

4/13 Review of School Chapels and Chaplains Ordinance 1975

(A report from the Standing Committee.)

Purpose

1. The purpose of this report is to present to the Synod an exposure draft of an ordinance to replace the *School Chapels and Chaplains Ordinance 1975* to regulate the conduct of ministry within the schools of the Diocese.

Recommendation

2. The Standing Committee recommends that the Synod –

- (a) receive this report, and
- (b) request the Standing Committee to consult with Chaplains and Heads of Diocesan Schools in respect to the exposure draft and to bring a bill for an ordinance to the 2015 session of the Synod having regard to any comments that are received.

Background

3. In November 2009 a sub-committee was appointed by the Standing Committee to review the *School Chapels and Chaplains Ordinance 1975* (the “1975 Ordinance”).

4. At its 2012 session, the Synod received a report from the sub-committee, *Review of the School Chapels and Chaplains Ordinance 1975* and resolved as follows –

Synod, noting the report concerning the review of the *School Chapels and Chaplains Ordinance 1975* –

- (a) encourages Synod members, school councils and the Sydney Anglican Schools Corporation to consider the report and its recommendations and to provide comments on the report to the Diocesan Secretary by 31 March 2013, and
- (b) requests the Standing Committee to bring to the 2013 session of the Synod suitable amendments to the Ordinance having regard to such comments.

5. At its 2013 session, the Synod received a further report of the same title summarising the key aspects of the submissions it had received and resolved as follows –

Synod –

- (a) notes the report summarising submissions received from Synod members, school councils and others in response to Synod resolution 1/12, and
- (b) requests the Standing Committee to appoint a committee, with appropriate representation from chaplains and heads of schools (or their nominees), to consider the submissions received with a view to bringing an ordinance to the next ordinary session of Synod to amend the *School Chapels and Chaplains Ordinance 1975*.

6. The December 2013 meeting of Standing Committee appointed a new sub-committee to progress these reports to a draft ordinance, being composed of Mr Tony Willis (Chair), Dr Bryan Cowling, Mrs Jodie Crain, the Rev Nick Foord, Mrs Sue Middlebrook and Dr David Nockles.

7. The sub-committee prepared a bill for an ordinance, which has been amended by the Standing Committee, to replace *the 1975 Ordinance*. Since this bill proposes an approach that would be a significant departure to the regulation of ministry within schools to that in the 1975 Ordinance, it is proposed that the Synod consider the bill as an exposure draft with a view to the Standing Committee consulting further with schools and bringing a bill to the 2015 session of Synod. The remainder of this report operates as an explanatory statement to the exposure draft.

Drafting Principles

8. The sub-committee is of a view that a new ordinance must allow for a level of flexibility that caters for the wide range of ministries and models of chaplaincy that exist across our Diocesan schools. Consequently there is a need for flexibility in the role and responsibility of the Chaplain to reflect this diversity of ministry.

9. The sub-committee is of a view that the emphasis of Christian ministry in a Diocesan school is of greater importance than how this ministry is delivered. Consequently there is a fundamental change from a *Chaplains’ Ordinance* to a *School Ministry Ordinance*.

10. There was considerable debate on the sub-committee around the word *Chaplain* but it was agreed that the term is generally understood by the wider community and is the term most suited to the role carried out in our schools.

Extra-parochial schools

11. Schools which are currently extra-parochial under the *School Chapels and Chaplains Ordinance 1975* will remain extra-parochial despite that Ordinance being repealed.
12. In schools which are not extra-parochial, the rector of the parish in which the school is situated remains responsible for ministry in the school. This is recognised by defining the Chaplain of such a school to be the rector. In these circumstances the provisions for the appointment, dismissal, suspension, qualifications and licensing of Chaplains under the proposed ordinance do not apply.
13. However a school which is not currently extra-parochial may apply to be declared extra-parochial where this is deemed beneficial. Any application to be declared extra-parochial following the commencement of the proposed ordinance would be made under the *Extra-Parochial Ordinance 1918*.

School Ministry Plan

14. Since the emphasis within a school is as much on the Christian ministry of the School as the person leading this ministry, it is proposed that each school, whether parochial or extra-parochial, develop a *School Ministry Plan* consistent with, or integrated into, the School's Strategic Plan.
15. The ministry plan will outline the rationale and delivery of ministry within the School and is the place for the role and function of the Chaplain and ministry staff to be described.
16. The School Council/Board is to monitor the implementation of the ministry plan as part of its responsibility, including an internal review every 5 years.
17. The ministry plan will accompany an application for the Archbishop to license a Chaplain.
18. A School Ministry Plan is still required of a school which is extra-parochial irrespective of whether the school appoints a Chaplain.

Chaplains Appointment in extra-parochial schools

19. The sub-committee is of a view that the Head of a school is the leader of the school community and that the Head of a school which is extra-parochial should appoint the Chaplain. However the sub-committee is also of a view that the position of Chaplain is critical to the spiritual direction of the school and therefore such appointment should have prior approval from the School Council.
20. Since the Archbishop is to license the Chaplain, the Archbishop's prior approval is required before a job offer is made. The Archbishop's licence or authority will be limited to ministry in the school context.
21. The sub-committee is of a view that a theological qualification should be required and from a theological institution approved by the Archbishop. The level of qualification may vary with the role requirement and will rest with the School concerned and the Archbishop.
22. Chaplains may be ordained or lay. This distinction will be defined by the Archbishop's licence.
23. The appointment of Assistant Chaplains primarily rests with the Head of the School concerned and the Chaplain.

Chapels

24. The licensing or consecration of a building as a Chapel will rest with the School concerned and the Archbishop.

Repeal

25. It is the view of the sub-committee that the *School Chapels and Chaplains Ordinance 1975* be repealed.

For and on behalf of the Standing Committee

TONY WILLIS
Subcommittee Chairman

26 August 2014

School Ministry Ordinance 2015

No , 2015

Long Title

An Ordinance to regulate Anglican ministry within the schools of the Diocese.

The Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the *School Ministry Ordinance 2015*.

2. Interpretation

In this Ordinance –

5 “Assistant Chaplain” means a person who is under the authority or supervision of a Chaplain or who assists a Chaplain in their duties.

“Chaplain” means –

(a) in relation to a School which is extra-parochial, a person who holds a position within the School that primarily involves the delivery of Christian ministry to the School community, and

(b) in relation to a School which is not extra-parochial, the Rector of the Parish in which the School is situated.

“Christian Education” includes the presentation of the broader curriculum within a Christian worldview as well as any separate Christian Studies curriculum.

15 “Parish” means a parish or provisional parish constituted under or recognised as such for the purposes of the Parishes Ordinance 1979.

“Ministry Plan” means the ministry plan outlined in clause 4.

“School” means any school that is constituted by or under an ordinance of the Synod of the Diocese and schools of the Sydney Anglican Schools Corporation that are within the Diocese.

20 “School Council” means the body having governance responsibility for the School.

3. Relationship between schools and parishes

(1) It is expected that Schools and Parishes will have a shared commitment to partnership in proclaiming the gospel of the Lord Jesus Christ to the School and Parish communities.

(2) Where it is deemed beneficial, a School Council may apply for its School to be declared extra-parochial under the *Extra-Parochial Ordinance 1918*.

(3) Clause 2 of the *Extra-Parochial Ordinance 1918* does not apply to a School which is declared to be and remains extra-parochial pursuant to that Ordinance.

4. School Ministry Plan

(1) Each School must have a Ministry Plan. If the School has a strategic plan, the Ministry Plan must align with or be incorporated into its strategic plan.

(2) The Ministry Plan must include, but is not limited to, the following –

(a) the School’s evangelistic mission strategy to its community including staff, students, alumni and parents,

(b) a requirement for the Head of the School to ensure that adequate Christian Education is provided across the curriculum and to all years of the School,

(c) an explanation of the methods by which Christian Education will be delivered,

(d) the staffing and other resources required to effectively implement the Ministry Plan,

(e) an outline of the roles and functions of any Chaplain(s) and Assistant Chaplain(s) that have been, or are proposed to be, appointed,

40 (f) a requirement for regular reporting to the School Council in respect to implementation of the Ministry Plan, and

- (g) the criteria against which the School's progress in achieving the Ministry Plan will be measured and assessed, coupled with a requirement for the Ministry Plan to be internally reviewed at least every five years and the results of the review and any recommendations reported to the School Council.

5 **5. Chaplains: appointment, dismissal and suspension**

- (1) The Head of any School which is extra-parochial may, with the prior approval of the School Council and the Archbishop –
- (a) appoint one or more Chaplains in and for the School, and
- (b) dismiss such Chaplains.
- 10 (2) The Head of any such School has the power to suspend a Chaplain from duties, but thereupon must immediately notify the Archbishop and the School Council of such action.

6. Chaplains: qualifications and licensing

(1) The Head of a School which is extra-parochial must apply to the Archbishop for a licence or authority for any person who is proposed to be a Chaplain in the School, and may only appoint a person as a Chaplain in the School if the licence or authority is granted. Applications must be accompanied by a copy of the School's Ministry Plan.

(2) The licence or authority must provide that it will cease upon the Chaplain ceasing to be a member of the staff of the School.

(3) If at any time and for any reason, a Chaplain ceases to hold the licence or authority, he or she will cease to be entitled to act as Chaplain of the School, and must not thereafter hold himself or herself out as having this title. This will not of itself have the effect of removing the person from being a member of the staff of the School.

(4) A Chaplain in a School which is extra-parochial may be an ordained or a lay person.

(5) Such a Chaplain must hold a qualification in theology, preferably a bachelor degree, commensurate with the position to which they are appointed, that is acceptable to the Archbishop.

(6) A person must not be given the title of Chaplain in a School which is extra-parochial unless the requirements of this clause have been satisfied.

7. Assistant Chaplains

(1) The Head of a School which is extra-parochial and has at least one Chaplain may, in consultation with the Chaplain, appoint persons to be Assistant Chaplains in and for the School, subject to a requirement that such persons hold a theological qualification that is commensurate with the functions they are to perform.

(2) Such an Assistant Chaplain may be licensed by the Archbishop upon application by the Head of the School, subject to meeting any criteria set by the Archbishop.

8. Chapels

(1) The Archbishop may license any building or part of a building as a Chapel in or for any School on application from the Head of the School.

(2) No building is to be licensed as a Chapel until the land on which the building is erected has been vested in the Anglican Church Property Trust Diocese of Sydney or the School Council being a body corporate or such other trustee or trustees or body corporate as may be approved by the Archbishop-in-Council and has also been provided with such things as may be requisite for the celebration of divine service according to the law and usage of the Anglican Church of Australia.

9. Transition

All persons who, on the date this Ordinance commences hold the position of Chaplain in a School which is extra-parochial are deemed to comply with clause 6.

10. Repeal

The School, Chapels and Chaplains Ordinance 1975 is repealed with effect from 1 January 2016 without affecting the validity of any action that has been taken under the terms of that ordinance.

11. Commencement

(1) Subject to subclause (2), this Ordinance commences on 1 January 2016.

(2) The requirements in respect to Ministry Plans in clauses 4 and 7(1) commence on 30 June 2016.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

Chairman of Committees

We Certify that this Ordinance was passed by the Synod of the Diocese of Sydney
on 2015.

Secretaries of Synod

I Assent to this Ordinance.

Archbishop of Sydney

/ /2015