

GENERAL COUNCIL

SECTION 4

Thursday – 8.00pm

GENERAL DATA PROTECTION REGULATION TASK GROUP

1. The General Data Protection Regulation (GDPR) (EU) 2016/679 is a regulation in EU law on data protection and privacy for all individuals within the European Union. It will replace the 1995 Data Protection Directive (Directive 95/46/EC) and became enforceable from 25th May 2018.
2. The General Council appointed the GDPR Task Group on 10th October 2017 with this remit:
To produce advice and guidelines for:
(a) The councils and departments of the General Assembly
(b) Presbyteries and congregations
which will enable ongoing compliance with GDPR by 25th May 2018;
and which will enable information/data which has previously been gathered or processed to become compliant.
3. The Task Group was authorised to secure the services of ANSEC (as required), and to either appoint or otherwise secure the services of an individual to resource and facilitate the work of the Task Group – as a charge on the Incidental Fund, with funding authorised by the Clerk and the General Council Convener.
4. The Clerk's Office wrote to all Presbyteries and Congregations making them aware of GDPR and the steps being taken by the General Council to offer support.
5. The Task Group has met on five occasions.
6. It is noted the Information Commissioner's Office makes these definitions:
 - “data controller” means a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be processed
 - “data processor”, in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

7. It has been agreed that for our purposes data controllers are the General Assembly, presbyteries and congregations. Employees are not separate Data Processors and it has been confirmed that volunteers are classified in the same way as employees.
8. In accordance with the authorisation given, ANSEC and Cleaver Fulton Rankin have been engaged to give Advice Support on GDPR and Mr Kirk Shilliday has been appointed as Project Manager and has signed a Consultancy Agreement.
9. The Deputy Clerk has written to independent bodies for which PCI processes data informing them that, while PCI will seek to fulfil its responsibilities as a Data Processor under GDPR, each has a responsibility to fulfil as Data Controller, and should satisfy themselves that they are compliant by 25th May 2018.
10. Training events have taken place for Assembly Buildings staff who are, at the time of writing, in the process of completing a Data Audit.
11. Implementation Plans for Presbyteries/Congregations have been agreed and for PCI Staff have been drawn up but are subject to formal Task Group agreement.
12. Training Events were organised for presbyteries and congregations in March and April on a regional basis, with the participation of the Project Manager, the Financial Secretary and the Deputy Clerk. These events have proven helpful to those who attended.
13. The following documentation has been sent to presbyteries/congregations:
 - Letter to Presbyteries and Congregations re GDPR
 - A Brief Guide to GDPR
 - Data Protection Lead Role
 - Data Inventory Template
 - Data Inventory Congregational (example)
 - Personal Data Action Plan
 - Personal Data Action Plan (example)
14. Further documentation is being uploaded to the PCI website on a rolling basis.
15. The Information Commissioner's Office has been written to concerning relationships between General Assembly, presbyteries and congregations in respect of GDPR. Following a reply, the General Assembly Solicitor's advice is that wording concerning the sharing of personal data among congregations, presbyteries and the General Assembly, should be built into the Code and thus be part of our constitution.

16. The following documents have been made available:

- Data Breach Policy Draft 1
- Data Privacy Notice Draft
- Data Protection Policy Draft 1
- Subject Access Request Policy Draft 1

Advice on data security for congregations is being considered.

17. In its work so far consultation has taken place with the Church of England and the Church of Scotland. Information has been shared with the Methodist Church of Ireland and the Presbyterian Children's Society. On Thursday, 8th March the Project Manager and the Deputy Clerk attended a GDPR event in London organised by the Churches' Legislation Advisory Service. This confirmed the approach we are taking, and gave further helpful information and advice.

EDGAR JARDINE, Convener

ENGAGEMENT AND CONSULTATIONS TASK GROUP

Introduction

1. This is the third interim report to the General Assembly from this Task Group. The remit given by the 2015 General Assembly was: *A new Engagement and Consultations Task Group be formed to carry forward the examination of the issue of engagement (between Presbyteries and the new Councils and between Presbyteries and congregations) and that this group subsume the work of reviewing Consultations.*
2. Last year's report was concerned with two matters: engagement between Presbytery and Congregations; and the new Consultation Process. The General Assembly passed the following resolutions:
 - (a) That the General Assembly encourage Presbyteries to adopt some of the good practice suggestions outlined in the Report of the Engagement and Consultations Task Group in order to improve engagement in their meetings and also with Congregations.
 - (b) That the General Assembly direct the Engagement and Consultations Task Group to consider and report back on the issue of the role of Presbyteries as agents for missional strategy.
 - (c) That the General Assembly approve the new Consultations Process as in Engagement and Consultations Appendix 1 and direct that it be used by all Presbyteries from 1st January 2018 onwards.

The Role of Presbyteries as Agents for Missional Strategy

3. The Task Group had this subject as an agenda item for its meeting in September, but found that it could not be meaningfully discussed on its own. Other items on the same agenda all ran together into one discussion. Those other items included:
 - (a) improving engagement within presbytery and between presbytery and congregations;
 - (b) relations between presbyteries and councils;
 - (c) role of Direct Presbytery Nominees and Presbytery Agents.

Discussion led the Task Group to focus on the relationship between councils and presbyteries.

Engagement between Councils and Presbyteries

4. Part of the Report to the 2017 General Assembly offered guidance on how to make presbytery work better, improve the handling of business and try and create some space for items which help to equip ministers and elders as well as helping congregations and councils become more engaged with what presbytery is doing.
5. The relationship between councils and presbyteries naturally also impacts the relationship between these bodies and congregations also – it is a seamless robe. However the Task Group has concentrated on how presbytery can effectively engage with the seven councils. It continues to believe that, into the future, presbytery needs to be an increasingly effective regional hub for envisioning, equipping and enabling ministers and congregations under its care.
6. Councils have a desire to engage meaningfully with presbyteries but questions are being asked if this is feasible. If councils send reports down after each council meeting then presbyteries become deluged with at least seven reports twice a year; so all of this needs careful consideration and thought. It is appreciated that the administrative workload of presbyteries is increasing, in particular where there are commissions in place or there are many vacancies.
7. A meeting of some members of the Task Group with Clerks of Presbytery was held on 18th January to consider these issues. The Convener presented a possible strategy for prioritising business into the future based on SPACE (see below). Albin Rankin shared regarding an East Belfast initiative called *Together: A Company of Pastors*; David Bruce spoke about the Belfast Conference and David Thompson spoke on the dynamics between councils and presbyteries.
8. A meeting was also held on 21st February between the Convener and Council Secretaries to ascertain how there could be improved engagement between councils and presbyteries.

9. **Creating SPACE in presbytery.** The Task Group believes it would be helpful for the future if presbyteries sought to include the following five elements in their agendas:
 - S: **Strategic thinking** – encouraging more strategic thinking alongside Linkage Commission at times of vacancy; encouraging more missional thinking in general within their bounds.
 - P: **Pastoral care** – seeing the importance of presbytery formally and informally for the health and support of ministers.
 - A: **Accountability** – mainly exercised through presbytery as a court and also through the updated Consultation process.
 - C: **Creative communication** – seeing presbytery as a hub of communication between councils and congregations and between congregations and as a place for ministers to share more on what they have learned on sabbatical/reading and a place to celebrate stories of faith and mission.
 - E: **Equipping** – facilitating councils in their work through the informing, training and equipping of ministers and elders on a presbytery by presbytery basis.
10. There seemed to be broad agreement among those consulted that SPACE was a good ideal to aim for and also a recognition that we were at a tipping point with growing congregationalism and centralisation which could lead to presbytery being squeezed out in the future. Not for the first time we heard the question being asked – *What is presbytery for?*
11. One of the issues that recurs is pressure of time and yet ministers and elders do seem to find time for the things that they value and which they find helpful. The experience of the East Belfast Company of Pastors initiative, meeting twice a month in addition to the Presbytery meeting, seems to bear that out.
12. A good number of ministers devote their energies to council matters rather than to presbytery. It is understandable if they then devote less of their available time to presbytery. It would also seem to be a trend that younger ministers have less ‘brand loyalty’ to presbytery and seem to prefer to pour their energies into their congregation and to fighting the growing tide of secularism. This however may not in the long run be good for them as they will need the pastoral support which presbytery can provide.
13. While it is recognised that proximity has its strengths when it comes to thinking strategically about what is going on within a presbytery’s bounds, it is also seen as a weakness and a threat as ministers are reluctant to make big strategic calls about neighbouring parishes and it is easier to push such hard decisions up to the Linkage Commission.
14. There also seems to have been very little strategic thinking at presbytery level on church planting or even on congregations combining in evangelistic initiatives. A silo and competitive mentality seems to be

prevalent and a lack of adaptability within our Presbyterian structures to address a fast-changing culture. The Belfast Conference seems to have been an exception to this but its genesis has been a lengthy affair and has met many road-blocks. Positive outcomes are hoped for from this and that it can become a model for other presbyteries to learn from.

15. In terms of engagement with councils there seems to be a lack of consistency among councils in communicating with presbyteries and their representatives. Some councils offer orientation to Direct Presbytery Nominees which is good and helps in describing what is expected of them.
16. The danger of swamping presbyteries with too much material at one or two times of the year was noted. Councils seem to prefer to communicate by email rather than providing material for a combined Newssheet as was once the case after Board Weeks.
17. Neither Clerks of Presbytery nor Council Secretaries seem to meet regularly together and this may be worth exploring for the future for better communication, ownership of priorities and for fellowship. It was noted that the Church of Scotland has regular meetings of such.
18. The General Council passed the following resolutions concerning engagement between councils and presbyteries:
 - (a) That each council should offer an orientation meeting with representatives from presbytery.
 - (b) That once a year Clerks of Presbytery should meet together with the Clerk and Deputy Clerk of Assembly and with Council Convenors and Secretaries to hear from each other and discuss possible priorities and events for the year(s) ahead.
 - (c) That presbyteries should seek every opportunity to work with councils in organising training and other events.
 - (d) That presbyteries should seek to organise their business in such a way as to allow SPACE for the five elements specified in this paper and that one presbytery be chosen by the Task Group to pilot this framework over the next year.
 - (e) That presbyteries should endeavour to be more proactive in their engagement with the Linkage Commission prior to and during vacancies.

Consultations

19. The Task Group will continue for a final year to assess the success of the new Consultations scheme (it will be meeting with Clerks in January 2019), and we also would like to explore some recent thinking around adjusted models of presbytery governance.

NORMAN CAMERON, Convener

CENTRAL PRAYER COORDINATION TASK GROUP

1. The Central Prayer Coordination Task Group was established by the General Council at its October 2017 meeting. Its remit was to examine the various prayer requests that go out centrally to congregations and individuals from PCI and to make recommendations as to how these can be coordinated.
2. The Task Group has met four times. Its membership includes congregational ministers; clerks of presbytery; council office bearers; the Press and Web Officer; the Deputy Clerk.
3. The titles of the various prayer requests that go out from the centre were collated, taking note of how they originate, the format/media they are communicated in, the frequency of publication, and the number of people who access each title.
4. The Task Group identified a there is a natural distinction between materials produced for private individual use and those produced for corporate use, such as in Sunday worship, mid-week services and small groups as well as a distinction between different types of prayer request – for instance some councils will have prayer requests that focus on individuals, some will focus on events.
5. The opinions of a number of young people who had attended the 2017 Youth Assembly were surveyed. Account was also taken of the helpful points arising from a discussion on the matter that had taken place within the Council for Congregational Life and Witness.
6. It has been concluded that print, email and social media (including the PCI website) all have valuable roles to play.
7. The Task Group presented some recommendations to the March meeting of the General Council, all of which were accepted. At the request of the Council the Task Group made further recommendations concerning practical implementation of the recommendations. The outworking of this will be as follows:
 - (a) A weekly prayer resource will be released by email each Thursday to ministers and others who request it. The format will enable it to be folded in two to make an A5 leaflet. It will be suitable for copying and distributing on Sundays at worship, and can also be used in other corporate settings, for example at midweek services or prayer meetings. It will be divided into seven daily sections so that, for personal use, there is a prayer topic for each day. Some congregations may wish to distribute copies to those who cannot attend church. The first section will include prayer based on the Moderator's diary and current topical matters. On the same front page will be the prayer topics for the Sunday. This will rotate around the work of the various councils through the year and include a link to a PowerPoint slide which can be shown at worship. The prayer topics for Monday to Saturday will include

five days each devoted to the work of the Mission Department, with the remaining day set aside for the work of other departments on a rotational basis. This weekly prayer resource will replace *Prayer for Today*, *Prayerline* and *Prayer Focus*, all of which will be discontinued.

- (b) Each department will have a designated amount of space, and will decide how to use that space, being responsible, as at present, for compiling its own prayer requests. The requests will be transmitted to the Creative Production Department which will publish them as above, and also on Social Media as in (e) below.
- (c) Departments will continue to be able to produce their own material for prayer. A distinction is made here between what is released generally from the centre (such as the weekly prayer resource), and what individuals have specifically to subscribe to in order to receive it (such as the monthly prayer letters from Global Mission Workers).
- (d) The *Presbyterian Herald* and *Wider World* will continue to include items for prayer.
- (e) With the main focus on personal use, the appropriate daily prayer from the weekly prayer resource will be included on the PCI Website, Facebook page and Twitter feed.
- (f) The printed *Prayer Handbook* is discontinued as the information in it is, by its very nature, quite general, and can be over a year out of date by the summer after publication. Print continues, however, to have a role to play. Up to date prayer requests in printed format can be made available in congregations through the weekly prayer resource and the Creative Production Department is being asked to consider how the *Presbyterian Herald* might provide a fuller printed version of prayer topics than it presently does.
- (g) The Creative Production Department is also being asked to consider how the content of the weekly prayer resource might additionally be distributed through a specific PCI Prayer App.
- (h) It is intended to implement these changes from 1st September 2018.
- (i) The General Council is continuing the Task Group in existence for a further period to monitor how things work out in practice and, if necessary, recommend changes.

JIM STOTHERS, Convener

USE OF CONGREGATIONAL PROPERTY BY OUTSIDE BODIES TASK GROUP

1. The Task Group is pleased to note that the relevant presbytery reports to last year's General Assembly show that all Kirk Sessions in Northern Ireland have adopted the Equality Policy.
2. Since the last General Assembly the Task Group has sought, through the General Assembly Solicitor, to ascertain the situation concerning equality legislation in the Republic of Ireland, and whether, and if so in what form, an Equality Policy, Guidelines for Kirk Sessions, and Licence Agreement templates might be drawn up for that jurisdiction.
3. It has regretfully come to the conclusion that it is not appropriate to issue such documentation. It is fully aware that some congregations have sought central guidance or even direction: the lack of this should not be interpreted as a lack of interest or concern for our congregations in the Republic. In fact the opposite is the case. The Task Group believes that the issue of central guidance or documentation could leave congregations in the Republic of Ireland exposed legally.
4. It should be recalled that the particular reason that the guidance and documentation was issued centrally for congregations in Northern Ireland, and the adoption of the PCI Equality policy was made compulsory for kirk sessions, was to be able to avail of particular provisions in the law in Northern Ireland. Those provisions do not exist in the Republic of Ireland, and so the same reason does not apply.
5. Taking the above into account, the General Council, on legal advice, has accepted that it is not possible for the General Assembly to issue documentation for use in the Republic of Ireland due to the different legislation that applies there; it also accepts that it is not appropriate for the Council to draw up an Equality Policy, Guidelines for use of Church Premises, or Licence Agreements for use in the Republic.
6. The Council advises that, if congregations in the Republic of Ireland require absolute certainty concerning risk, they may decide not to licence the use of premises at all to outside bodies.
7. The Use of Congregational Property by Outside Bodies Task Group has been thanked by the General Council for its services and discharged.

JIM STOTHERS, Convener

CHARITY REGISTRATION TASK GROUP

1. The Task Group did not meet formally during the year, but the Clerk, Financial Secretary and General Assembly Solicitor continued to keep a watching brief and offer advice as necessary.
2. The office-bearers continued to monitor progress regarding charity registration in the Republic of Ireland, where the situation remains largely unchanged since the report to the 2017 General Assembly. During 2016-17, the Charity Regulatory Authority (CRA) in the Republic of Ireland called forward and registered the General Assembly centrally along with those individual congregations that already had a separate CHY number. The bulk of congregations, along with the Presbyteries, were to be called to register at a later stage. A time-scale for this has yet to be set by the CRA.
3. The Finance Panel of the Support Services Committee issued, to all Presbyteries and congregations in Northern Ireland, detailed guidance notes for the use of congregations in making their annual financial returns to the Charity Commission for Northern Ireland. The first of these returns, relating to the 2017 financial year, are due in by October 2018.

JOHN HUNTER, Convener

HOLDING TRUSTEE TASK GROUP

1. The Holding Trustee Task Group is grateful to office-bearers in congregations and presbytery clerks for their work to date in carrying out a church wide survey on the trusteeship of congregational properties. A report was presented to the April meeting of the General Council indicating the responses received from presbyteries to the questionnaire sent to all congregations regarding their holding trustees, title deeds and any investments in the name of Presbytery Education Boards. The Council agreed that all presbyteries were to take steps to complete this exercise and report further, as necessary, to the Convener of the Task Group as soon as possible and by 31st October 2018
2. Analysis of the 449 questionnaires returned (94 not returned) provides the following information:
 - PCI's estate exceeds 1,600 congregational properties
 - Approximately 130 congregational properties have no deeds, or the deeds are missing
 - Although the Assembly recommends that the Education Board of the Presbytery should be appointed the congregational trustee (Code para 241(a)), Presbytery Education Boards are the holding trustees of less than 40% of congregational properties

- 14, or more, Education Boards hold congregational and/or presbytery investments (approx. £2.4m)
3. Issues concerning congregational property are often addressed to Presbytery Clerks and the Clerk of Assembly in the form of questions. These are a few examples of the questions that have arisen:
 - The deeds of our congregational property (and financial endowments) are in name of an Education Board of a Presbytery that no longer exists, what should we do?
 - Should holding trustees sign documentation for congregational loans and securities?
 - Can holding trustees be held personally liable if things go wrong?
 - Where should title deeds be stored and who can access them?
 - What requirements must be met before holding trustees can sign a lease on behalf of a congregation?
 - The Code states 'it shall be the duty of congregational trustees to carry out the lawful directions given to them on behalf of the congregation by the Congregational Committee' (Code Par 57). Do the trustees need access to independent legal advice?
 4. Discussions between the Convener of the Task Group, the Clerk of Assembly and the General Assembly's Solicitor, have concluded that it would be helpful to issue guidance regarding property matters, in the form of a booklet, to assist congregational committees, presbyteries, and holding trustees fulfil their roles. It is proposed that this would be done during the next year through the General Secretary's Department under the guidance of the General Assembly's Solicitor.
 5. The main reason for setting up the Holding Trustee Task Group was to examine the question that has been raised by Presbytery Clerks, often the Secretaries of Presbytery Education Boards, as to whether Presbytery Education Boards are fit for purpose as holding trustees of congregational properties and to seek advice regarding alternatives.
 6. Presbytery Education Boards operate under legislation drawn up under the Educational Endowments (Ireland) Act, 1885. The General Assembly's Solicitor has advised that there are other ways under which property can be held in trusteeship and modern legislation would be more flexible to meet the future needs of the church in a complex legal environment.
 7. It has also become clear that there are irregularities regarding the functioning of some Education Boards and there is need for a review of existing practices that would result in consistency throughout the church.
 8. Given the present situation and the legal advice that has been offered, it is proposed to ask the General Assembly to consult presbyteries regarding a proposal to bring all the Education Boards into one, or possibly two, holding trustee bodies. (It may prove necessary to have an NI body and an RoI body.) The terms of reference of the body

would be agreed by the General Council and, dependent on a positive outcome of the consultation, legislation could be drafted for the 2019 General Assembly or as soon as possible thereafter.

9. Any change to Presbytery Education Boards would not impact upon congregations wanting to appoint their own named trustees and, as at present, all trustees of church property would continue to be holding trustees, and unable to act without the instructions of the congregational committee.

ROBERT HERRON, Convener