

JOINT REPORT OF THE FAITH ACTION PROGRAMME LEADERSHIP TEAM AND THE LEGAL QUESTIONS COMMITTEE MAY 2025

Proposed Deliverance

The General Assembly:

1. Receive the Joint Report.
2. Pass an Act amending the Presbytery Mission Plan Act (Act VIII 2021), as amended, as set out in the Appendix (Section 1.2).
3. Repeal the Local Church Review Act (Act I 2011).

Report

1.1. Work has been undertaken jointly between the Presbytery Mission Plan Implementation Group and the Legal Questions Committee on amendments to the Presbytery Mission Plan Act (Act VIII 2021).

1.2 The proposals can be explained as follows:

1.2.1 The definition of “vacancy” is aligned with that found in the new Vacancy Act, also being proposed by FAPLT this year: ie the Call, Election and Appointment of Ministers of Word and Sacrament Act. Consequentially, a new definition of “Permission to Call” is also needed.

1.2.2 Amendments are suggested to section 2.2.1 of the Act, to require Presbyteries to take account of the Core Principles in their Mission Plan. These of course already exist as a Code of Practice for Mission Planning and are found on the Church website (under <https://www.churchofscotland.org.uk/resources/presbytery-planning/presbytery-mission-plan-act-guidance-code-of-practice>). In particular, in connection with proposals on insolvent congregations found in the Report of the Assembly Trustees, in light of the Church’s financial situation, Presbyteries are asked to take particular note of the Principle on Financial Responsibility. The Principles will be annexed to the Act as a second Schedule, for ease of reference.

1.2.3 It is proposed that the Local Church Review process, which has become too cumbersome and time-consuming and which is severely back-logged within Presbyteries, be replaced by a simpler requirement for each charge to have an Action Plan. This is brought into section 2.1.1 of the Act, as something to be taken account of in addition in Mission Planning. The Action Plan would express the vision of a charge for its Mission over at least the next five years, taking account of the resources available in terms of personnel, property and finance, and also of the Approved Mission Plan for the Presbytery. A template is available. It is hoped that if each charge has an Action Plan, this will enable Presbyteries better to understand, assess and support their charges. The Local Church Review Act (Act I 2011) will be repealed.

1.2.4 Further amendments are included to ensure that FAPLT and the General Trustees have up to date copies of Mission Plans and that Stewardship & Finance in the national offices have an understanding of which charges have Permission to Call and thus are entitled to Vacancy Allowance, whether for a locum or pulpit supply.

1.2.5 There has been a lacuna in the Act around amendments to Mission Plans taking place outwith the cycle of annual and five-yearly evaluation and review. It is clarified that such a change to a Mission Plan gives rise to the normal right of review.

1.2.6 The opportunity has been taken to tidy up the wording of section 7(10) – the definition of Team Ministry. A charge where there is a Team Ministry will be known as a Team Ministry Charge (some existing Bases will have terminology which thus becomes superseded but it is hoped that this will be ironed out over time). Provisions have been included about when the role of Moderator of the Kirk Session may change. Overall, it is hoped that the new wording will be easier to understand and apply.

1.3 A proposed amending Act is found in the Appendix.

In the names of the Faith Action Programme Leadership Team and the Legal Questions Committee

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Appendix

[] ACT AMENDING THE PRESBYTERY MISSION PLAN ACT (ACT VIII 2021) (AS AMENDED)

Edinburgh, [] May 2025, Session []

The General Assembly hereby enact and ordain that the Presbytery Mission Plan Act (Act VIII 2021), as amended, shall be further amended as follows:

1. *Add new definitions in section 1.1:*
 ““Action Plan” shall mean an Action Plan expressing the vision of a charge for its Mission over at least the next five years, taking account of the resources available in terms of personnel, property and finance, and also of the Approved Mission Plan for the Presbytery;
 “the Core Principles” shall mean the principles set out in the Code of Practice for Mission Planning found on the Church of Scotland website, which are replicated in Schedule 2 to this Act;
 “Permission to Call” shall mean permission to call and elect a Minister of Word and Sacrament granted by the Presbytery’s Vacancy Procedure Committee or the Presbytery in line with the terms of the Approved Mission Plan.”
2. *Delete the existing definition of “vacancy” at 1.1.s) and substitute:*
 ““vacancy” shall mean a charge which is without an inducted minister and which has been granted Permission to Call, and shall include the situation of a prospective vacancy with Permission to Call where an Interim Moderator has been appointed under section 7(1) of the [Call, Election and Appointment of Ministers of Word and Sacrament Act (Act [] 2025)], as well as the situation with Permission to Call where a member of a Team Ministry has demitted or translated from his or her Role, and “vacant” shall be construed accordingly;”
3. *Delete the existing section 2.1.1 and substitute:*
 “2.1.1 A Mission Plan shall describe how in that Presbytery the Church of Scotland’s engagement with Christ’s mission is to be shaped and resourced in the following five years and to that end shall:-
 i) ensure that the life of the Church of Scotland is shaped around Mission;
 ii) take account of the Core Principles and reflect these in the content of the Mission Plan;
 iii) take account of each charge’s Action Plan;
 iv) sustain the commitment to a territorial ministry as described in the Third of the Articles Declaratory appended to the Church of Scotland Act 1921 and affirmed in Declaratory Act V 2010, including its commitment to ecumenical working;
 v) make appropriate use of such ministry posts as may be permitted by the General Assembly so that the number of post holders in each Presbytery conforms to the numbers and timescales set by the General Assembly; and
 vi) ensure that new ways of being Church, other than stipendiary Ministers of Word and Sacrament or traditional MDS appointments, are reflected in the Mission Plan.”
4. *Insert a new section 2.5 and renumber the existing section 2.5 as 2.6:*
“2.5 AMENDMENT OF A MISSION PLAN
 2.5.1 Whenever a Presbytery amends its Mission Plan outwith the cycles of annual and five-yearly evaluation and development, it must send a copy of that Plan to FAPLT and the General Trustees.”
5. *In the existing section 2.5, to be renumbered as 2.6, add new sections 2.6.4 and 2.6.5:*
 “2.6.4 Presbyteries are required to present, for information, the most up to date version of their Approved Mission Plan to the Presbytery, to FAPLT and to the General Trustees, by 30th June each year; this is a requirement irrespective of when the cycle of annual or five-yearly evaluation and development takes place and irrespective of when amendment to the Approved Mission Plan takes place.
 2.6.5 Presbyteries are also required to present, for information, to FAPLT and to the Stewardship & Finance Department at the national offices, by 30th June each year, an annual return stating which charges in their Presbytery are vacancies, in terms of the definition in section 1.1 s) of this Act, ie vacancies which have been granted Permission to Call.”
6. *After section 2, insert a new section 2A:*
“2A ACTION PLANS
 2A.1 Each charge shall have a five year Action Plan that brings together the vision of the charge for its mission, worship, life and service taking account of its present position, its capacity and finances. The Action Plan shall set out aims/objectives, a timescale for achievement, notes of annual progress reviews and a traffic light indicator of status, in each of the following areas:
 - Worship & Teaching
 - Pastoral Care & Fellowship
 - Youth & Children
 - Local Mission/Community Outreach
 - Wider Mission, including Ecumenism and Interfaith relations (as applicable)
 - Finance
 - Communications
 - Property

- HR/Staffing within the charge eg MDS, Reader, locally employed staff
- Relationship with provisions of Approved Mission Plan for Presbytery

2A.2 The Kirk Session of the charge will initially prepare its Action Plan, and then submit it to the Presbytery for their evaluation, comment and support. After consultation with the Presbytery the Kirk Session will approve their five year Action Plan. Thereafter the Action Plan must be reviewed and updated annually in an ongoing process of reflection, planning & action by the Kirk Session with support, encouragement and input from the Presbytery as it sees fit and in light of the Presbytery's Functions and Responsibilities as set out in section 10 of the Church Courts Act (Act VI 2023). The Action Plan must be submitted to the Presbytery as part of the annual attestation of records."

7. *Amend section 3.1 to read:*

"3.1 Within fourteen days of the date of the Presbytery meeting at which one of the following has been recorded:

- (a) the agreement of FAPLT and the General Trustees to the Mission Plan; or
- (b) the approval by Presbytery to an annual evaluation and development of the Mission Plan; or
- (c) the agreement of FAPLT and the General Trustees to a five-yearly evaluation and development of a Mission Plan; or
- (d) the approval by Presbytery to an amendment of the Mission Plan outwith the cycles of annual and five-yearly evaluation and development;

it shall be open to any twelve or more members of the Presbytery or to any Kirk Session within its bounds to seek a review of the process used by the Presbytery in preparing and approving the Mission Plan (or its annual or five-yearly evaluation or development, or its amendment, as the case may be). This shall be done by sending intimation to the Principal Clerk (who in turn shall inform FAPLT and the General Trustees in the case of a first agreement to a Mission Plan or a five-yearly evaluation and development of a Mission Plan)."

8. *Delete the existing section 7(10) and substitute:*

(10) TEAM MINISTRY

"A Mission Plan may provide that a particular charge shall be a Team Ministry Charge, meaning that within the charge there shall be Team Ministry. The following shall apply to a Team Ministry Charge:

- (i) In a Team Ministry there shall be posts for at least two Ministers of Word and Sacrament, known as Team Ministers, each fulfilling a separate Team Ministry Role.
- (ii) The terms under which a Team Ministry Charge will operate, including the detailed remit of each Team Ministry Role, shall be set out in a Basis of Team Ministry. The Basis shall include a dispute resolution mechanism. The Basis shall be exhibited to all proposed members of the Team prior to the Team Ministry Charge being established. Any person who is considering joining an established Team Ministry shall have the Basis of Team Ministry exhibited to them.
- (iii) The Team Ministers shall be appointed in one or other of the following two ways:
 - (a) the Team Ministers may be called through the vacancy processes set out in the [Call, Election and Appointment of Ministers of Word and Sacrament Act (Act [] 2025)], or
 - (b) where the Team Ministry Charge is being created by a union of existing charges and where there are at the time of the proposed union, minister(s) inducted to one or more of those charges with unrestricted tenure, it shall be competent for the Presbytery to create the Team Ministry Charge to include a Role(s) for such minister(s) in respect of which such minister(s) shall have unrestricted tenure subject to their agreement to the Basis of Team Ministry.
- (iv) The Team Ministers shall share the same congregation and the same Kirk Session, shall be part of the same Church life and shall be of equal standing in the Team Ministry.
- (v) Roles within the Team Ministry Charge may be designated part-time and/or may be job-shared.
- (vi) Except in the case of job-sharing, the Basis of Team Ministry shall identify one of the Team Ministry Roles as supplying the Moderator of the Kirk Session. This may only be changed as follows:
 - (a) The Team Minister who holds the Role which supplies the Moderator may on occasion as required delegate the moderating of a meeting of the Kirk Session (or of a particular item of business) to another member of the Team Ministry.
 - (b) Where a Basis of Team Ministry is being reviewed by Presbytery in accordance with paragraph (xi) below, a change in the Role of Moderator may be negotiated if the Team Minister(s) in post so agree(s).

The minister(s) not holding the Role that provides the Moderator shall be entitled to vote at meetings of the Kirk Session unless they are moderating the meeting under sub-paragraph (a) above.

(vii) Where any Role in the Team Ministry becomes vacant, the other Team Ministers shall not have any right to succeed to that Role but shall be entitled to apply for it through the vacancy processes set out in the [Call, Election and Appointment of Ministers of Word and Sacrament Act (Act [] 2025)].

(viii) Presbyteries shall in designing a Team Ministry Charge consider how the participation of those other than Ministers of Word and Sacrament may support and assist the Team Ministry, and thus a Team Ministry Charge may also include Deacon(s), Ordained Local Minister(s), MDS appointment(s), and such other appointment(s) as may be deemed appropriate by the Presbytery and agreed during the Mission Plan process. For the avoidance of doubt, a charge which is staffed by a ministry team comprising only one inducted parish minister (who shall be the Moderator of the Kirk Session) and one or more Deacon, Ordained Local Minister appointment, MDS appointment

and/or such other appointment(s) as may be set out in the Mission Plan, is entirely valid but it is not a Team Ministry Charge for the purposes of this section 7(10).

(ix) Each Team Minister shall occupy the manse provided for their use.

(x) A Team Ministry Role, save for any exception at (iii) (b) above, shall be subject to a Basis of Reviewable Charge in the terms set out in section 9(1) of this Act.

(xi) A Basis of Team Ministry shall be reviewed by the Presbytery as follows:

(a) At regular intervals, at least every five years, to ensure it remains apposite, and

(b) On the occurrence of a vacancy in a Team Role.

Where following such review, the Presbytery wishes to amend the Basis, it may do so where the Presbytery has first consulted with the Team Ministers and Kirk Session, provided always that the Presbytery may not amend the Role of an existing Team Minister without his or her consent."

9. *Number the existing Schedule as Schedule 1 and insert a new Schedule 2 as follows:*

"5.3.1 Presbytery, FAPLT and the General Trustees must prioritise Mission (as defined in section 1.1 (n) through the Mission Plan process. No area of church life is exempt (see section 1.1(r)). Everything in this Schedule should be read in the light of, and is subordinate to, section 2.1.1.

5.3.2 **Communities:** Every community of every size in every location within Scotland is part of a Church of Scotland Parish. While population should no longer be the only principle in shaping Mission Plans, it still remains the starting point. Our calling as a church is not primarily to resource congregations: it is mission to everyone in the land.

5.3.3 **Ecumenism:** "The Commission readily acknowledges that reaching the people of Scotland is an ecumenical task and one to which the Church of Scotland contributes along with other denominations as partners in the gospel". If a particular community is well served by another denomination, there may be no need for the Presbytery to duplicate that. Where a community is equally well served by the Church of Scotland and another denomination the Presbytery should explore what local possibilities there might be for recognising each other's ministry so that resources can be used elsewhere. The General Assembly of 2021 instructed the Faith Nurture Forum, now FAPLT, when developing principles for Presbytery Mission Planning, to include a principle of ecumenical working, bearing in mind the Lund Principle, affirming that churches should act together in all matters except those in which deep differences of conviction compel them to act separately. That same deliverance also encouraged the forming of local Mission Communities and regional Covenant Partnerships as outlined in the Report of the Ecumenical Relations Committee to the General Assembly of 2021.

5.3.4 **The poor:** The General Assembly has repeatedly affirmed that the gospel imperative is priority to the poor. At a time when resources are scarce, it is tempting to take away from the most marginal communities where churches are often very fragile and small. However pressing the reasons may be locally, this must be resisted because it makes a mockery of the gospel and the repeated commitments of the General Assembly. However, as in every part of the Church, this does not mean that existing patterns of ministry should not be evaluated and reviewed and different forms of church life introduced.

5.3.4 **Whole people of God:** One aim of the Act is to assist the church in making the most effective use of paid ministries. However, this takes place in the context of the ministry of the whole people of God. The Special Commission on the Third Article Declaratory, in 2010, noted that "the living out of the commitment of Article III may well involve an increasing number of communities where the ministry is exercised largely by the eldership and membership of the Church, albeit under the oversight of an ordained minister." (8.5.6) Therefore a further principle to guide Presbyteries in their deployment of ministries is how they might be used to encourage and enhance the ministry of the whole people of God. This sharing of talents may be across a wider area than a parish – some Presbyteries are developing the idea of Mission Districts, on which more information will be available later.

5.3.5 **Congregations:** The church has "a commitment to maintain worshipping, witnessing and serving Christian congregations throughout Scotland." One of the ways in which the gospel finds visible expression is in committed congregations under the power of the Holy Spirit. They both express the gospel and commend the gospel. In their Planning, Presbyteries will identify congregations that are outward looking, which engage with their communities and the wider church and consider how they might build on these strengths.

5.3.6 **Mixed economy:** Whilst affirming the importance of the Parish system and recognising the importance of a sense of 'place' the General Assembly stated that this needs to be expressed in a variety of ways. Martyn Percy, an Anglican scholar, says: "For the Church to find its place in the modern world, it will have to create new spaces for new communities and different opportunities for differentiated niche groups." While in many communities the sense of place is best expressed in something physical and tangible, that is not universally true. The Church will need, for example, to discover how to relate to those whose belonging is primarily through networks or the virtual world.

5.3.7 **Financial responsibility:** Presbytery Mission Planning does not mean ensuring that congregations which make a net contribution to central funds take priority. Nonetheless a degree of financial realism is required and it is appropriate that some consideration is given to congregational financial responsibility. Some congregations are more generous than comparable ones and all congregations are expected to make a financial contribution appropriate to their means. At present one third of congregations are net contributors and two thirds are net receivers. However, per capita giving can be much higher amongst some of the poorest congregations than it is in some of the wealthiest. It is essential for Presbyteries to consider the complex financial picture and allocate ministerial resources to congregations that take their financial stewardship seriously. The Presbytery, FAPLT and the General Trustees should also take account of the effect of a Mission Plan on the aggregate amount of Giving to Grow Contributions which the Presbytery's congregations remit to the national Church.

5.3.8 **Buildings:** There is a connection between ministry and church buildings, although that connection is neither uniform nor universal. At a national level there is a consensus that the Church of Scotland has too many buildings, numerous buildings that are underutilised, buildings that are too large for present-day needs and buildings that are in the wrong place. At a local level, however, almost every church building is deemed essential by those who worship there week by week. There is no simple solution to this problem. The starting point, however, should be mission. Presbyteries will want to consider which buildings are essential and useful for the mission they envisage, and offer to local parties means by which they might look more objectively at the bricks and mortar which they possess. The General Trustees will support Presbyteries in developing their Mission Plans. Presbyteries are encouraged to make use of the General Trustees' Land and Buildings Toolkit, and other assessment tools which will be available."