

ASSEMBLY BUSINESS COMMITTEE MAY 2024

Proposed Deliverance

The General Assembly:

1. Receive the Report.
2. Approve the proposed Order of Business set out in the Order of Proceedings.
3. Appoint Mr Roy Pinkerton and Mr David Stewart to prepare and index a summary log of the Assembly. (Section 6.2)
4. Invite Commissioners to submit to the Procedure Committee via email: pcoffice@churchofscotland.org.uk by Monday 20 May at 12pm, nominations for consideration to serve on the Selection Committee.
5. Note the expenses levels for those attending at least 13 of the 17 General Assembly sessions in person. (Section 6.3)
6. Instruct all Presbyteries to work with the Office of the General Assembly and the Human Resources Department to establish consistency of terms and conditions across Presbyteries and to align as appropriate with the Central Services employment terms and conditions as well as to develop a competency and capability procedure. (Section 4)
7. Commend the Scottish Bible Society's global outreach to the generosity of congregations and members, and support the Society in its desire to work in partnership with congregations to encourage confidence in the gospel and in sharing the Bible. (Appendix A)

Report

1. RT REV SALLY FOSTER-FULTON

- 1.1 The Church of Scotland has been well served by the Rt Rev Sally Foster-Fulton as our Moderator.
- 1.2 From preaching at the presentation of the Honours of Scotland to His Majesty King Charles III, to meeting Pope Francis in Rome, Sally has represented the Church in high profile places. She has also been present to local congregations across the breadth of our denomination, listening to their hopes and fears about how they will be church in the months and years ahead. At all times, she has been a powerful voice and witness, offering welcome words of wisdom, comfort and of inspiration.
- 1.3 Sally has worked closely with our partner churches and sister denominations, most recently during a visit to Jamaica with the United Reformed Church and Scottish Episcopal Church, to understand more about the issues which continue around the legacy of slavery.
- 1.4 Taking up the role of Moderator required Sally to step away from her leadership of Christian Aid Scotland. We are grateful to all who enabled her to undertake this special ministry, but we are especially mindful of her husband Stuart, and of her children, whose love and care have enabled her to fully inhabit the role. As Sally prepares to pass on the duties and tasks of the office, the Committee thank her for all she has done on behalf of the General Assembly of the Church of Scotland.
- 1.5 At the 2023 General Assembly, Sally utilised a benediction inviting Commissioners to continue to approach the day and tasks ahead in the same spirit as they had participated in worship. To Sally we now say: the moderatorial year is over, let the service continue.

2. PRESBYTERY REPRESENTATION

- 2.1 The Presbytery returns show that there are in all 925 charges, whether vacant or not, and 184 other ministers (excluding retired ones) who are members of Presbyteries. Representation is calculated for each Presbytery in accordance with the Church Courts Act (Act VI 2023) and the total number of Commissioners is currently made up as follows: 231 ministers and 231 elders, with 13 Deacons being eligible for appointment along with the five most recent past Moderators.

3. NEW STANDING ORDER ON PROBATIONERS AND FAMILIARISATION CANDIDATES

- 3.1 The General Assembly of 2023 resolved:
 3. Instruct the Assembly Business Committee in consultation with the Legal Questions Committee and the Faith Action Programme Leadership Team to consider the issue of representation within the General Assembly, of Candidates in Training and Probationers, including the possibility of voting rights and to report to the General Assembly of 2024.
 4. Instruct the Assembly Business Committee in consultation with Legal Questions Committee and the Faith Action Programme Leadership Team to consider the issue of youth representation within the General Assembly, including the possibility of voting rights and to report to the General Assembly of 2024.
- 3.2 The Legal Questions Committee provided a paper to the Committee. Neither Committee thought that it was appropriate to alter our Presbyterian polity, and thus an obvious solution was touted: that it is for individual Kirk Sessions to decide whether a member of their congregation should be ordained to the eldership, taking their place in the governance of the Church at every level in the usual way as others discern they have the wisdom and skill to do so.

3.3 In proposing the solution of ordination to the eldership, both Committees recognise that this is not an entirely straightforward answer. Not all young people may be seen by their Kirk Session as being ready for ordination to the eldership and equally not all young people may wish or seek to take on the responsibilities of eldership. As assuming the office of eldership would mean that the young person takes their place in the governance of the Church, this is an important discernment for the Church to make. There are also difficulties for Candidates and Probationers: their relationship with a Kirk Session can become more tenuous as they take on placements and then undertake their fifteen month probation, so that the opportunity for them to become an elder, if not already one, may be diminished. At this time in their training it is perhaps appropriate that their responsibilities are suitable for their circumstances. Both Committees were also cognisant of the special rights to speak and move motions already afforded to Youth Representatives at the General Assembly by virtue of Standing Orders, whereas there are no such rights for Candidates and Probationers. Overall however neither Committee felt that these points outweighed the other considerations.

3.4 The Committee decided that it does wish to offer the right to attend Assembly to Probationers, i.e. rights to attend, speak and move motions, but without voting rights. Candidates were not included but will know that this opportunity awaits them during their Probation.

3.5 On consultation with Faith Action staff on behalf of the Faith Action Programme Leadership Team (FAPLT), queries were raised about expenses. In addition, the question of whether Familiarisation Candidates should also be given the opportunity to attend on the same basis as Probationers was highlighted. Both of these points have been addressed: the Committee has decided that Familiarisation Candidates will be included and expenses will be met as if Probationers and Familiarisation Candidates were Commissioners. Some discretion is to be afforded to FAPLT in selecting exactly who attends annually, albeit it is stated that each Probationer and Familiarisation Candidate may attend only one Assembly in that capacity.

3.6 A new Standing Order has been drafted and this is set out at Appendix B. It is numbered 35A to avoid renumbering the bulk of the Standing Orders, as people are understood to be generally familiar with the overall numbering. As directed by Standing Order 128, the accompanying section of deliverance appears in the Report of the Legal Questions Committee.

4. PRESBYTERY DEVELOPMENT

4.1 The General Assembly of 2023 noted the work undertaken to date by the Presbytery Development Group in implementation of sections 12 [*terms and conditions of employment for Presbytery Clerks*], 13 [*training and support for Presbytery Clerks*] and 14 [*code of practice and capability process for Presbytery Clerks*] of the Assembly Business Committee's deliverance at the General Assembly of 2022, and instructed the Assembly Business Committee to bring a further report to the General Assembly of 2024.

4.2 Development of the newly formed Presbyteries is a continual process and, if the new Presbyteries are to be effective, it must begin with a solid foundation across them all. That solid foundation is about good governance in the Presbytery as well as the competence of the Clerks and all who serve and work for the Presbytery, whether as a member of Presbytery or as an employee. A clear understanding of the role of a Clerk is essential. The role of the Clerk brings with it a responsibility for maintaining good order and consistent practice and procedure within the Presbytery. The Clerk is the servant of the court at all times and must set any 'leadership role' within that context. The Clerk is a giver of advice, not a maker of policy. The Clerk has a duty to be constantly informed about the law and procedures of the Church and to give impartial advice on them to all members of Presbytery, when requested and required. In the course of their work, a Clerk must maintain objectivity, discretion and confidentiality. At the same time, a Clerk must act pastorally in carrying out their duties. Knowing where, and from whom, to seek guidance within the wider structures of the Church is wise, and not weak; the Office of the General Assembly is always available for advice and support. The duties and responsibilities of the Clerk are onerous and those who are carrying out the role in the name of the Church have taken on a significant task. As such they are entitled to good line management, guidelines for their role and practice, and Continuing Professional Development to support them in achieving best practice and in keeping up to date with the law and practice of the Church.

4.3 Induction training for Presbytery Clerks has been put in place by the Office of the General Assembly. The first session of this training was held in November 2023 for three newly appointed Presbytery Clerks, and will be repeated as and when new Presbytery Clerks are appointed. The initial session received positive feedback, and the training will continue to be developed and assessed for its effectiveness.

4.4 Development of a Code of Practice and a capability process involves work across a number of agencies. This work is in process between the Assembly Business Committee, the Legal Questions Committee and the Human Resources Department, and will involve consultation with Presbyteries.

4.5 Proper accountability is an essential component of good governance in any organization. Our Kirk Sessions are accountable to their Presbyteries through the Local Church Review process. Consistent accountability suggests that Presbyteries in their turn should be accountable to the General Assembly. The Legal Questions Committee has undertaken extensive work since 2016 to create a fit for purpose Presbytery Review process similar to the existing Local Church Review process. The Assembly Business Committee welcomes this work, and the report of this year's Legal Questions Committee which will introduce a draft Presbytery Review Act and a one-year pilot and consultation process.

4.6 The formation of the new Presbyteries has been a gradual process over 2022 and 2023, and this fluid process resulted in a divergence in the terms and conditions of employment for the new full time Clerks. Working together, the new Presbyteries, the Human Resources department and the Office of the General Assembly have achieved a measure of coherence in the terms of those contracts. This good practice, and formation of good working relationships

in the process, is to be commended. It is to build on this positive momentum that we bring a deliverance seeking an instruction that this good practice be established as routine process.

5. PROPERTY

5.1 Moderator's Residence

5.1.1 Last year's General Assembly approved the Committee's proposal to sell the Moderator's Residence at Rothesay Terrace, invest the proceeds and acquire a replacement, preferably by repurposing a property already owned by the Church. Unfortunately, on closer inspection, the furlough flat at Grange Loan Gardens administered by the World Mission Overseas Staff Trust proved to be unsuitable for a wheelchair user without substantial re-modelling of the doorways and corridors; and none of the other furlough properties met the Committee's specifications for long-term, accessible accommodation. A suitable furlough flat at Inverleith Row has been reserved, however, for the Moderator Designate during his term of office in 2024/25. The Committee will continue to investigate other possible properties, including redundant manses. Meanwhile, the property at Rothesay Terrace will be put on the market after the General Assembly.

5.2 Assembly Hall

5.2.1 The Committee has continued its review of the long-term future of the Assembly Hall, noting attempts over the past twenty years to offset the building's running costs by hires to external users, particularly during the Edinburgh Festival, including partnership with a letting agent.

5.2.2 Between 2014 and 2023 total expenditure on the Hall amounted to £1.4 million, of which annual repairs and maintenance accounted for £650,000; insurance was a significant cost, increasing from £36,000 in 2014 to £53,000 in 2023, a large premium for a building used by the Church for less than three weeks each year. The total cost included in the Church's budget for the Hall operation for the period 2024 to 2027 is currently just over £1 million. Repair and maintenance costs are likely to increase due to cost inflation, particularly in the building trades.

5.2.3 Generating higher levels of income in competition with state-of-the-art conference venues in Edinburgh is hampered by the building's lack of catering facilities, breakout rooms and exhibition space, as well as accessibility. While the maintenance needs of the Hall are ably met by our architect and regular statutory checks are carried out by the Estates Department; new health and safety measures are likely to place additional responsibilities on operators of premises with a capacity of more than 800.

5.2.4 Since much of the plant, equipment and furnishings require to be renewed in the foreseeable future, a capital expenditure plan and rolling maintenance programme was drawn up in 2019. This anticipated future expenditure on big-ticket items such as the air-conditioning and ventilation system, seating, floor coverings and lighting. Pending greater clarity about its future, however, the Committee is currently only authorising essential expenditure on the Hall. It no longer has the capacity to accept one-day lets.

5.2.5 Tentative conversations have taken place with a third party about a possible long-term lease of the building that would relieve the Church of its financial responsibilities, while ensuring that the title and the right to use the refurbished Hall for the General Assembly are retained. The Committee continues to investigate all options for the Hall's future, including these discussions.

5.2.6 In 2019 a report and valuation were commissioned from Colliers: this found that the property was generally wind and watertight and provided serviceable accommodation, but would benefit from significant internal refurbishment. However, modernising the Hall would have a significant capital cost.

5.2.7 At the Committee's request, last year the General Trustees surveyed the Hall's condition and reviewed its maintenance liabilities. This confirmed that the external envelope is generally in good condition with no major expenditure anticipated within the next decade, but commented that the Hall appears to be under-utilised and would benefit from internal refurbishment to make it fit for purpose in the 21st century. This would require considerable investment, including measures to reduce energy usage and heat loss and ensure that there is disabled access to all parts of the building. At the time of writing the Committee is seeking an Energy Performance Certificate for the Hall and is collaborating with the Net Zero Strategy Group.

5.2.8 The Committee is concerned to be a good steward of this iconic asset but must acknowledge that the Hall is a serious drain on scarce resources at a time when the Church has other priorities. Despite extensive efforts by the Committee over the years, the building continues to be unable to generate enough income through external lets to offset more than a small fraction of its running costs; granting an extended lease to the Hall's only significant tenant would result in the loss of the building's rates exemption, assessed in 2019 at £79,000. To fund replacement of its obsolescent plant and furnishings, invest in the facilities required of a modern conference venue and improve the building's energy efficiency, the Church would have to be prepared to invest substantial sums without any guarantee that this expenditure would raise enough additional revenue in the highly competitive Edinburgh marketplace to lead to a significant reduction in its annual deficit.

5.2.9 In 2016 the Assembly Arrangements Committee reported no apparent wish across the Church to move the General Assembly from the Assembly Hall in Edinburgh, advising that without greatly reducing the numbers attending, the logistical challenges and cost of moving to other locations could not be justified. The Church is now in a very different situation. At the local level, much-loved church buildings are being closed and disposed of as congregations and Presbyteries respond to the challenge of delivering the Five Marks of Mission with fewer resources. While it remains to be seen how the role of the General Assembly will evolve to take account of the creation of fewer, much larger Presbyteries, the current configuration of the Hall tends to dictate its culture and limit the scope for reform. There are also fewer Commissioners now than at the time of the 2016 Report; and unless there is an increase in ministerial numbers and in the funding required to support them, that number is likely to continue to decrease. Another major

change affecting the number who require to be accommodated in the Hall has been the introduction, consequent on the COVID-19 pandemic, of hybrid meetings: in 2023, for example, nearly one quarter of Commissioners participated on-line. As a result, the Church no longer requires a space as large and costly to maintain, let alone modernise, as the current 1000-seat Assembly Hall.

5.2.10 In the light of this changed context, the Committee proposes to consult further over the next year and report back to the 2025 General Assembly with proposals for the long-term future of the Hall.

6. ASSEMBLY ARRANGEMENTS

6.1 Risk Assessment

6.1.1 A thorough risk assessment has been prepared which sets out in detail the risks which are present by a large-scale gathering in the General Assembly Hall, and outlines steps taken to reduce the identified risks to acceptable levels. The Committee continues to monitor all relevant guidance, advice and changes in legislation, and keep the Risk Assessment under regular review in consultation with the Church of Scotland's Health and Safety Manager. A copy of the Risk Assessment for the General Assembly of 2024 can be found on the additional documents section of the 2024 General Assembly section of the Church of Scotland website.

6.2 Logging the Assembly

6.2.1 Advances in technology have impacted on the way in which a permanent record of the Assembly is preserved, and it is no longer in order to talk, as in the past, of a distinct 'verbatim record'. Instead, the permanent record of the Assembly now consists simply of the series of video recordings to be found in the public domain on the Church of Scotland website within the General Assembly section. To enable the exact location within these recordings of specific sections of the business to be easily accessed, the Committee has made arrangements for a summary log of the whole Assembly to be produced, along with an index of speakers and an index of reports and other business.

6.3 Commissioner Expenses

6.3.1 Expense rates for those participating in the Assembly Hall at the General Assembly of 2024 will be a maximum of £100 per night for accommodation and a limit of £20 each day for out-of-pocket expenses. When Commissioners are staying with family or friends, a total allowance of up to £80 may be claimed towards a token gift for hosts. Attendance at 13 of the 17 sessions will be required for any expenses to be authorised.

6.4 Circulation Breaks

6.4.1 The Committee has arranged for tea and coffee to be available in the Rainy Hall during circulation breaks. In order to serve as many people as possible, those present in the Hall are requested to have a contactless device available as they order their beverage. Coffee and tea is available for £2.25 and £1.75 respectively; bottled water is available for £1.50. Drinking water is also available throughout the building where indicated.

6.5 Publications Timetable

6.5.1 The Committee are conscious of the vying demands on Commissioners' time, and appreciate that many would value having more time with reports prior to the General Assembly in order to prepare. The Committee hold to the principle that as soon as reports are able to be put online, this occurs. All reports will be available at least two weeks before the General Assembly opens, with most being available prior to this. The Committee hope this provides Commissioners with enough time to read the reports and prayerfully consider their content.

6.6 Bookstall, Events and Exhibitions

6.6.1 In addition to Cornerstone Bookshop in the Rainy Hall, an exhibition space has been created in the Martin Hall. In-person Commissioners are warmly invited to explore the CrossReach Heart for Art Gallery and various resource stalls during circulation breaks and at lunch times. In addition, a full fringe event programme is in operation, details of which can be found on the 2024 General Assembly section of the Church of Scotland website. The Committee are exploring mechanisms by which online Commissioners might also engage with these opportunities.

6.7 Mr John Williams – 50 Years of General Assemblies

6.7.1 The Committee wish to gratefully mark the 50th General Assembly at which Mr John Williams has provided his skills and expertise in ensuring the Audio and Visual capability is of the highest possible standard. John's knowledge of the Assembly Hall is second to none, gained through many hours of dedicated commitment. His technical expertise was heavily relied upon during the height of the Covid-19 pandemic, which saw the Church of Scotland move to fully online and then hybrid General Assemblies. Throughout this time, John worked hard to ensure that joining remotely did not impede the experience for Commissioners. Despite serious health concerns, John faithfully attends Committee and Sub Group meetings, where his advice is offered with wisdom and grace. The Committee thank John for all his efforts, and assure him of their continued prayers as he undergoes his treatments.

6.8 Depute Chief Steward

6.8.1 Mr Neil Proven tendered his resignation as Depute Chief Steward following the 2023 General Assembly. The Committee are grateful to Mr Proven for his tenure as Depute Chief Steward. We are working with the Chief Steward to ensure an open and transparent recruitment process to identify a successor. The Committee are grateful to Mr Simon Bolam, who has agreed to assume the responsibilities of Depute Chief Steward for the 2024 General Assembly.

6.9 Communion

6.9.1 As directed by Standing Order 21, the Committee has arranged for the celebration of the sacrament of the Lord's Supper to take place at 9:15am on Monday 20 May. Individual glasses with non-alcoholic wine and gluten-free bread will be dispersed to those gathered on the ground floor and in the East (Public) and North (Throne) Galleries of the Assembly Hall. Those participating remotely are warmly encouraged to provide their own elements and to have them ready to participate when directed by the Moderator.

7. EX OFFICIO SEAT ON THE ASSEMBLY TRUSTEES

7.1 The Convener of the Assembly Business Committee is an ex officio Assembly Trustee. The Convener undertook this role from his appointment in May 2023 until October 2023. At that time, the Convener was appointed as Chaplain to the UK Oil and Gas Industry, in which he is employed by the Church of Scotland, and seconded to the Oil and Gas Chaplaincy Trust. As an employee of the Church of Scotland, the Convener is ineligible to be an Assembly Trustee. Committee member Rev Dr John Ferguson kindly agreed to complete the Convener's term until the 2024 General Assembly.

8. REVIEW OF THE ROLE OF THE MODERATOR

8.1 PRESBYTERY MODERATORS

8.1.1 One of the recommendations from the review of the role of the Moderator was that: 'the Moderator should seek to build up stronger relations with Presbytery Moderators'. An online meeting took place between all the Presbytery Moderators in post at January 2024 and the Moderator of the General Assembly. This was a friendly and constructive meeting which all present said they found very helpful. It also resulted in the Presbytery Moderators seeking to build better relations between themselves, and a WhatsApp Group has now been established. A further meeting is planned, and it is hoped that these gatherings will take place on an occasional basis going forward.

In the name of the Committee

MICHAEL J MAIR, *Convener*
SHEILA M KIRK, *Vice-Convener*
FIONA E SMITH, *Secretary*

Appendix A

REPORT OF THE SCOTTISH BIBLE SOCIETY

'All this is from God, who reconciled us through Christ and gave us the ministry of reconciliation'

(2 Corinthians 5:18)

'God's word – reconciliation for the world' was the theme of the United Bible Societies World Assembly, held in the Netherlands last October. The theme would be relevant at any time in our troubled world, but imagine the poignancy when representatives from our three Bible Societies in the Bible Lands were not able to come because the war broke out just days before we met.

380 of us from 138 different countries were able to meet, and the joy and excitement in the room was palpable. We discussed topics integral to our mission: Bible translation; Bible distribution; Bible engagement and mission resilience; alongside global issues which impact our work: digital developments; migration and creation care. Drawing on the wisdom and experience of so many from different cultures and church traditions was enriching. We are a diverse, scattered group; united around our vision of 'The Bible for Everyone' and our conviction that the Lord Jesus reconciles us to God in the power of the Holy Spirit.

The SBS Board Chair attended for the first time and said, 'My enduring memory will be of the international dimension of our work being brought to life'.

We continue to pray for those Bible Societies who minister in conflict areas as we admire their fortitude and trust in God. The Israeli Bible Society, the Palestinian Bible Society and the Arab Israeli Bible Society are all doing what they can to continue to minister to their communities and bring Christians together from across the divides. Amidst these tumultuous times, stories of faith, compassion and unity shine as beacons of hope. They say, 'we want to build communities of forgivers and peacemakers.'

Our colleagues in Ukraine continue on undaunted. Despite the war, they have launched a new contemporary translation of the Bible in Ukrainian. They say, 'Our sincere prayer is that God continues to speak to the hearts of our nation through His word in this translation'.

Through our appeals we have been able to give significant practical support to the Bible Societies in Bolivia; Burkina Faso and Egypt. And through the generosity of our supporters, we have again been able to keep the cost of Bibles in China affordable through contributing to the cost of paper for printing. These are all ways in which we help other Bible Societies share the Bible in their own context.

Here in Scotland, we have added Luke's gospel to our selection of magazine-style, easy-to-read gospels. Churches use these in a variety of ways, but primarily to share the Bible with those who are either new to the Bible or do not find a full Bible easy to access. Our prayer is always that these gospels will lead people to Jesus.

We are excited about 'Bibles for Bairns'. When a baby is registered with us (born in specific years) they receive a 'Share the Story' Bible on their first birthday. For birthdays 2, 3 and 4 they will get an age-appropriate gift to help the family continue to engage with the Bible. On their 5th birthday they will receive a children's Bible, just as they are learning to read themselves.

Must Know Bible Stories, our educational resource, is proving a hit with staff and pupils alike. Along with the resources, we are able to offer schools an RME day so that teachers see children interact with the Bible and gain insights into how to use the resources well.

'Field Guide to the Bible' is aimed at helping teenagers navigate the Bible well. We were able to give 1,000 copies away at Magnitude, the SU Scotland festival, and youth leaders are finding it to be a useful tool.

Recent research is showing that people in their 20s and 30s are reading the Bible in greater numbers than we might expect. They are not in church physically but may explore church online. We are working with other Bible Societies in similar mission landscapes to find ways to connect with these folk. God is at work, reconciling the world!

We are grateful to every individual and congregation who stands with us in prayer and financial support. We look forward to ways we can partner together in sharing the Bible in the year ahead.

Appendix B

(d) PROBATIONERS AND FAMILIARISATION CANDIDATES

35A. Status

- (i) Persons who are, or have very recently been, (a) in training for Ministries of Word and Sacrament or for the Diaconate and undertaking a Probationary placement ("Probationers"), or (b) Admissions candidates undertaking a Familiarisation placement ("Familiarisation Candidates"), shall be entitled to attend the General Assembly with rights as set out below.
- (ii) The Faith Action Programme Leadership Team shall supply to the Assembly Clerks by 31 March each year the names of those Probationers and Familiarisation Candidates which it proposes attend that year's Assembly. Each Probationer and Familiarisation Candidate shall attend only one Assembly in that role.
- (iii) Probationers and Familiarisation Candidates shall be entitled to speak and move motions but not to vote:
 - during debates on Committee Reports
 - during debates on Overtures
- (iv) Probationers and Familiarisation Candidates shall not be entitled to speak, move motions or vote:
 - during debates on Petitions or cases
 - during debates on matters affecting General Assembly procedure or Standing Orders
- (v) Probationers and Familiarisation Candidates shall not be members of the Commission of Assembly.

Oversight

- (vi) The Faith Action Programme Leadership Team shall take responsibility for Probationers and Familiarisation Candidates and shall extend to them appropriate hospitality. Their accommodation, travel and subsistence expenses will be met as if they were Commissioners.