

UNITARY CONSTITUTION

A Short Guide

1. The size and organisation of the Kirk Session should be appropriate to the size of the congregation.
2. It offers opportunity to be flexible, radical and innovative in approach.

Functions of Kirk Session

The Kirk Session has oversight of the whole life and service of the Church within its Parish; responsibility for the spiritual and temporal oversight of the Congregation's affairs. Its spiritual responsibility involves "leadership, nurturing the spirituality of the congregation and its members, caring for the spiritual welfare of the parish and parishioners, encouraging members to participate in the worship and life of the congregation, and promoting mission and evangelism in the parish." (*Weatherhead*)

Membership of Kirk Session

Elders can be appointed in three ways:

1. nomination and direct election by the members of the congregation;
2. a system of signed lists, in which members of the congregation submit a signed list of names and the names having the greatest numbers of votes are elected;
3. nomination and appointment by the Kirk Session.

The appointment of an elder, by whichever method, is subject to the judgement of the Kirk Session, which may refuse to appoint. It is also open to any member of the congregation to raise an objection on the grounds of 'life or doctrine'.

Term of Service

Elders are 'ordained for life' but can cease to be 'active' and may in agreement with the Kirk Session serve for a limited period (5 years) or have a sabbatical for a time for person, health or other reasons.

Duties of Elders

Attendance at Kirk Session meetings and taking a due part in the decision-making process. Other duties defined by the Kirk Session. Historically, these have included the pastoral care of a district and this continues to be important. However, modern practice favours more attention being given to the special gifts of each elder and it should not be assumed that these will include pastoral visiting. They might include education, fabric, finance or any of the areas of work a Kirk Session identifies.

Pastoral Care

The Kirk Session, directly or through an appropriate committee, has the duty of making arrangements for pastoral districts and appointing one or more persons to have oversight of each district. Such people need not necessarily be elders.

Moderator and Meetings

The minister of the charge is a member of the Kirk Session as its Moderator and normally presides at meetings.

Also, a minister or deacon associated with it or by a Session elder trained in doing so can moderate when necessary or permitted.

Form of Meetings

It is open to the Kirk Session to decide which format and frequency of meetings will enable it to carry out its work and enhance its effectiveness.

Access to Session and Committee Meetings

All meetings of the Kirk Session are presumed to be open meetings and any member of the congregation may attend. However, there are circumstances when certain topics require the Kirk Session to meet in private. This decision would only apply to the particular business and not the whole meeting.

Decisions on matters of discipline, admission to membership and appointment of elders should be made by the Kirk Session itself. It would be appropriate to take such matters in private.

Congregational Meetings

The elders as Trustees of the charity approve the Annual Accounts. Although a Congregation no longer does so, a Stated Annual Meeting is still required to inform and ask for questions, while providing opportunity if desired to make a fuller report on the life and work of the congregation and its organisations.

Session Clerk

The Kirk Session appoints its own Clerk who need not be a member of the Session, but if not, he or she does not become a member because of their office. In order that a Session may make the appropriate use of people's talents, the Kirk Session is at liberty to appoint an Assistant Session Clerk, who may or who may not be a member of the congregation.

Treasurer

The Kirk Session appoints its own Treasurer who need not be a member of the Session, but if not, he or she does not become a member because of their office.

Properties

The Kirk Session appoints a Fabric Convenor or Committee and ensures a Property Register is maintained.

Church Employees

When anyone is employed by the Kirk Session, in whatever capacity (e.g. cleaner, organist, youth worker) a contract should be drawn up. It is recommended that such a contract should state to whom the employee is responsible for the performance of their duties and who may direct them in performing them.

Constitution and Powers of Teams

The Kirk Session may delegate any aspect of its work to teams, except those which it is recommended be reserved for the Kirk Session alone. Teams might include Finance, Property, Worship, Pastoral Care, Communication, Christian Aid, Children & Families etc). Teams should be given a specific reviewable remit.

Membership of Committees/Teams

Ideally a team would include at least one elder and non-elders, and also gives an opportunity to involve people with special skills but also to spread involvement in the process of Church Government.

Relationship of Teams to Kirk Session

The Kirk Session should delegate powers but has final authority in decision-making. Usually a Property Team will have permission to spend up to a certain amount, for example, without coming to Kirk Session. Care should be taken to avoid unnecessary repetition of business, discussed and decided at committee, again at Kirk Session level. Therefore, timeous reports are important prior to Kirk Session meetings.

Minister and Teams

The minister need not be on all teams, but should consider being appointed to appropriate ones, for example, Worship, but should be regarded as a corresponding member of all Kirk Session committees.

Collated, adapted & referenced by Rev Stewart McPherson, June 2019