

# Getting the best support from diocese

**Q: WHEN do we have to pay for legal advice, and when can we receive advice from the diocesan offices for free?**

A: From time to time, when a PCC is faced with a question involving legal issues, they will need to seek formal advice to fulfil their trustee responsibilities. The question then is often where to go for this advice and what it will cost.

You are always warmly invited to approach first your Archdeacon or the Diocesan Secretary, the Rev Wendy Kennedy. It is very likely they will have received similar questions from other parishes and will already have the answer readily to hand.

If your question is more complex, the good news is that the parish share you pay is used in part to fund a retainer fee for the work of the diocesan registrar, a lawyer called Hilary Tyler, who is based in Fareham.

If your question relates to certain specific areas, advice can be sought from the registrar through the archdeacon or

## frequently asked questions

**Last year's Archdeaconry consultations gave you a chance to ask central diocesan staff questions about their work. Those questions were noted down and are the basis of this Pompey Chimes feature – in which we try to answer the questions that you're asking.**

Diocesan Secretary, or direct. In this case, there is no additional cost to the parish.

The general rule of thumb is that if your question relates to PCC process, synod matters, elections, marriage, baptism, confirmation or burial rites and ceremonies, legal costs are covered under the registrar's retainer. Faculties are governed by different rules, so aren't included in this.

But, if your question relates to anything else – for example land, property, or civil disputes – then this will incur a charge.

It is very important to be aware that advice requested from a solicitor, including our registrar, for work that is not covered by the registrar's retainer will incur a significant hourly

charge. Therefore if you contact a solicitor it is always wise to ask whether the question you are referring will incur charges.

The solicitor should in all cases provide you with a copy of their fee structure and you should be asked to sign and return one copy of this to acknowledge that you have received and accept the terms of engagement.

If you find your PCC facing any kind of dispute or potential claim for damages, you must notify your church insurers without delay in order to protect any cover you may have under your church policies.

If you have any questions about this advice, do contact our Diocesan Secretary, Wendy Kennedy, at [wendy.kennedy@portsmouth.anglican.org](mailto:wendy.kennedy@portsmouth.anglican.org) or on 023-9289 9664.

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**Q: Help for parishes only comes when it is asked for. Should not the diocesan office be more proactive in offering help and support?**

A: One of the great things about being a small diocese is that people generally know each other well. Most clergy and parish officers will know the individual in our diocesan offices they need to talk to about issues such as mission, discipleship, stewardship or safeguarding.

The disadvantage of having a small central team is that many of those people are already quite stretched. It's almost inevitable that they will focus their efforts on those parishes that have asked for help.

Sometimes, especially when it comes to strategic issues, our bishop and senior staff will decide to be proactive and offer specific help to parishes because of their situation.

So a parish that is struggling to pay the bills may be encouraged to talk to our stewardship adviser; or a parish with a difficult issue that

could reach the media might need to speak to our communications adviser.

And occasionally parishes will be approached specifically because we want to pilot a certain approach in mission or ministry in a variety of contexts. We may pick a selection of parishes to try out this approach, aiming to get a good range in terms of size of congregations, geography and churchmanship.

Our diocesan officers don't arrive unexpectedly to examine parishes like church Ofsted inspectors, and you wouldn't appreciate it if they did! But hopefully, we offer a mixture of inspiration and challenge that helps parishes to think more clearly about priorities. And don't ever be afraid to ask for help!

One final thing to note: being a small diocese means that the diocesan adviser or support person may well also be a local parish priest or lay person. We often talk about 'the diocese' as though that meant just the central team. In fact, 'the diocese' includes all of us who worship in parishes, and we all support each other.

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De 4:31

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