

## Emmanuel Church Governance

### 1. Purpose of the Policy

This policy sets out governance, accountability, and leadership arrangements in accordance with UK charity law. It aims to:


- Ensure clarity between spiritual leadership, operational governance, and legal responsibility
- Support effective ministry while meeting the requirements of the Charity Commission for England and Wales

### 2. Legal Status and Governing Authority

The church is a registered charity governed by its governing document (e.g. Constitution, Charitable Incorporated Organisation (CIO) Constitution, or Trust Deed).

The **Trustee Body** (sometimes known as 'The Church council') acts as the charity trustees for the purposes of the *Charities Act 2011*. Trustees have ultimate legal responsibility for:

- Compliance with charity law
- Financial stewardship
- Employment and safeguarding
- Protecting the charity's assets and reputation

 **Key compliance point:** Trustees cannot delegate ultimate legal responsibility, even where spiritual authority sits elsewhere.

### 3. Guiding Principles

Spiritual leadership and legal governance are distinct but complementary. Trustees act in support of the church's spiritual vision while retaining independent judgement as required by law. All leaders and trustees must act in the best interests of the charity and its purposes.

### 4. Leadership Structure

#### 4.1 Leadership Team

The Leadership Team is responsible for the spiritual direction and ministry vision of the church and operates under the direction of the Senior Minister. Responsibilities include:

- Teaching and doctrinal oversight
- Vision setting and ministry strategy
- Identifying staffing needs and ministry priorities
- Recommending staff appointments to the Trustee Body

#### 4.2 Senior Minister

The Senior Minister provides overall spiritual leadership and doctrinal integrity, leads the Leadership Team, and oversees ministry delivery.

The Senior Minister is an employee of the charity and is accountable to the **Trustee Body** in relation to:

- Employment responsibilities
- Conduct
- Performance
- Compliance with charity policies

## 5. Trustee Body

### 5.1 Role and Purpose

The **Trustee Body** constitutes the governing body of the charity. Its role is to support and resource the vision of the Leadership Team, ensuring that this vision is delivered lawfully, responsibly, and with good governance.

### 5.2 Trustee Responsibilities

In line with Charity Commission guidance, the Trustee Body is responsible for:

- Acting in the best interests of the charity
- Managing the charity's finances and approving budgets
- Ensuring compliance with:
  - Charity law
  - Employment law
  - Safeguarding requirements
- Managing risk and maintaining effective governance
- Acting as the legal employer of all staff

### 5.3 Relationship with the Leadership Team

The Trustee Body recognises the Leadership Team's authority in matters of spiritual leadership and ministry vision and seeks to work collaboratively to enable that vision.

However, where legal, financial, or safeguarding concerns arise, trustees must exercise independent judgement as required by law.

**⚠ Important:** UK law requires trustees to be able to challenge decisions where necessary, even when appointed through church processes.

## 6. Staffing and Employment

### 6.1 Staff Selection

Staff selection and ministry role definition are led by the Leadership Team.

The **Trustee Body** is responsible for ensuring recruitment processes comply with employment law, approving appointments, and issuing contracts of employment.

### 6.2 Accountability of Staff

All staff members, including the Senior Minister and Leadership Team members, are accountable to the **Trustee Body** in relation to:

- Employment performance
- Conduct and discipline
- Compliance with contracts, policies, and procedures
- Adherence to the statement of faith, positional statements and charity constitution

Accountability is exercised through:

- Employment contracts
- Staff handbook and policies
- Formal performance and review processes

## **7. Appointment and Composition of Trustees**

Trustees are nominated by the congregation. All nominations are reviewed by the Leadership Team, which considers each nominee's pastoral suitability for trustee responsibilities.

Those nominees whom the Leadership Team considers suitable are presented to the **Trustee Body**. Where approved nominations exceed available vacancies, selection is made by common agreement.

In considering nominations, regard will be given to factors such as:

- Skills and experience relevant to trustee responsibilities
- Understanding of governance, finance, law, or safeguarding
- Commitment to the church's vision and values

Trustees must:

- Be eligible under charity law
- Act independently once appointed
- Not be unduly influenced in their decision-making

Trustees are appointed for a fixed three-year term and may stand for further terms, subject to a vote by the Trustee Body. Ex-officio members will include Leadership Team representatives and office holders.

Once approved, trustee nominees are ratified at the Annual General Meeting. Prior to this, members of the congregation have the opportunity to raise any concerns.

## **8. Accountability and Oversight**

The **Trustee Body** holds accountability for:

- All employees, including senior leadership
- The use of charitable funds
- Compliance with this policy and charity law

The Leadership Team remains accountable for:

- Delivery of ministry and vision
- Spiritual leadership, doctrine and teaching

## **9. Conflict Resolution**

Where tension arises between spiritual vision and governance responsibilities:

- Matters will be addressed through prayerful dialogue
- Reference will be made to this policy and the governing document
- Independent advice or mediation may be sought where appropriate

## **10. Review and Adoption**

This policy is adopted by the Leadership Team and the Trustee Body. It will be reviewed regularly to ensure:

- Ongoing legal compliance
- Alignment with Charity Commission guidance
- Effectiveness in practice