**CHURCH OF SCOTLAND**

**GENERAL TRUSTEES**

**Manse Handbook**

**Section 3**

**Memorandum of Understanding**

|  |  |
| --- | --- |
| **Congregation Name:** |  |
| **Manse Address:** |  |
| **Postcode:** |  |
| **Date of Completion:**  |  |

**Manse Provision**

**Memorandum of Understanding**

THIS MEMORANDUM OF UNDERSTANDING (the “Document”) made as of [Insert date] (the “Execution Date”),

BETWEEN:

*[Insert name of Congregation]*

AND

*[Insert name of minister]*

In relation to the manse at

*[insert address and postcode]*

**Background**

This document seeks to confirm responsibilities of both the Congregation and the Minister with regards to the provision of the manse. The basic terms are as follows:

**Goals and objectives**

The aim of this Document is to enable both the Minister and the Congregation to understand what is required of them and seeks to avoid future misunderstands and potential conflicts.

**Roles and responsibilities**

Congregations – the Congregation will:-

* Complete the manse condition schedule prior to occupation by the minister and provide the Minister with a copy of the same.
* Ensure that the manse is maintained in a habitable condition in line with the requirements outlined in the current manse condition schedule.
* Annually update the manse condition schedule and provide a copy to the Minister.
* Carry out the necessary regular inspections and testing as outlined in the current manse condition schedule.
* Provide reasonable notice of the necessary dates when access is required to undertake works and carry out inspections
* Undertake regular maintenance of the manse to ensure it is kept in good order and a habitable condition as set out in the manse condition schedule
* Undertake upkeep of the grounds where they extend beyond the bounds of a reasonable garden as recorded in appendix x of this document [delete if not required]
* Attend to such defects reported by the minister in a timely fashion (deal with emergency issues within 24 hours or more standard non-urgent requests within 14 days)
* Keep the Minister updated on progress dealing with reported defects
* Insure the building under the COSIS insurance scheme.

Minister – the Minister will

* Acknowledge and agree to the content of the manse condition schedule.
* Treat the manse fabric, fixtures and fittings with due care and consideration.
* Make good any damage (beyond normal wear and tear) at their own expense.
* Keep the manse in a clean and tidy condition.
* Report any defects to the Congregation.
* Allow access for inspections and maintenance providing that adequate notice has been given.
* Maintain the agreed garden in a neat and tidy condition.
* Pay for all energy and utility bills (excluding Council Tax).
* Provide their own furniture.
* Insure the contents of the manse and their own belongings.

**Duration of the Memorandum of Understanding**

The Memorandum will apply from *[insert date]* and will continue to apply until the Minister leaves the Manse.

**Dispute resolution**
If a dispute or difference arises between the parties out of or in connection with this Memorandum, either party may give the other a written notice specifying the dispute or difference.

Within 14 days of the date of the notice, the Session Clerk and Minister must meet and undertake negotiations in good faith and on a without prejudice basis with a view to resolving the dispute or difference.

If the dispute cannot be resolved, either party can refer the matter to the Presbytery Clerk.

**Confidentiality**

The parties acknowledge that information disclosed by one party to the other (the disclosing party) in the course of the subject matter of this Memorandum may be confidential and unless required by law must not be disclosed to a third party except with the prior written consent of the disclosing party.

This Document accurately reflects the understanding between the Party, signed on [Insert date]

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Congregation)

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Minister)

**Appendices**

A – Manse Condition Schedule

B – Plan/notes on external grounds where Congregation have responsibility to upkeep