

What do the positions of Parish Councillor and Warden involve?

Parish councillors and wardens play an important role in the mission of our churches and parishes. They do this by ensuring that our churches and parishes are effectively administered. This brochure provides an overview of what the positions of parish councillor and warden involve.

Parish Councillors

What is a parish council?

Each parish has a parish council. Generally speaking, the parish council is the governing body for the financial and property affairs of the parish and each church of the parish.

(Parish Administration Ordinance 2008 Schedules 1 and 2 – Rule 2.3)

What is the composition of the parish council?

For parishes administered on the basis of their church or churches (*Schedule 2 – Rule 2.4*) with only one church, the parish council is usually made up of –

- the minister;
- the wardens of the church;
- 3, 6 or 9 persons elected by the annual general meeting of parishioners of the church; and
- one person appointed by the minister for each 3 persons to be elected by the annual general meeting.

For parishes with more than one church, the parish council usually also includes one warden from each branch church.

For parishes which are administered as a whole (*Schedule 2 – Rule 2.4*), the parish council is usually made up of –

- the minister;
- the wardens of the parish;
- EITHER 3, 6 or 9 persons elected by the annual general meeting of parishioners
OR 0, 1, 2 or 3 persons elected by the annual general meeting plus one representative for each congregation of the parish elected by the members of the relevant congregation at the meeting; and
- one person appointed by the minister for each 3 persons elected by the annual general meeting.

Who can be a parish councillor?

You can be a parish councillor if you are –

- a parishioner of a church in the parish or, if the parish is administered as a whole, a congregation of the parish; and
- at least 18 years of age; and
- a communicant member* of the Anglican Church of Australia.

* *A communicant member includes a person who is a member of the Anglican Church of Australia and who partakes regularly in the Holy Communion or the Lord's Supper.*

However you cannot be a parish councillor if you –

- are bankrupt; or
- are mentally ill or otherwise incapable of acting, or
- have been convicted of a disqualifying offence listed in Schedule 2 of the *Child Protection (Working with Children) Act 2012*, or
- become auditor of the financial statements of the wardens.

No later than 7 days after becoming a parish councillor you must make this declaration –

“I declare that I am a communicant member of the Anglican Church of Australia and have not been convicted of a disqualifying offence listed in Schedule 2 of the Child Protection (Working with Children) Act 2012.”

(Parish Administration Ordinance 2008 Schedules 1 and 2 – Rules 2.6 and 2.7)

When do you cease being a parish councillor?

You are a parish councillor until your successor is elected or appointed at the next annual general meeting of parishioners. However you cease being a parish councillor before that time if you –

- die; or
- resign; or
- become bankrupt; or
- become mentally ill or otherwise incapable of acting, or
- are convicted of a disqualifying offence listed in Schedule 2 of the *Child Protection (Working with Children) Act 2012*, or
- are elected or appointed to the office of auditor of the financial statements and accounts of the wardens, or
- fail to make the declaration referred to above on or within seven days after becoming a parish councillor.

(Parish Administration Ordinance 2008 Schedules 1 and 2 – Rule 2.8)

What are the responsibilities of the parish council?

The main responsibilities of the parish council are –

- fixing the stipend, allowances and benefits of the minister and (with the minister’s consent) the stipend/salary, allowances and benefits of any assistant minister, lay minister, student minister or other lay worker;
- in parishes with more than one church, determining how expenses of the parish are to be apportioned among the churches of the parish;
- conferring with the minister in the initiation, conduct and development of church work and making recommendations on ministry within the parish;
- considering any measure or project that is likely to affect the general interests of the parish and to take proper action on these matters;
- causing minutes to be kept of the parish council’s meetings;
- directing the expenditure or investment policy of any of the parish’s surplus funds;
- appointing a qualified person to fill any vacancy in the position of auditor of the statements and accounts of the wardens;
- filling casual vacancies which occur among its elected members;
- making donations for patriotic or charitable purposes or for the purposes of a Christian mission society whether local or foreign, Anglican or non-Anglican; and
- doing all things as it can reasonably do to enable the wardens to comply with their responsibilities concerning minimum standards of maintenance for State Heritage listed buildings.

The parish council also has the right and power to determine matters of policy, approve budgets and authorise payments in controlling the funds and property of the parish and each church of the parish. It is important to note that the wardens exercise their responsibilities in respect of funds and property subject to the parish council’s authority in these areas. It is also important to note that the parish council is not to exercise this authority in a manner which prevents the wardens from properly exercising their responsibilities.

(Parish Administration Ordinance 2008

Schedule 1 – Rules 3.3, 3.4, 3.5, 3.6 / Schedule 2 – Rules 3.2, 3.3, 3.4, 3.5)

Wardens

What is a warden and how many are there?

Wardens are generally responsible for administering the financial and property affairs of the church or parish.

Each church usually has three wardens (*Schedule 1 – Rule 2.9*). If your parish is administered as a whole* (*Schedule 2 – Rule 2.9*), there are usually three wardens for the parish who also double as the wardens of each church of the parish.

- * Administering your parish as whole is an alternative to administering your parish on the basis of its church or churches. If your parish wants to consider changing its model of administration, you should refer to the opening provisions of the Parish Administration Ordinance 2008. This can be found on our website www.sds.asn.au.

Who appoints the wardens?

Two wardens are elected at the annual general meeting of the relevant church or parish. One is appointed by the minister at that meeting or shortly afterwards.

(*Parish Administration Ordinance 2008 Schedule 1 – Rule 2.13 / Schedule 2 – Rule 2.12*)

Who can be a warden?

You can be a warden if you are –

- a parishioner of the relevant church or parish; and
- at least 18 years of age; and
- a communicant member* of the Anglican Church of Australia.

* *A communicant member includes a person who is a member of the Anglican Church of Australia and who partakes regularly in the Holy Communion or the Lord's Supper.*

However you cannot be a warden if you are –

- the spouse of an ordained person licensed to the parish (minister, senior assistant minister or assistant minister); or
- an employee paid from the funds of the church or parish; or
- bankrupt; or
- mentally ill or is otherwise incapable of acting, or
- a person who has been convicted of a disqualifying offence listed in Schedule 2 of the *Child Protection (Working with Children) Act 2012*.

Spouses cannot be wardens of the same church or parish at the same time.

Within seven days before or after becoming a warden you must make this declaration –

"I declare that I am a communicant member of the Anglican Church of Australia and have not been convicted of a disqualifying offence listed in Schedule 2 of the Child Protection (Working with Children) Act 2012."

(*Parish Administration Ordinance 2008 Schedule 1 – Rule 2.12 / Schedule 2 – Rule 2.11*)

When do you cease being a warden?

You are a warden until your successor is elected or appointed. However you cease being a warden before that time if you –

- die; or
- resign; or
- become bankrupt; or
- become mentally ill or otherwise incapable of acting, or
- become an employee who is paid from the funds of the parish or church; or
- are convicted of a disqualifying offence listed in Schedule 2 of the *Child Protection (Working with Children) Act 2012*, or
- fail to make the declaration referred to above before or within seven days of becoming a warden.

(*Parish Administration Ordinance 2008 Schedule 1 – Rule 2.14 / Schedule 2 – Rule 2.13*)

What are the wardens' responsibilities?

The wardens' main responsibilities include –

- convening annual and other general meetings of the church or parish in conjunction with the minister;
- ensuring the proper management, security and financial administration of all money and property of the relevant church or parish (with some exceptions);
- ensuring proper procedures are followed for collecting, counting, recording and banking all offertories;
- keeping proper accounting records of all money received and expended by them;
- preparing prescribed financial statements and accounts for the relevant church or parish (and any church or parish organisation), arranging for these to be audited and making copies available for inspection no later than the Sunday before the annual general meeting;
 - * In a parish with more than one church, these responsibilities are to be exercised by the wardens of the principal church.
- appointing and removing, with the concurrence of the minister, paid parish workers (lay and student ministers, administrators, cleaners etc);*
- paying or providing stipends, allowances and benefits to persons authorised by the parish council to receive them*;
- keeping order in the church building and its grounds;
- ensuring proper repairs and maintenance of the church, rectory, hall(s) and other buildings (including fixtures, fittings and furniture);
- ensuring any property of the church or parish listed on the State Heritage register is maintained to the relevant minimum standards; and
- granting licences to permit outside persons and groups to use church property (subject to conditions).

The wardens are also responsible for certain obligations arising from State and Federal laws. These include ensuring the parish's responsibilities are met in relation to –

- employment relations;
- work health and safety;
- child protection; and
- taxation.

(Parish Administration Ordinance 2008 Schedule 1 – Rules 3.7 to 3.14 / Schedule 2 – Rules 3.6 to 3.13)

How do the wardens make decisions?

Ideally, the decision-making process will include all three wardens acting unanimously. If one warden is unable to be consulted, or does not agree with the others on a particular issue, a decision may still be made by the remaining two wardens.

Wardens are disqualified from taking part in a decision if they or a member of their family has a personal financial interest in it. A warden is also not to take part in a decision concerning the appointment, removal, or performance review of a family member who holds, or may hold, a paid position.

(Parish Administration Ordinance 2008 Schedule 1 – Rules 2.11, 3.13B / Schedule 2 – Rules 2.10, 3.12B)

Can the wardens ask other people to help them?

Although the wardens are responsible for various functions, they can arrange for other persons to perform some of them on their behalf. In particular, if one of the wardens is not prepared to act as treasurer, they may appoint another person to act as treasurer with the concurrence of the minister.

The wardens' ability to delegate the performance of some of their responsibilities is important, particularly in larger churches.

*(Parish Administration Ordinance 2008
Schedule 1 – Rules 3.7(3), 3.8(1), 3.11(3) / Schedule 2 – Rules 3.6(3), 3.7(1), 3.10(3))*

Further information and feedback

Further information on the matters covered in this brochure can be found on our web site at www.sds.asn.au in the "For Wardens & Parish Councillors" section. Alternatively, please contact our Legal Counsel, Steve Lucas, by telephone on 9265 1647 or by email at szl@sydney.anglican.asn.au.

Other help

We can help parish councillors and wardens in carrying out their responsibilities. We provide an advisory service in legal, ministry staff remuneration, risk management, finance and accounting, insurance and property/building matters. Please call us on (02) 9265 1555 for assistance.