

Parish Council Constitution
of the Catholic Parish of
Deepdene and Balwyn

DRAFT

This is the constitution of the Catholic Parish of Deepdene and Balwyn (**Parish**)

Preamble

The late twentieth century has seen the Catholic Church face a global crisis in relation to the abuse of children and vulnerable adults, and the cover up of these abuses by many Bishops in dioceses across the globe. The crisis has precipitated the urgent need for a review of the governance structures of the church that will lead to a church that is accountable, transparent and inclusive in the fulfillment of its mission and reporting on its activities. This crisis is an invitation to the church to also return to its roots and discover the God who reveals Godself to humanity by way of friendship, in dialogue and dynamism.

Current Canon Law prescribes that each parish must have a finance committee (Canon 537). In addition Canon Law provides for the creation of a Parish Pastoral Council if the Bishop of the diocese deems it to be necessary (Canon 536). The parish of Deepdene and Balwyn has brought these two functions together in this constitution to try to reflect best governance practice both civilly and ecclesially. The following constitution of the Catholic Parish of Deepdene and Balwyn is an attempt to move towards a renewed model of governance, which reflects a more synodal church and respects the co-responsibility of priest and faithful for the full life of the church.

In the spirit of synodality and co-responsibility the council exists to guide and advise the parish priest who would not make significant parish decisions without respect for this governance structure.

1. Parish Vision

All parishioners witness Christ in their own way, every day.

2. Mission Statement

To enrich people's lives for current and future generations through:

A Gospel centered, welcoming, inclusive, dynamic and outward looking Catholic community

Rich liturgical experiences for all ages

Compassionate and empathetic outreach

Excellent Catholic education

High quality retirement living

3. Purpose

The Council exists in the spirit of synodality and co-responsibility to advise and guide the parish priest. The parish expects that the parish priest will not make significant parish decisions without the respect of this constitution.

The Council will:

- 3.1 Facilitate and provide for the achievement of the mission of the parish community in Community Engagement, Liturgical and Spiritual Life, Education and Faith Formation, Outreach (Partnership) and Stewardship
- 3.2 Participate in the partnerships of the parish – including but not limited to the Youth Engagement Project, Asylum Seeker/Catholic Care
- 3.3 Provide oversight of the parish schools and businesses

- 3.4 Provide oversight of the financial decisions of the parish
- 3.5 Accord with the Parish Strategic Plan and
- 3.6 Fulfil the Parish Vision and Mission Statement.

4. Council Objectives

The objectives of the Council are to:

- 4.1 engage the parish members in the work of the parish;
- 4.2 respond to the needs of the parish;
- 4.3 recognise and acknowledge the charism of the parish members to witness Christ;
- 4.4 provide oversight of Finance, Strategy, Risk, Property and Audit;
- 4.5 provide oversight of Finance, Strategy, Risk, Property and Audit sub-committees of the Council if and when they exist depending on the needs of the parish;
- 4.6 support the different areas of the parish defined by our mission;
- 4.7 drive the strategies set by the Council;
- 4.8 provide accurate and transparent updates to the parish on decisions and processes the Council is accountable for, and all projects being undertaken in the parish;
- 4.9 be available on the selection panel for the employment of the School Principal and subsequent performance reviews;
- 4.10 be represented on parish partnership committees of (currently but not limited to) YEP, Asylum Seekers/Catholic Care;
- 4.11 identify, acknowledge and mitigate risks of parish members, particularly in relation to child safety, and safety of the vulnerable (elderly, disabled or sick);
- 4.12 approve the Parish Budget; and
- 4.13 undergo formation, education and development of skills as necessary.

5. Operation

The Parish undertakes its objectives through the Council. The Council's fundamental mode of operation is to be:

- 5.1 Prayerful;
- 5.2 Communicative;
- 5.3 Collaborative
- 5.4 Formative with continuing education;
- 5.5 Effective decision makers;
- 5.6 Transparent;
- 5.7 Accountable; and
- 5.8 Social within the Council, and the Parish community generally.

6. Parish Membership

A member of the Deepdene & Balwyn Parish (**Parish Member**) means a person who:

- 6.1 is over the age of sixteen, and
- 6.2 lives within the geographical boundaries of Deepdene & Balwyn Parish and actively participate in Parish life; or

- 6.3 live beyond the geographical boundaries but has made the Parish of Deepdene & Balwyn their community and actively participate in Parish life; or
- 6.4 has a child as a student of the Parish school; or
- 6.5 is an employee of the Parish.

7. Council Membership

Criteria for membership of the Council is a parish member who has:

- 7.1 an interest in the positive engagement with the people of the Parish;
- 7.2 an ability to work cooperatively, respectfully and constructively with all the members of the Council;
- 7.3 possessing skills that will be an asset to the Council;
- 7.4 having high moral and ethical standards;
- 7.5 sufficient time to devote to the activities and duties of the Council;
- 7.6 interest in the long-term sustainability of the Parish;
- 7.7 undergone induction to the Council;
- 7.8 agreed to the constitution;
- 7.9 compliance with working standards (e.g. working with children check, police check)

The overall Council composition will include a diversity of skills, gender, culture, education and work experience.

8. Council Structure

8.1 Structure

The Council will consist of:

- 8.1.1 a minimum of six Parish Members, and the following ex-officio members
- 8.1.2 Parish Priest;
- 8.1.3 Parish Pastoral Associate; and
- 8.1.4 Parish School Principal.

In addition

- 8.1.5 at least one parish member must have a financial or audit qualifications
- 8.1.6 at least one parish member must have a Catholic theology background
- 8.1.7 at least one parish member must have experience in education
- 8.1.8 at least one parish member must have retirement village knowledge

8.2 Term

- 8.2.1 The length of membership for parish members will be a three-year term. After this initial term, a member may apply for an extension of membership for a further one, two or three years. This process may be repeated to a maximum of ten years.
- 8.2.2 A parish member may serve a maximum of ten consecutive years within each term.
- 8.2.3 Former members of the Council are eligible to reapply to the Council after the expiration of two years from the end of their previous membership.

8.3 Nomination/Selection

- 8.3.1 A sub-committee may be appointed by the Council to recommend or receive nominations of potential Council members
- 8.3.2 By 31 December each year, where a parish member of the Council will reach the end of their maximum ten-year membership period, their position on the Council will become vacant.
- 8.3.3 In November each year, the Council will open nominations for new parish members from the parish community ("Nominees").
- 8.3.4 The Council may approach certain parish members whom it considers may possess the necessary qualities to make a contribution to the Parish through Council membership and request them to consider self-nominating for the Council.
- 8.3.5 Nominees must attend an information session where there will be an opportunity to understand:
 - 8.3.5.1 the specific time commitments;
 - 8.3.5.2 Council meeting protocol; and
 - 8.3.5.3 current important matters being addressed by the Council.

8.4 Remuneration

- 8.4.1 Being a member of the Council is a voluntary position
- 8.4.2 Expenses incurred while performing duties of the Council may be reimbursed on approval of the Parish Council and in accordance with expense guidelines.

8.5 Resignation

- 8.5.1 a member may resign at any time by offering their resignation to the Chairperson.

8.6 Removal

- 8.6.1 If a member does not attend three consecutive meeting without an apology or extenuating circumstances they are considered to no longer be on the Council and will be notified in writing by the chair of the Council.
- 8.6.2 The Council may remove a member by Special Resolution.

8.7 Chairperson

The role of the chairperson is to:

- 8.7.1 perform the normal role of a chairperson at Council meetings including:
 - 8.7.2 review of previous minutes and action items;
 - 8.7.3 marking off agenda items as to whether they are a discussion or a decision item;
 - 8.7.4 manage meetings to agreed time frames; and
 - 8.7.5 act, when requested, as spokesperson for the Council.

The chairperson may perform the following duties:

- 8.7.6 determine and issue the agenda for the upcoming meeting in conjunction with the Parish Priest or nominated Council;
- 8.7.7 notify Council members of a Council meeting; and
- 8.7.8 prepare the minutes of any Council meetings.

Nomination and term:

- 8.7.9 All Council members are eligible to be the Chairperson.
- 8.7.10 The term of the chairperson will be five years with an option to extend for up to another five years with a maximum ten-year term.
- 8.7.11 The Council will select the chairperson by nomination and vote if necessary.

9. Decision Making

9.1 Delegation of Council members' powers

- 9.1.1 When the Council deems it necessary they will appoint a sub-committee with at least one Council member to carry out an activity. See section 10.
- 9.1.2 The sub-committee will make a recommendation to the Council.
- 9.1.3 The Council may appoint person(s) to perform certain functions by special resolution.
- 9.1.4 The Council may, in writing, revoke a delegation wholly or in part.

9.2 Duties of Council members

Council members are required to act:

- 9.2.1 In good faith;
- 9.2.2 In the parish's best interests; and
- 9.2.3 For a proper purpose

They have a:

- 9.2.4 duty to act with reasonable care and diligence;
- 9.2.5 duty to avoid conflicts of interest; Where a Council member has a conflict of interest of any kind there is a duty of disclosure and the member must not take part in the discussion of that item or vote on that item. The member must leave the room whilst the matter is being discussed.
- 9.2.6 duty not to misuse information or position;

Council members also have a duty not to improperly use their position or information obtained in their role to:

- 9.2.7 gain a personal advantage for themselves or third parties; or
- 9.2.8 cause detriment to the parish.

All Council members are required to:

- 9.2.9 attend one Council meeting per month;
- 9.2.10 review previous minutes and working papers prior to meetings;
- 9.2.11 follow up actions arising from meetings;
- 9.2.12 attend one planning day per year; and
- 9.2.13 attend any extra meetings as required.

9.3 Quorum

- 9.3.1 A quorum is six Council members including ex-officio members.

9.4 Voting

- 9.4.1 All Council members have equal voting rights.
- 9.4.2 A Council member who has a conflict of interest in the resolution must declare the conflict of interest when the subject initially arises

- 9.4.3 A Council member may not vote on a resolution in which they have a direct financial or material personal interest without the prior approval of all other Council members.
- 9.4.4 In the event of deadlock of a decision the situation should be re-considered until the deadlock is resolved.

9.5 Council Resolutions

- 9.5.1 Any Council member may put forward a matter for resolution.

9.6 Special Resolution

A Special Resolution is the agreement of 75% or more of the Council members present at the meeting. The following matters require a special resolution:

- 9.6.1 adopting this constitution
- 9.6.2 modifying this constitution
- 9.6.3 acquisition or disposal of assets or any expenditure over the value of \$100,000 in line with archdiocesan guidelines
- 9.6.4 removing a Council Member
- 9.6.5 appointment of new school principal

9.7 Ordinary Resolution

An Ordinary Resolution is just over half (50%) of the Council members present at the council meeting. The following matters require an ordinary resolution:

- 9.7.1 Matters that relate to operating the parish on a daily basis

9.8 Passing Council Resolutions

The Council may pass resolutions by:

- 9.8.1 a written resolution circulated and signed by all Council members; or
- 9.8.2 a show of hands at a Council meeting in person.

9.9 Council Meetings

- 9.9.1 The Council will hold one meeting per month and any additional meetings as required and in any manner the Council determines.
- 9.9.2 Dates for each Council meeting will be notified at the beginning of the calendar year and confirmed at the meeting prior.
- 9.9.3 Agenda of the monthly meetings, minutes of the previous meeting and any papers to be reviewed will go out no less than one week before the scheduled meeting.

10. Council Sub-Committees

- 10.1 The Council may delegate its powers to, and establish, sub-committees. The sub-committee may consist of Parish Members who are non-Council members.
- 10.2 The delegation must be in writing and may be subject to the conditions and limitations the Council considers appropriate.
- 10.3 The sub-committee will develop terms of reference for their activity, which will be approved by the Council.
- 10.4 Each sub-committee is required to submit a report to the Council on a monthly basis or as requested.
- 10.5 The sub-committee will be dissolved at the end of the activity. Examples of the activity of the sub-committee may be a nominations committee, special investigative committee, Brenbeal precinct, etc.

10.6 The Council may, in writing, revoke a delegation wholly or in part.

11. Parish Annual Forums

- 11.1 An annual Parish Forum of the Parish is to be held within the first six months of each calendar year.
- 11.2 A minimum period of 28 days' written notice is to be provided to all Council members and parish members of the Parish Forum.
- 11.3 The following documents must be prepared and (i) approved by the Council at least 28 days before the Parish Forum; and (ii) made available to all Parish Members at least fourteen days before the Parish Forum;

The annual report of the Parish, containing:

- 11.3.1 a set of accounts (balance sheet and financial statement) in the required format,
- 11.3.2 a summary of the year's activities,
- 11.3.3 a record of the year's achievements,
- 11.3.4 a preview of what is planned for the next year, and
- 11.3.5 a re-statement of the parish's vision.

12. Administration Support

The chairperson and the Parish Priest appoint a person to the position of 'administration support' for the Council. The chairperson and the Parish Priest, in consultation with the Council, review the position annually. The parish priest must make available to the Council sufficient administrative support to enable the council to carry out its duties.

This is the Constitution referred to in the special resolution of the Council.

Dated 29/05/2019

Signed: _____

Julie Douglas, chairperson