cannot operate independently of the Church.

5. AFFILIATION AND RELATIONSHIPS

5.1 The Church is a member of the Baptist Union of Great Britain (the Baptist Union) and the South Eastern Baptist Association (the Association).

5.2 The Church will normally promote, encourage, support and advance the work of the Baptist Union, the Association and BMS World Mission through prayer, through financial contributions and, where appropriate, by making

personnel available from the Membership of the Church. When it is able the Church will also support local Baptist and ecumenical gatherings.

6. BELONGING TO THE CHURCH

6.1 The Church is a community of Christian believers in which members respect, serve, encourage and help each other and work with others so that the Purpose, Beliefs, and Activities of the Church are maintained and developed.

6.2 The responsibilities of Membership normally include:

- attending worship and participating in Church Activities;
- personal prayer and Bible study;
- participation at the Communion of the Lord's Supper as a privilege and a priority;
- helping the Church whenever possible by using gifts and abilities to advance the Purpose of the church through its Activities;
- attending and participating in Church Members' Meetings;
- giving regular financial support to the Church in proportion to personal resources and circumstances (whilst this is encouraged it is regarded as a private matter);
- upholding Christian values.

6.3 If there are differences that lead to difficulties between members of the Church (and it is recognised that these will sometimes arise) each member should try to resolve the situation with gentleness and humility following Christian and Biblical principles. It may be necessary for another wise and experienced member of this Church to act as mediator or friend to those seeking to achieve reconciliation. The Minister and Deacons will also be available to give pastoral help in this process of reconciliation and should be consulted if the issues seriously impinge upon Church life. In certain circumstances it may be appropriate to request the assistance of a respected member of a neighbouring or another Church or a representative of the Association.

7. JOINING AND BECOMING A CHURCH MEMBER

7.1 Baptism by immersion upon personal profession of faith is the normal mode of entry into the Membership of a Baptist church (Subject to the normal application process prescribed under 7.4 below).

7.2 This is an Open Membership Church inasmuch as persons seeking Membership who have not been baptised in the manner described in the Baptist Union's Declaration of Principle may at the discretion of the Church Members' Meeting be accepted for Membership based on their own public profession of faith. Nevertheless, all such applicants for Membership are encouraged to prayerfully consider baptism by immersion.

7.3 Church Membership is open to those of 18 and over who:

- accept the Beliefs of the Church;
- meet the minimum qualification (set out in 7.2 above) ;
- commit themselves to serving Christ within the Church and beyond;
- abide by the decisions of the Church Members' Meeting;
- acknowledge their responsibilities as Church Members;

have their Membership application accepted by the Church Members' Meeting.

7.4 A person wishing to become a Church Member shall apply in a manner determined by the Church Members' Meeting. (As set out in the accompanying Memorandum of Understanding/ Notes on Church Practice).

7.5 The Church Members' Meeting will consider and vote on the application for Membership and if accepted the new member will normally be welcomed publicly.

8. THE MEMBERSHIP LIST

8.1 A list of the current Church Members shall be maintained by the Diaconate incorporating routine changes because of additions or deletions arising through death, transfer to another Church, resignation, or a resolution by Church Members' Meeting.

8.2 Routine changes to the Membership list shall be reported at the next convenient Church Members' Meeting.

8.3 (i) In order to keep the Membership List up to date it shall be reviewed as a whole at least once every two years when the Church Members' Meeting may resolve to make any appropriate deletions.

(ii) Individual Members who have been absent from our Public Worship, Communion Services and Church Members' Meetings for six consecutive months shall normally be contacted by the Minister and/or Church Secretary, with a view to encouraging them to accept the responsibilities of Membership (as previously set out in Clause 6.1 of this document).

(iii) Unless a satisfactory reason is given, the Membership of those referred to in the preceding clause shall be formally reviewed by the Church Members' Meeting if they continue to be absent for another six consecutive months.

(iv) Members who have moved away from the area or with whom we have lost contact shall normally be deemed to be no longer Members after two years have elapsed.

8.4 Any Member behaving in such a way as to bring dishonour on the cause of our Lord Jesus Christ, whether by immoral behaviour or by causing dissension within the Church Fellowship, shall be visited by the Minister and/or two chosen Members who, acting in Christian love, will try to persuade the person to amend his or her behaviour. Should the Member continue to offend, he or she shall be invited to meet with the Diaconate which shall, if it considers necessary, propose to terminate his or her Membership, such proposal to be subject to confirmation by the Church Members' Meeting.

9. CHURCH MEMBERS' MEETINGS

9.1 Church Members shall meet together in a Church Members' Meeting under the guidance of the Holy Spirit and under the Lordship of Christ to discern the mind of God in the affairs of the Church.

9.2 The Church Members' Meeting shall have reserved authority in the appointment and removal of a Minister, the appointment and removal of Deacons, decisions related to church property including (without limitation) any purchase, sale, lease, mortgage, or redevelopment of property, the administration of the Membership list, and the closure of the Church.

9.3 Any decisions taken under 9.2 in relation to property must comply with the requirements of statute law and any specific property trusts under which the land and buildings are used and occupied by the church.

10. ORDINARY AND SPECIAL CHURCH MEMBERS' MEETINGS

10.1 There are two types of formal Church Members' Meetings, Ordinary Church Members' Meetings and Special Church Members' Meetings.

10.2 Ordinary Church Members' Meetings shall be held at regular intervals on not less than four occasions in any calendar year and shall be an opportunity to consider and review routine matters associated with the life of the Church including issues related to Church Membership, the appointment of the Deacons, the approval of the budget, with opportunities for considering proposals from the Minister and Deacons or other Church Members for the development of the Church and the advancement of its Purpose through its Activities.

10.3 One Ordinary Church Members' Meeting each year shall include the Annual Church Members' Meeting for the Church Members to receive annual accounts and reports, to appoint Auditors or Independent Examiners, and to consider proposals for the strategy and vision of the church in the coming year, with other appropriate matters.

10.4 A Special Church Members' Meeting shall be convened when necessary to consider the appointment or dismissal of a Minister, or the dismissal of a Deacon, matters relating to the purchase, sale, lease, mortgage or redevelopment of Church property, the closure of the Church, or matters considered by the Diaconate to be of sufficient importance to require the calling of a Special Members' Meeting.

11. CALLING CHURCH MEMBERS' MEETINGS

11.1 Church Members' Meetings shall be convened by the Diaconate so as to be convenient for as many Church Members as is reasonable.

11.2 An Ordinary Church Members' Meeting shall be properly convened if as a minimum requirement the date, time and place for the meeting are publicised at the worship service or services on the previous Sunday with an indication (if possible) of the matters to be considered.

11.3 Any member desiring to bring a motion before a Church Members' Meeting must first give notice to the Minister and Secretary and, if they deem it wise, a fortnight must elapse before the motion is brought for

discussion. Requests to raise items of any other business should be notified to the Church Secretary 24 hours before the Meeting.

11.4 A Special Church Members' Meeting shall be properly convened if as a minimum requirement the date, time and place for the meeting are publicised, with as full an indication of the matters to be considered as possible, at the public worship service or services on the two previous Sundays.

11.5 Additional meetings whether Special or Ordinary shall be convened by the Diaconate as necessary but they shall have specific responsibility to convene a Special Church Members' Meeting as soon as possible upon the receipt of a written request for a meeting signed by at least one tenth of the Church Membership or twelve Church Members, whichever is the less.

11.6 Apart from invited guests, only Members of the Church shall normally be eligible to attend a Church Members' Meeting. However, there may be occasions from time-to-time when other regular Church attenders may also be invited to attend Ordinary Church Meetings but without voting rights.

11.7 Members shall be expected to convey their apologies if they are unable to attend Church Members' Meetings and, in the case of the election of the Minister and Deacons, any member having a valid reason for absence from the Church Members' Meeting shall advise the Church Secretary accordingly.

12. THE CONDUCT OF CHURCH MEMBERS' MEETINGS

12.1 Worship including prayer and the reading of Scripture shall be a key feature of the Church Members' Meeting. The discussion of any matters affecting the life and activities of the Church shall be set in this context with the intention that, so far as possible, practical issues are not perceived as being separate from the spiritual aspects of the Church.

12.2 A quorum of 30% of the total number of Church Members shall apply to Church Members' Meetings.

12.3 The Church Members' Meeting shall appoint a person (who may or may not be a Minister of the church) to chair the Church Members' Meetings. However, it is recognised that it is the usual Baptist practice for the Minister to chair these meetings.

12.4 Church Members shall respect the confidentiality of Ordinary and Special Church Members' Meetings. The business transacted at these Church Meetings, being like the affairs of a family, is strictly private. Therefore each member shall faithfully keep it as such and not reveal it to any other than members.

12.5 A resolution passed at either an Ordinary Church Members' Meeting or a Special Church Members' Meeting shall not be rescinded within one year, unless notice of the resolution for rescission is given at the Church Members' Meeting prior to that at which there is to be a vote on the resolution to rescind. This avoids issues being re-examined repeatedly without allowing time for implementation of valid decisions and giving time for further thought and prayer.

13. VOTING

13.1 Members shall, so far as possible, seek consensus on all matters considered at a Church Members' Meeting.

13.2 For matters requiring a decision a vote shall be taken and the outcome of the vote recorded as the resolution of the Members.

13.3 Each Member shall have one vote which they may use at the Church Members' Meeting after hearing about the issues and any comments or questions raised by other Members in advance of the vote.

13.4 No proxy votes shall be allowed and no postal votes shall be valid save that the Church Members' Meeting may authorise postal voting for the election of Charity Trustees (excluding the Minister) where the names of those nominated are known in advance of the meeting. The process for granting, collecting and counting postal votes shall be determined by the Church Members' Meeting.

13.5 If any matter requires a decision affecting or involving individuals and/or any embarrassment might arise by a public vote then a secret ballot shall be held if requested and agreed by the Church Members' Meeting.

13.6 If a secret ballot is to be held two persons will be appointed as scrutineers to the ballot to count the votes. The person chairing the Church Members' Meeting shall announce the outcome without necessarily revealing the numbers of votes.

13.7 Except for the Appointment of Deacons referred to in clause 15.12, a resolution at an Ordinary Church Members' Meeting shall be carried if supported by a majority of the Members present, entitled to vote and voting, unless a higher vote threshold has been previously agreed under 13.10 below. The wording here means that an abstention is a decision not to vote, and therefore it is not counted as a vote.

13.8 If there is an equality of votes on any matter at an Ordinary Church Members' Meeting the resolution will be considered rejected and the matter shall be referred back to the submitter for review and if appropriate resubmission to a subsequent meeting for consideration. For clarity, it is important to note that the person chairing the Church Members' Meeting does not have a casting vote.

13.9 A resolution at a Special Church Members' Meeting shall be carried if supported by at least two thirds of the Members present, entitled to vote and voting, unless a higher vote threshold has been previously agreed under 13.10 below. The wording here means that an abstention is a decision not to vote, and therefore it is not counted as a vote.

13.10 The Church Members' Meeting or Diaconate may want a higher measure of support for a particular resolution but that desire for a higher proportion of votes for a resolution shall not override the arrangements in clauses 13.7 or 13.9 unless, before the vote is taken, the Church Members' Meeting passes a further or enabling resolution referring to that particular resolution and specifying the proportion of votes necessary to pass it. This clause reflects the fact that a higher vote may on occasions be sought or required and it sets out the formal process to be followed to ensure that there is no question later about what was intended. It is important that the voting arrangements are clear and accepted by the Members before the vote is taken.

14. MINUTES

14.1 The business conducted at Church Members' Meetings and, in particular, any decisions of the Members shall be recorded in the Minutes for future reference.

14.2 The Minutes shall be written or printed and filed in a book or binder set aside for this purpose using materials of sufficient quality to ensure that they survive for many years and shall be kept in a safe place.

14.3 Each set of Minutes shall be approved by the Church Members attending the next Church Members' Meeting. They shall have the opportunity to review the Minutes and to correct any errors of fact before a formal vote on the approval of the Minutes is taken. If the Minutes are approved the person chairing the Church Members' Meeting shall confirm the Members' acceptance of the Minutes by signing and dating them as a correct record of the preceding meeting. It is acknowledged that it is good practice to make Minutes available to members in advance of the meeting.

14.4 The signed Minutes shall be conclusive evidence of the decisions taken at the Church Members' Meeting to which they relate.

15. THE APPOINTMENT AND REMOVAL OF DEACONS

15.1.1 In Baptist Churches the Church Members have gathered together regularly in a Church Members' Meeting to consider important matters of principle and to make decisions affecting every aspect of the Church's life and work, but day to day matters have usually been delegated to the Diaconate. This is made up of people who are chosen by the Membership because of their spiritual qualities, character, and skills.

15.1.2 The statutory definition of Charity Trustees in Section 97(1) of the Charities Act 1993 is "persons having the general control and management of the administration of a charity." Whilst fully acknowledging this, it is the case that our main Church leaders are normally known as 'Minister' and 'Deacons', meeting together as the 'Diaconate'. These persons are to be regarded as our Charity Trustees and together they form our Charity Trustee body. For clarity: (i) all Charity Trustees of this Church shall be either Ministers or Deacons and shall be expected to attend meetings of the Diaconate and (ii) they operate within the framework of ongoing accountability to the Church Members' Meeting.

15.2.1 Governance of a local Baptist Church is achieved through the Church Members meeting together to consider matters related to the life and work of the Church. Local Baptist Churches have nevertheless appointed individuals to responsibilities within the Church, including to Ministerial office and membership of the Diaconate, so its mission can be advanced through effective leadership and the deliberate sharing of tasks, within a framework of mutual accountability.

15.2.2 The Church Members' Meeting shall appoint Deacons to be responsible for the general control and management of the administration

of the Church and where there is a Minister that person is a Charity Trustee because of their leadership role and ministerial responsibilities. Subject to the authority reserved to the Church Members' Meeting in 9.2 above and subject to any other specific or general directions of the Church Members' Meeting, the day to day affairs of the Church shall be overseen and managed by the Diaconate, save that the Minister and Deacons are not required to do anything that would cause them to be in breach of this Constitution or any trustee duty placed upon them as a result of this role.

15.3 No Member shall be eligible to serve as a Deacon unless they have been in our Church Membership for at least one year. No person may serve as a Charity Trustee if they are disqualified by statute. We fully accept that persons under the age of 18 years or otherwise unable to manage their own affairs, un-discharged bankrupts or persons who are insolvent, those with an unspent conviction for a serious offence involving dishonesty, those convicted of serious offences involving children or those disqualified from appointment as a company director may not be appointed as a Charity Trustee, unless the Charity Commission has received a specific application and granted a waiver.

15.4 Deacons shall be chosen from among the Church Members with the maximum number of Deacons being agreed from time to time by the Church Members' Meeting.

15.5 In this Church it shall be the Minister(s), if any, and Deacons, including the Church Secretary and Church Treasurer, who together are the Charity Trustees of the Church at the time of adoption of this Constitution or the registration of the Charity with the Charity Commission.

15.6 The Church Members' Meeting shall arrange for the appointment of a Church Secretary and Church Treasurer (or equivalents) who shall by the nature of their responsibilities be Charity Trustees. The Secretary and Treasurer must be nominated and seconded by the Diaconate, proposed by a majority vote of the Diaconate and voted into their respective roles by the Church Members. The Secretary and Treasurer must be serving Deacons and shall be elected annually by the Members by secret ballot. Candidates must obtain a two-thirds majority of the votes cast.

15.7 A person (who is not disqualified by statute) may not be a Charity Trustee unless that person has been baptised in the manner described in the Declaration of Principle referred to in clause 3.

15.8 A close family member (spouse, parent, child, sibling) of a serving Charity Trustee shall not be eligible for appointment as a Charity Trustee.

15.9 Members of the Diaconate shall serve so long as they have the support of the Church Members' Meeting and (except for those in ministerial office) shall be actively appointed and reappointed at least once every three years.

15.10 Members of the Diaconate (except for those in ministerial office) shall be appointed for one term of three years with the opportunity to be nominated for one further three year term only that must be followed by a vacant year when they shall not be eligible for reappointment.

15.11 The appointment of Deacons shall be undertaken by processes that are public, clear and open so that all Church Members are enabled to consider prayerfully who should be appointed as Deacons. The process shall ensure that notice is given of any forthcoming election so that Church Members may freely nominate prospective Deacons whose names shall be submitted (after they have indicated a willingness to be appointed) for decision to the Church Members with the intention of ensuring that those appointed have a sufficient level of support from them.

15.12 In this Church:

15.12.1 Nominations, to be discussed in the first instance with the Minister or Church Secretary, for the role of Deacon shall be made to the Church Secretary (or equivalent) not later than two Sundays (or other regular weekly meeting time when the Church gathers together) before the Ordinary Church Members' Meeting at which the names of nominees are to be reported to the Church Members. After an interval of at least three weeks the Annual General Church Members' Meeting shall be held at which the election shall take place. Signed Nomination forms must be submitted with the supporting signature of two other Church Members and the signed consent of the candidate. No person may nominate more candidates than there are places vacant. Requests for nominations shall be made at all services on the two Sundays (or other regular weekly meeting time when the Church gathers together) immediately before that Sunday (or alternative day) when nominations must cease.

15.12.2 Voting shall be by secret ballot at the Annual General Church Members' Meeting. Church Members shall be asked to vote for those candidates whom they believe could serve the Church well as Deacons and

as Charity Trustees. They shall vote for no more candidates than there are vacancies. The scrutineers shall report in writing and in confidence to the person chairing the Church Members' Meeting the number of votes cast for each candidate. The number of candidates, being not more than the number of vacancies, receiving the highest number of votes shall be declared to be elected provided that each candidate so declared shall have received votes from at least 66% of those members voting.

15.12.3 In cases of unavoidable absence Church Members may exercise a postal vote where this is permitted under clause 13.4 provided that a request for a postal vote is submitted 48 hours before the Annual General Meeting and provided votes are returned in a sealed envelope to the Church Secretary before the commencement of the particular meeting at which the election is to be held.

15.12.4 If there are more candidates than vacancies and if after the ballot, some vacancies remain unfilled because insufficient candidates have received votes from at least 66% of those members voting then, if that Church Members' Meeting agrees, the person chairing the Church Members' Meeting shall delete from the names of those who have not been elected those with the lowest number of votes so as to leave as many names as there now are vacancies. These names shall be submitted to that or another Church Members' Meeting for balloting on the remaining places. This clause is in reserve as an option for use where the Church wants to avoid vacancies that might otherwise arise.

15.13 A technical defect in the appointment of a Charity Trustee of which the Charity Trustees were unaware at the time does not invalidate decisions taken by the Charity Trustees.

15.14 A Special Church Members' Meeting may rescind the appointment of any Charity Trustee (except for those in ministerial office) at any time.

15.15 Any Deacon behaving in such a way to bring dishonour on the cause of our Lord Jesus Christ, whether by immoral behaviour or by causing dissension within the Church Fellowship, or whose current circumstances infringe their eligibility as a Trustee under Charity Commission rules, shall be visited by the Minister and/or two chosen Members who, acting in Christian love, will try to persuade the person to amend his or her behaviour or, in the case of present ineligibility, to voluntarily resign. Should the Deacon's position remain unchanged, he or she shall be invited to meet with the

Diaconate which shall, if it considers necessary, propose to terminate his or her Membership of the Diaconate and his or her Trusteeship, such proposal to be subject to confirmation by a Special Church Members' Meeting.

16. RESPONSIBILITIES OF THE DIACONATE

16.1.1 The Charity Commission tends to call the people who lead the work of a charity the 'Charity Trustees'. This is not a term that has often been used in Baptist Churches and it is not normally used in this Church, but we recognise that it can be an alternative phrase for describing the Diaconate (i.e. Minister and Deacons) who have been set aside by our Church Members to carry responsibility for the activities of the whole Church. As well as being set apart by the Church to fulfil specific responsibilities, maintaining a relationship of accountability with the Church Members is essential. We acknowledge that maintaining this balance, particularly within a Baptist Church is very important.

16.1.2 As indicated previously, the members of the Diaconate (i.e. our Charity Trustees) are those involved in the general control and day to day management of the administration of the Charity and the fulfilment of the Church's Purpose through its Activities, acting according to the will of God as discerned by the Church Members' Meeting and subject to any specific or general directions of the Church Members' Meeting especially in relation to the matters set out in clause 9.2. Although the members of the Diaconate have significant legal and financial responsibilities, they are always responsible to the Church Membership by whom, of course, they are appointed and all important Church decisions shall be referred to, discussed at and taken formally by the Church Members' Meeting. Nevertheless it will frequently be the case that once the Church Meeting has made such decisions, the members of the Diaconate will be ones who make the detailed arrangements.

16.2 On behalf of the Church Membership and in consultation with them, the Diaconate should keep in an appropriate state of repair and insure to their full value against fire and other usual risks all the buildings of the Charity (except those where the responsibility is of a third party where they shall use reasonable endeavours to ensure that the third party does so). They must ensure that suitable public liability and employer's liability insurance is in place.

17. PROCEEDINGS OF THE DIACONATE

17.1 Worship including prayer and the reading of the Bible shall be key features of any meeting of the Diaconate whose leadership and administration of the Church shall be characterised as much by mutual accountability, service, and pastoral care, as by strategic thinking and effective management.

17.2 The members of the Diaconate shall determine when and how frequently they shall meet together provided that they shall convene meetings of the whole group not less than once every two months.

17.3 The quorum for formal full meetings of the Diaconate shall be 50% of their total number, with no less than 4 of their number present, including either the Minister or Church Secretary or Church Treasurer.

17.4 Notwithstanding the joint and several responsibilities of all the members of the Diaconate and in addition to regular meetings of the whole group they may meet in such sub-groups as are necessary and convenient. Reports of such subgroup meetings must be made to the next full Diaconate Meeting.

17.5 For matters requiring a decision the members of the Diaconate shall, so far as possible, seek consensus on all matters considered at their meetings but where this is not possible a vote shall be taken and the outcome recorded as the resolution of the Diaconate.

17.6 Each member of the Diaconate shall have one vote to be exercised at the meeting, after hearing about the issues and any comments or questions raised by other members of the Diaconate in advance of the vote.

17.7 Every issue may be determined by a simple majority of votes cast at a meeting of the Diaconate but if there is an equality of votes on any matter the resolution will be considered rejected and the matter shall be referred back to the submitter for review and if appropriate resubmission to a subsequent meeting for consideration.

17.8 The members of the Diaconate shall always act in accordance with the provisions of this Constitution and the general law.

17.9 Subject to clause 9.3 the Diaconate shall act in accordance with the specific directions of the Church Members' Meeting in relation to matters

relating to Church property including any purchase, sale, lease, mortgage or redevelopment of Church property.

17.10 Minutes shall be prepared of the proceedings at the meetings of the Diaconate including any appointments, the names of those present, the decisions taken, and where appropriate the reasons for the decisions and the members of the Diaconate shall decide from time to time whether all or part of these minutes shall be treated as confidential.

17.11 The members of the Diaconate shall respect the confidentiality of their meeting.

18. POWERS OF THE DIACONATE

18.1.1 As mentioned in 15.2.1 above, governance of a local Baptist Church is achieved through the Church Members' meeting, but the Diaconate still play a key related role as leaders and as Charity Trustees. To them is deputed the task of managing the affairs of the Church from day to day and of guiding and leading the Church in its decisions. The members of the Diaconate cannot act or be directed to act solely or together in a manner that would cause them to be in breach of this Constitution, of any Charity Trustee qualification or obligation, or do anything that is illegal.

18.1.2 It is not appropriate for Church Members to direct the Diaconate all the time, since this would mean that they were assuming the role of Charity Trustees and would be so deeply involved in the day to day management that they would themselves be seen as being the Charity Trustees, according to the definition in the Charities Act that is mentioned at Clause 15.1. On the other hand the Diaconate must not take so little notice of the Church Members that their role is diminished. This is an issue of mutual trust and accountability – and everybody recognising the need for sensible administrative arrangements. Since members of the Diaconate need to be formally appointed and re-appointed every three years (except for Ministers), a balance is maintained between the role of the Church Members' Meeting and the Diaconate.

18.1.3 The Diaconate shall have specific power subject to any general or specific directions of the Church Members' Meeting to apply for grants. Any decisions to accept grants and to provide security in respect of obligations under grant agreements must first be approved by the Church Members' Meeting.

18.2 For the avoidance of doubt, the Diaconate shall have, subject to the approval of the Church Members' Meeting and acting on behalf of the Church, the power to borrow money, receive grants, give guarantees and or security for loans, and to make grants or loans of money towards the advancement of the Church's Purpose. In the event of a charge over land and/or buildings being required this must be consistent with provisions in the trusts for the land and with statute law.

18.3 For the avoidance of doubt the Diaconate shall have the power to make occasional small one-off grants to other charities working elsewhere in the United Kingdom and/or other parts of the world, subject to the limit set by the Church Membership. Any proposed grants above that limit shall be subject to the explicit resolution of a Church Members' Meeting.

19. APPLICATION OF INCOME AND CAPITAL

The Diaconate must use the income and may use the capital where trusts permit it to be spent to promote the Purpose provided that as Charity Trustees they may apply an appropriate reserves policy in accordance with the general law.

20. RULES REGARDING THE REMUNERATION OF THE CHARITY TRUSTEES

20.1 With the exception only of a Minister or Ministers as authorised by clause 23, or a remuneration permitted under clause 20.2 no Charity Trustee (or any person, firm or company connected with the Charity Trustee) may be paid or receive any other direct or indirect benefit for being a Charity Trustee except the reimbursement of reasonable and proper expenses and other payments permitted by statute or specifically authorised by the Charity Commission.

20.2 Where it is proposed that a Charity Trustee (or person, firm or company, connected with the Charity Trustee) is to be employed or receive remuneration or sell goods or services or any interest in land to the Church and where this gains the approval of the Church Members' Meeting then this shall be permitted only if:

- the Charity Trustee or any person connected with the Trustee who may benefit directly or indirectly from the proposed remuneration declares an interest in the proposal before discussion on the matter begins;
- absents himself or herself (or in the case of any connected persons themselves) from any part of any meeting at which the proposal is

discussed and takes no part in any discussion of it and is not counted in determining whether any such meeting is quorate;

- does not vote on the proposal;
- the remaining Charity Trustees who do not stand to receive the proposed benefit are satisfied that it is in the interests of the Church to contract with or employ that Charity Trustee (or connected person) rather than another independent person and must record the reason for their decision in the minutes;
- in reaching that decision the Charity Trustees must balance the advantage of contracting with or employing a Trustee against the disadvantage of doing so (especially the loss of the Trustee's services as a result of dealing with the Trustee's conflict of interest);
- The Charity Trustees authorising the proposed transaction comprise a majority of the Charity Trustee body and have not received any such benefit.

21. MINISTERS

21.1 The Church may have a Minister or more than one Minister or no Minister. With the exception of a temporary interim Moderator, any formally appointed Minister must fulfil the Membership and Charity Trustee qualifications set out in this Constitution and it is expected that they will become a Member of this Church.

21.2 A Minister of this Church shall accept the Beliefs being the Baptist Union's Declaration of Principle.

21.3 Where the Church has a Minister she or he shall be in relationship with the Baptist Union and the Association normally expressed by being on the Baptist Union's Register of Covenanted Persons Accredited for Ministry.

21.4 The Minister, whether or not they are on the Register of Persons Accredited for Ministry shall be supportive of the Church's relationships with other Baptist Churches, the Association and the Baptist Union.

21.5 The tasks fulfilled by Ministers will vary depending on individual ability and gifting but a Minister is normally expected to be involved in the Activities of the Church with an emphasis on the leading of worship and prayer, the teaching of the Christian faith and the pastoral care of individuals. The Minister shall work with the Church towards achieving its

Purpose through its Activities. Any formally appointed Minister serving the Church (excluding a temporary Moderator) will by virtue of this Constitution and by the nature of their work be a Charity Trustee.

21.6 Notwithstanding any legal status afforded to a Minister by statute the Church recognises that the Minister and the Church are in a Covenant relationship based on Christian love and trust and mutual accountability. A Minister shall be in a relationship of mutual accountability with the Deacons and also with the Church Members.

22. THE APPOINTMENT AND REMOVAL OF MINISTERS

22.1 When the Church is seeking to appoint a Minister it will normally consult the appropriate staff within the Association before commencing any appointment process and follow, so far as practicable, the Baptist Union's procedures and recommended terms for the settlement of Ministers.

22.2 A Minister will be appointed or removed by a resolution of the Church Members at a Special Church Members' Meeting at any time. We shall follow the Baptist Union's strong recommendation that Churches contemplating the presentation of a resolution to remove a Minister should take appropriate legal advice and should also contact the South Eastern Baptist Association.

22.3 Where a Special Church Members' Meeting is considering the dismissal of a Minister the Minister shall be allowed to hear what is said to the Church Members' Meeting and to correct any errors of fact and offer any explanation of the circumstances or reasons for their actions before withdrawing so that the Church Members' Meeting may prayerfully and carefully consider whether the appointment should be terminated. Any such Special Church Members' meeting shall be chaired by a person appointed in consultation with the Association.

22.4 The Church and the Minister shall normally agree 'terms and conditions of appointment' including termination procedures based on the standard terms of appointment published by the Baptist Union of Great Britain.

23. THE REMUNERATION OF MINISTERS

Notwithstanding the fact that any Minister or Ministers appointed by the Church are Charity Trustees they will be entitled to be paid an agreed and reasonable remuneration or stipend out of the funds of the Church.

24. PASTORAL VACANCIES AND THE APPOINTMENT OF A MODERATOR

When there is no appointed Minister the Church Members' Meeting may appoint a person who is a Church Member or a member of another Baptist Church to be the Moderator (but if they do not do so then the Association may make an appointment of a suitable person) who will hold this office until a new Minister is appointed or until they resign or are released or dismissed by the Church Members' Meeting. The Moderator is a facilitator whilst there is a pastoral vacancy and will usually chair meetings of the Diaconate and Church Members' Meetings in such circumstances. We shall follow the Baptist Union's advice that the Moderator be appointed in consultation with the Association.

It is recognised that the Moderator does not need to become a Member of this Church. The Moderator will not be a Charity Trustee of this Church unless they fulfil the responsibilities of a Charity Trustee of this Church.

25. FINANCE

25.1 The members of the Diaconate as duly appointed Church leaders and as Charity Trustees are jointly and severally responsible for the financial administration of the Church.

25.2 Once in each year the Diaconate shall present a budget of subsequent years' projected income and expenditure at a convenient Church Members' Meeting.

26. RECORD KEEPING AND ACCOUNTING

26.1 The Church's annual financial year will run from 1st January to 31st December.

26.2 Financial statements of all Church organisations that form part of the Activities shall be presented to the Diaconate and incorporated into the Church's financial statements.

26.3 A statement of the Church Accounts (audited or independently examined as required by law) shall be received by a Church Members' Meeting.

26.4 Financial Records, annual reports and statements of account relating to the Church for the previous six years must be available for inspection by any Charity Trustee.

26.5 The law requires Charity Trustees to make the annual report and accounts available to any person who requests these. The Charity Trustees

may make a reasonable charge to cover the administration costs of meeting this request.

27. CONSTITUTION

27.1 A copy of this Constitution will be made available to Church Members and to every applicant for Membership with the intention that every Member shall be informed about the organisation of the Church and be enabled to participate in the life of the Church and in Church Members' Meetings.

27.2 No amendment may be made to this Constitution that would have the effect of making the Charity cease to be a charity at law.

27.3 Subject to clauses 27.4 and 27.5 this Constitution may be altered only by a resolution of a Special Church Members' Meeting.

27.4 No amendment may be made to clause 20.2 or 28.2 without the prior written permission of the Charity Commission.

27.5 Notwithstanding the provisions 27.3 and 27.4 a resolution of a Special Church Members' Meeting altering clauses 2, 3, 5, 7.5, 8.1, 9.1, 9.2, 15.2, 15.11, 27.3 or 28.1 shall have no legal effect unless

(a) at least 6 months before the Special Church Members' Meeting at which the resolution is considered, or such shorter period as may be agreed in writing by each of the bodies referred to in clause 5.1, the Church shall have given to those bodies written notice of the wording of the resolution and

(b) the Church has afforded to those bodies reasonable opportunities, if those bodies so require, for enabling representatives of those bodies to meet representatives of the Church, to make representations to the Church Members' Meeting, and to consider with the Church whether the proposed resolution might be withdrawn, amended or replaced by a different resolution.

28. CLOSURE

28.1 If the Church resolves to close it shall notify the Baptist Union of Great Britain and the Baptist Association. We shall follow the Baptist Union's strong recommendation that Churches should seek advice and help from their Association or the Baptist Union before closure so that all possible means of continuing or restructuring their work can be explored.

28.2 If the Church shall resolve to close or shall cease to meet for worship for at least six months the assets of the Church, after the satisfaction of

debts and liabilities (not being property assets subject to separate trusts) shall be applied for Christian charitable purposes as decided by a Special Church Members' Meeting or, failing decision in that way, as decided by the Association and notified to the Union.

28.3 The Charity Trustees of Churches that are registered charities shall notify the Charity Commission of any closure or dissolution.

28.4 The property assets shall be dealt with by the holding Trustees in accordance with the property trusts.

This Constitution was formally adopted by the Church Membership on 24th July 2014.

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