

**ARCHDIOCESE OF BRISBANE**

**GOVERNANCE POLICIES**

**of the**

**CATHOLIC EDUCATION COUNCIL**



**JULY 2017**



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## PREAMBLE

Agency Councils are not mandated by canon law but have been established by the Archbishop to provide advice on certain matters as detailed in their specific mandates and governance policies. This advice provided to management, the Vicar General and Archbishop assists them fulfil their responsibilities.

These Council Governance Policies are to be read in conjunction with the *Archdiocese of Brisbane Governance Structure* (AG01) document. Of particular relevance to these Council Governance Policies is the role of the Vicar General, the Financial Administrator and the Archdiocesan Finance Council.

It is noted that the Vicar General as the Archbishop's delegate, presides at all Agency Councils. The practice in the Archdiocese is that the Archbishop or his delegate preside at such meetings. Each Council (including the Archdiocesan Finance Council) also has a Chair appointed by the Archbishop, who chairs the meeting in the presence of the Archbishop or his delegate.

Being present without the responsibility of being Chair, allows the Archbishop or his delegate, to hear the opinions and discussions around the table and to participate when he chooses. However, the Archbishop or his delegate may at their discretion assume the Chair for any meeting or part of a meeting.

Also it is noted that the Financial Administrator is an *ex officio* member of the Archdiocesan Ministries and Services Council, Centacare Council, Catholic Education Council Finance Committee and the Archdiocesan Development Fund Board.



## 1.0 VISION POLICY

*Whenever we make the effort to return to the source and to recover the original freshness of the Gospel, new avenues arise, new paths of creativity open up, with different forms of expression, more eloquent signs and words with new meaning for today's world.*

Evangelii Gaudium  
Pope Francis  
21 November 2013, n.1.1

- 1.1 The Catholic Education Council ("the Council") sustains the Vision of Brisbane Catholic Education ("the Agency") and supports its integration in all policies of the Agency and makes recommendations to the Executive Director about other areas of possible integration.
- 1.2 The Council regularly reviews the Vision Statement for Brisbane Catholic Education as part of its strategic planning process.
- 1.3 In advising the Archbishop the Council considers, with the Executive Director, new educational policies and priorities of the Archdiocese that are consistent with the vision for Catholic Education in the Archdiocese of Brisbane.



## 2.0 COUNCIL PROCESSES

*When leaders in various fields ask me for advice, my response is always the same: dialogue, dialogue, dialogue. The only way for individuals, families and societies to grow, the only way for the life of peoples to progress, is via the culture of encounter, a culture in which all have something good to give and all can receive something good in return. Others always have something to give me, if we know how to approach them in a spirit of openness and without prejudice. This open spirit without prejudice, I would describe as “social humility”, which favours dialogue. Only in this way can understanding grow between cultures and religions, mutual esteem without needless preconceptions, in a climate that is respectful of all the rights of everyone. Today either we take the risk of dialogue, we risk the culture of encounter, or we fall; this is the path of fruit.*

Address to Bishops of Brazil  
Pope Francis  
27 July 2013

### The Council's Terms of Reference

The “*Terms of Reference of the Catholic Education Council*” can be found in Appendix 1 of these Council Governance Policies. These outline membership requirements and appointment, role of the executive officer, form of decision making, quorum numbers, meetings, record of proceedings and other attendees.

### The Council's Role

The Council:

- 2.1 Is accountable to the Archbishop whose agent to Council is the Vicar General.
- 2.2 Exercises the responsibilities mandated to it by the Archbishop.
- 2.3 Is responsible for determining its development, organisation and performance in accordance with the Archbishop's directions.



- 2.4 Determines its development, organisation and performance in accordance with any directions of the Archbishop.
- 2.5 Exercises due diligence and ensures that within its Council processes, risk is identified and managed.

### The Chair's Role

The Chair:

- 2.6 Supports the maintenance of a positive working relationship between the Council, the Executive Director and the Vicar General.
- 2.7 Chairs meetings of the Council after developing the agenda with the Executive Officer.
- 2.8 Is at liberty to attend *ex officio* as a member of all Council committees.
- 2.9 Discusses major issues confronting the Agency with the Executive Director and the Vicar General.
- 2.10 Guides and mediates Council actions with respect to major organisational priorities and governance concerns.
- 2.11 Assists the Vicar General with the annual and summative performance appraisal processes of the Executive Director.
- 2.12 Works with the Vicar General to ensure that the Council develops an appropriate process for the Council's overall evaluation.
- 2.13 Performs other responsibilities assigned by the Archbishop, the Vicar General or Council.
- 2.14 Facilitates members' opportunities to contribute to the work of the Council.



## Council Members' Role

### Council Members:

- 2.15 Endeavour to attend all Council and committee meetings of which they are members.
- 2.16 Make reasonable efforts to keep informed about the Agency's Vision, policies, services and all relevant responsibilities under civil and canon law by participating in opportunities provided to members for education, in-service and formation.
- 2.17 Peruse and consider the agenda and supporting materials prior to Council and committee meetings.
- 2.18 Systematically consider information that evaluates the Agency's policies and services.
- 2.19 Serve on committees and offer to take on special tasks.
- 2.20 Never speak on the Council's behalf unless they have been authorised by the Chair to do so.
- 2.21 Make reasonable efforts to keep up to date on developments in educational policy.
- 2.22 Adhere to the Council's Code of Conduct Policy (see Section 9.0).
- 2.23 Adhere to the Archdiocese's *Committee Members' Work with Children Check Blue Card Policy* (AD/04/13).

## Council Committees

### Council Committees:

- 2.24 Are established by the Archbishop upon the recommendation of the Council when it becomes apparent that the business of the Council requires a more focused approach than can be had with





the full Council.

- 2.25 Develop recommendations for the Council for its consideration and action.
- 2.26 Operate at Council level, not at operational level.
- 2.27 Do not make recommendations on behalf of the Council unless the Council has charged the committee with the authority to do so, in a specific circumstance.
- 2.28 Require a membership appointed by the Archbishop that has a mix of skills and experience appropriate to the task for the particular committee.
- 2.29 Require a “Terms of Reference” that outlines the committee’s purpose, responsibilities, membership and meeting frequency.
- 2.30 Include in their membership the Council Chair as an ex officio member and at least one other Council member.
- 2.31 In accordance with the above sub-sections the Council has established the Catholic Education Council Finance Committee (“the Finance Committee”).

### **Council – Executive Director Relationship**

- 2.32 In the first instance, Council members’ relationship with the staff of the Agency is through the Executive Director, and only in the alternative, if appropriate, via the Chair in consultation with the Vicar General.

### **Council Member Recruitment and Appointment**

- 2.33 The Vicar General facilitates the development and implementation of processes for the selection of Council members and makes recommendations to the Archbishop in relation to appointments.



- 2.34 All Council members are encouraged to identify prospective Council members through a variety of processes.
- 2.35 If invited by the Vicar General, the Council decides which prospective Council members, in the light of Council composition and skill, should be recommended to the Vicar General for the approval of the Archbishop.
- 2.36 It is the responsibility of the Chair, in collaboration with the Executive Director, to develop for new Council members an orientation program that has been approved by the Vicar General.

#### **Council Governance Policy Review**

- 2.37 It is the Council's responsibility to review these Governance Policies when requested to by the Vicar General and recommend changes to the Vicar General for presentation to the Archbishop.
- 2.38 At other times, when the need arises, the Council may recommend changes to these Governance Policies to the Vicar General for his consideration.



### 3.0 STRATEGIC PLAN POLICY

*It is necessary therefore to undertake a review of the mission as an expression of the charism to verify if the charismatic identity of established works continues to emerge in the current operational activities. Apostolic works change according to the needs of the times and assume different expressions depending on the social context and cultural development.*

João Cardinal Bráz de Aviz  
Guidelines for the Administration of Assets in Institutes  
of Consecrated Life and in Societies of Apostolic Life  
2 August 2014, n.1.1

- 3.1 The Executive Director is responsible for developing the Strategic Plan for submission to the Council for its review and once endorsed, recommendation to the Archbishop for approval.
- 3.2 The Executive Director regularly reports to the Council on the progress of the implementation of the Strategic Plan, and explains major variances and actions taken to ensure the planned outcomes are achieved.
- 3.3 The Council with the Executive Director reviews the Strategic Plan regularly and recommends major changes for the Archbishop's approval.



## 4.0 HUMAN RESOURCES POLICY

*Work, in fact, directly concerns the human person, the person's life, freedom and happiness. The primary value of work is the good of the human person since it fulfils the person as such, with the person's inner talents and intellectual, creative and physical abilities.*

Address to the managers and workers of the Terni  
Steel Mill and the faithful of the diocese of Terni-  
Narnia-Amelia, Italy  
Pope Francis  
20 March 2014

### The Vicar General's Human Resource Management Responsibilities

The Vicar General holds key responsibilities with regard to the human resource management of the Agency Executive Director [see Section 5.5 of *Archdiocese of Brisbane Governance Structure* (AG01)].

### Executive Director Appointment

- 4.1 The Council, through the Chair, assists the Vicar General in the selection and appointment process of the Executive Director.

### Staff Development and Support

- 4.2 The Council supports the Archdiocesan policy that all Agency employees receive appropriate orientation, annual performance review, just remuneration and conditions, as well as a safe and ethical working environment and professional development and staff support systems.

### Safety and Respect

- 4.3 The Council supports Archdiocesan policies in regard to the Agency having policy objectives of providing a safe and nurturing environment, where the privacy and dignity is respected for all persons who come to work, volunteer, access services or have any contact with the Agency, but especially the young, weak and vulnerable.



## 5.0 FINANCIAL MANAGEMENT POLICY

*With all possible help from experienced lay people [sic], priests should manage those goods which are, strictly speaking, ecclesiastical as the norms of Church law and the nature of the goods require. They should always direct them toward the goals in pursuit of which it is lawful for the Church to possess temporal goods. Such are: the arrangement of divine worship, the procuring of an honest living for the clergy, and the exercise of works of the sacred apostolate or of charity, especially toward the needy.*

Presbyterorum Ordinis  
Paul VI  
7 December 1965

### Financial Stewardship

- 5.1 The Council ensures that the Agency has:
- (i) financial policies that reflect and are facilitative of the Agency's vision;
  - (ii) policies and practices to ensure compliance with external legislative and regulatory requirements; and
  - (iii) financial policies that are consistent with relevant Archdiocesan financial policies and structures, including the Office of the Financial Administrator and the Archdiocesan Finance Council.
- 5.2 The Council supports the wise management by the Agency of all the resources of the Agency for the benefit of current and future generations, including a care for the environment and a commitment to sustainability.

### Financial Planning and Budgeting

- 5.3 The Council promotes the goal that the Agency's financial and budgeting policies adhere, so far as is consistent with external legislative and statutory requirements, to the *Agency Budgeting Policy* (AD10).



- 5.4 The Council reviews the Agency's Master Budget and assesses its alignment with the Strategic Plan.
- 5.5 The Executive Director, through the Council's Finance Committee submits the Agency's annual Master Budget and Capital Budget to the Council by September each year.
- 5.6 After endorsement, the Council sends these budgets to the Financial Administrator for presentation to the Archdiocesan Finance Council for their consideration and recommendation for approval by the Archbishop.
- 5.7 If the Archdiocesan Finance Council expresses reservations with aspects of these budgets, the Financial Administrator refers these concerns to the Council's Finance Committee which will report its recommendations to the Executive Director and/or Council.

### Financial Management

- 5.8 The Council ensures that the Agency has policies in place to review the Agency's financial management system for gathering, recording and updating accurate and meaningful data about the Agency's actual financial performance.
- 5.9 The Council ensures that the Agency has policies and practices consistent with both external legislative and regulatory requirements for its financial management system and as far as possible follows Archdiocesan approved and accepted accounting standards.

### Financial Delegations

- 5.10 The Council familiarises itself with the *Executive Directors Financial Delegations Policy* (AD08) and perform its designated



role in relation to specified transactions that require endorsement by the Council.

- 5.11 The Council makes recommendations to the Vicar General regarding the appropriateness of these delegations for the Executive Director of Brisbane Catholic Education.

### Unbudgeted Recurrent Expenditure

- 5.12 Proposed unbudgeted recurrent expenditure over the limits specified in the *Executive Directors Financial Delegations Policy* (AD08) are presented to the Council for endorsement and recommendation for approval by the Archbishop.

### Capital Expenditure

- 5.13 The Council ensures that anticipated capital expenditure is included in the Agency's annual capital budget presented to the Council for its endorsement.
- 5.14 Proposed capital expenditure over the limits specified in the *Executive Directors Financial Delegations Policy* (AD08) are presented to the Council for endorsement and recommendation for approval by the Archbishop.

### Alienation

- 5.15 All proposed alienations of Agency property are presented to the Council for endorsement and recommendation for approval by the Archbishop.

### Leases

- 5.16 All proposed leases of Agency property in excess of nine years are presented to the Council for endorsement and recommendation for approval by the Archbishop.



### **Capital Reserves**

- 5.17 The Council is responsible for approving a reserve policy for the Agency and each year as part of the budget process the Executive Director recommends the amount of funds to be kept in reserves in accordance with this policy.

### **Asset Maintenance**

- 5.18 The Council reviews the annual budget to ensure it takes into account the need for maintenance of capital items.

### **Cash Funds**

- 5.19 The Council reviews any requests by the Executive Director for the Agency to invest funds outside of the Archdiocesan Development Fund and after endorsement sends the request to the Vicar General for approval.

### **Financial Reporting**

- 5.20 The Executive Director, through the Finance Committee, presents reports to the Council on the financial performance of the Agency at their regular meetings.
- 5.21 The Council endorses the regular financial reports of the Agency for presentation to the Archdiocesan Finance Council through the Financial Administrator.

### **Borrowings**

- 5.22 The Council reviews and endorses all major borrowing proposals for the Agency to seek approval through the normal Archdiocesan processes.

### **The Audit**

- 5.23 The Council informs itself about the audit process and its





implications for the financial policies, structures and processes of the Agency.

- 5.24 The Council is responsible for recommending to the Vicar General extensions to the scope of the Agency's audit specific to that Agency.
- 5.25 The Council delegates to the Finance Committee to consider the draft audit report, draft financial statements and draft Management Representation Letter, before recommending that the Vicar General and the Executive Director sign the audited financial statements.
- 5.26 The Council reviews the signed financial statements and audit report and sends the report to the Financial Administrator for presentation to the Archdiocesan Finance Council for their consideration and recommendation to the Archbishop for his acceptance.
- 5.27 The Council delegates to the Finance Committee to ensure that any audit recommendations are responded to with appropriate action by reviewing regular action reports from management.

### Gifts and Bequests

- 5.28 The Council reviews Agency financial reports to ensure that any gifts or bequests to the Agency have been administered correctly, including that they are separately identified from the operating income, appropriate sources include individuals or groups acceptable to the moral and ethical requirements of the Archdiocese, restricted purpose donations are spent for their dedicated purpose and any bequests to the Agency with attached conditions are approved by the Archbishop before being accepted.



## 6.0 COMPLIANCE POLICY

*Evangelical witness requires that the works are managed in full transparency, in compliance with canon and civil law, and made to address poverty in all its manifestations. Transparency is critical to the efficiency and effectiveness of the mission. Supervision and appropriate goals are not intended to be a means of limiting the autonomy of an entity, nor are they signs of a lack of confidence. Rather they express the service of communion and transparency, as well as providing protection for those with the delicate tasks of administration.*

Guidelines for the Administration of the Assets in  
Institutes of Consecrated Life and in Societies of  
Apostolic Life.

João Cardinal Bráz de Aviz

2 August 2014, n.1.1

- 6.1 The Council reviews the Agency's Annual Compliance Report for endorsement and sending to the Financial Administrator for presentation to the Archdiocesan Finance Council for their consideration and recommendation to the Archbishop for his acceptance.



## 7.0 RISK MANAGEMENT POLICY

*As the faithful and prudent administrator has a vocation to care attentively for those goods that have been entrusted to him (Lk 12:42), so the Church is conscious of her call to safeguard and carefully administer her goods in light of her mission of evangelization, with special care for the needy.*

Moto Proprio “*The Faithful and Prudent Administrator*”

Pope Francis

24 February 2014

The Council:

- 7.1 Commits to the Agency having its own appropriate risk management activities to support planning, management and decision-making processes.
- 7.2 Promotes as a value that the Agency is committed to being a risk capable organisation where sound risk management is seen as integral to performance, and is embedded in business processes at both strategic and operational levels.
- 7.3 Reviews through the budget process that there are sufficient resources available for Agency risk management, monitoring and reporting.
- 7.4 Reviews and if appropriate, endorses the Agency’s annual high level Risk Register which is then forwarded in the approved format to the Financial Administrator for review by the Archdiocesan Finance Council through the Audit and Risk Management Committee.
- 7.5 Reviews quarterly and annual Work Health and Safety reports for the Agency presented by the Executive Director to provide advice to the Executive Director, Vicar General and Archbishop in relation to their work health and safety obligations.



- 7.6       Reviews and if appropriate, endorses Agency proposals for new projects, ventures or endeavours that are outside the Agency's normal business activity, including a risk assessment, and sends to the Financial Administrator for review by the Archdiocesan Finance Council through the Audit and Risk Committee for recommendation to the Archbishop for approval.



## 8.0 COMPLAINTS POLICY

*When conflict arises, some people simply look at it and go their way as if nothing happened; they wash their hands of it and get on with their lives. Others embrace it in such a way that they become its prisoners; they lose their bearings, project onto institutions their own confusion and dissatisfaction and thus make unity impossible. But there is a third way; and it is the best way to deal with conflict. It is the willingness to face conflict head on, to resolve it and to make it a link in the chain of a new process.*

Evangelii Gaudium  
Pope Francis  
21 November 2013, n.227.

The Council:

- 8.1 Reviews the Agency complaints policy and advises on the adequacy of mechanisms in that policy to:
- (i) deal with complaints about any aspect of the Agency in a way that is open, transparent and timely;
  - (ii) provide monitoring data for the Agency's management;
  - (iii) achieve the goal of making staff and parents/carers aware of the policy; and
  - (iv) achieve the goal of making staff aware of the *Archdiocesan Whistleblower Policy (AD09)*.



## 9.0 CODE OF CONDUCT POLICY

*To be faithful to their calling, politicians, government officials and police must be honest and avoid corruption in all its forms, for it is always a serious injustice to citizens. By working together with politicians, business executives and community leaders, Church leaders can offer valuable assistance in establishing ethical guidelines on issues affecting the common good and ensuring that they are put into practice.*

Ecclesia in Oceania  
John Paul II  
22 November 2001

### Meeting Confidentiality

- 9.1 Council members ensure that all matters, information and discussions coming before them as Council members are kept confidential to the Archdiocese.

### Parent/Carer Confidentiality

- 9.2 The Council ensures that all information that is confidential or privileged is managed in an appropriate way and according to the relevant laws and regulations.
- 9.3 With respect to interactions with parents/carers or potential parents/carers, the Council is to promote as a value and policy that the Agency shall not allow conditions, procedures or decisions that are unsafe, undignified, unnecessarily intrusive or that fail to provide respect or appropriate confidentiality or privacy.

### Conflict of Interest

- 9.4 The purpose of this Policy is to assist Council members to effectively identify, disclose and manage any actual, potential or perceived conflicts of interest in order to protect the integrity of the Agency and manage risk.



- 9.5 A conflict of interest occurs when a Council member's personal interests conflicts with their responsibility to act in the best interests of the Agency. Personal interests include direct interests as well as those of family, friends, or other organisations a member may be involved with or have an interest in. A conflict of interest may be actual, potential or perceived and may be financial or non-financial.
- 9.6 The Council will manage conflicts of interest by requiring members to:
- (i) avoid conflicts of interest where possible;
  - (ii) identify and disclose conflicts of interest;
  - (iii) carefully manage any conflicts of interest; and
  - (iv) follow this Policy and respond to breaches.
- 9.7 Upon being appointed a member of the Council, and at the beginning of each year, every member will complete and sign an Annual Attestation form to be held by the Executive Officer and a copy of which provided to the Council Chair and Committee Chairs.
- 9.8 At the commencement of each meeting of the Council and its Committees, the Chair will request members to declare any conflicts of interest that relate to matters included in the meeting's agenda and/or any new significant conflicts of interest to be declared.
- 9.9 Once a conflict of interest has been appropriately disclosed, the Council will decide whether or not the conflicted member should:
- (i) vote on the matter;
  - (ii) participate in any presentation or discussion on the matter; or



(iii) be present in the room during the presentation, discussion and the voting.

9.10 In exceptional circumstances, it may be appropriate for the conflicted member to resign from the Council but only after consulting with the Chair and Vicar General.

### **Standards of Fitness and Propriety**

9.11 Each member has a duty to adhere to appropriate standards of fitness and propriety in their professional lives.

9.12 Members should advise the Chair as soon as they are aware of a personal breach of appropriate standards.

9.13 Each member will attest through completion of the Annual Attestation form that they continue to meet appropriate standards.





## CATHOLIC EDUCATION COUNCIL

### TERMS OF REFERENCE

#### Preamble

This “Terms of Reference” should be read in conjunction with the *Catholic Education Council Governance Policies* (AG05) and in particular Section 2 *Council Processes*.

#### 1.0 Membership

- 1.1 The Catholic Education Council is an entity instituted and convened by the Archbishop. The Vicar General is the Archbishop’s delegated agent to the Catholic Education Council.
- 1.2 The Archbishop appoints the members of the Catholic Education Council.
- 1.3 The Archbishop appoints a Chair of the Catholic Education Council who is also a member of the Catholic Education Council.
- 1.4 Members of the Catholic Education Council appoint from their membership a Deputy Chair.
- 1.5 All members are usually appointed for a term of 3 years, with a maximum of three consecutive terms.
- 1.6 In addition to the Chair there are no more than ten (10) other members of the Council.
- 1.7 The Archbishop has the absolute discretion to terminate the appointment of the Chair or a member at any time.
- 1.8 Members of any Council Committees are appointed by the Archbishop on recommendation of the Council.
- 1.9 The Financial Administrator is an *ex officio* member of the Catholic Education Council’s Finance Committee.



1.10 Council membership will reflect a broad spectrum of interest in areas such as:

- Catholic schooling
- Liturgy
- Tertiary education
- Religious Education theory and practice within and beyond Catholic Schools
- Mission and justice education
- Research
- Parent engagement
- Pastoral ministry
- Parish councils
- School boards
- Educational leadership and administration
- Commercial law
- Financial management, accounting and administration
- Risk management practices and policies
- Corporate Governance and best practice.

## 2.0 Executive Officer

2.1 The Executive Director is the Executive Officer of the Catholic Education Council.

2.2 May appoint an employee of Brisbane Catholic Education to provide executive support for the functions of the Council who, at the discretion of the Chair, may attend meetings of the Council but who:

- (i) has no rights to participate in or vote on the business of the Council; and
- (ii) is obliged to observe the confidentiality and discretion of the meetings of the Council.

2.3 Is responsible for working with the Chair on meeting agendas, processes, minutes and all other practical matters in connection with the efficient functioning of the Council.



### **3.0 Decision Making**

- 3.1 The Council operates on a shared wisdom model.
- 3.2 In a shared wisdom model, members of the Council:
  - (i) draw on their knowledge, interests, expertise and experience to discern appropriate advice; and
  - (ii) do not act as representatives of any constituency or Agency.
- 3.3 Decisions that are likely to have significant financial implications or canonical or civil legal impact should be subject to a formal voting process and the results of the voting process are to be minuted.

### **4.0 Quorum**

- 4.1 A quorum for meetings is at least half the number of currently appointed members.

### **5.0 Meetings**

- 5.1 There are normally 10 (ten) meetings, with a requirement for at least four (4) meetings, per year.
- 5.2 Reasonable notice of a meeting must be given to all members.
- 5.3 Members normally convene physically but with the Chair's approval may join the meeting by telephone or video link.

### **6.0 Flying Minutes**

- 6.1 Where a decision of the Council is required before the next scheduled meeting, the Chair may authorise a flying minute.
- 6.2 A flying minute takes the usual form of a Council agenda item with a recommended resolution and all appropriate supporting documents.
- 6.3 Reasonable notice and decision making rules apply to flying minutes.
- 6.4 The outcome of the flying minute is included as minutes in the next Council meeting agenda for confirmation.

### **7.0 Record of Proceedings**

- 7.1 Minutes of proceedings shall be kept of all meetings of the Council and its Committees.



7.2 Minutes shall be subject to confirmation at the next meeting.

## **8.0 People in Attendance**

8.1 A wide range of other persons, involved in or interested in the ministry of the Agency will, from time to time, be invited by the Chair to bring their knowledge and experience to the Council's meetings to assist in the deliberations of the Council.

## **9.0 Terms of Reference Changes**

9.1 The Council may recommend changes to these Terms of Reference to the Vicar General at any time.

9.2 The Vicar General may change these Terms of Reference at any time after consultation with the Council.

# **ARCHDIOCESE OF BRISBANE**

## **GOVERNANCE STRUCTURE**



**JULY 2017**



## THE ARCHBISHOP OF BRISBANE

### ARCHDIOCESE OF BRISBANE GOVERNANCE STRUCTURE

The Archdiocese of Brisbane is a large and diverse community in South-East Queensland with over seventy thousand people of various ages who gather each week in parishes to celebrate the Eucharist and hear the Word of God proclaimed. Countless others engage with these parish communities to worship God, to be empowered for mission and to celebrate all that is most human.

In addition to this rich parish life, the Archdiocese is also actively engaged in the ministries of welfare, charity, education, evangelisation and stewardship through its Agencies that deliver services every day to thousands of people, young and old throughout the Archdiocese.

To enable me to perform my governance responsibilities in the Archdiocese, there are various offices and bodies that provide me with assistance and counsel. Some of these are required by Church law and others I have established myself for the good of the Church and its mission.

This document provides an overview of the governance structure in the Archdiocese and is intended to assist those employed by the Church as well as the many volunteers who assist on the various councils and committees with a deeper understanding of their roles in the service of the Church.

These offices and structures do not exist for the sake of bureaucracy but are to be always grounded in the Gospel and directed towards the mission of the Church in the Archdiocese of Brisbane. In particular, they should take guidance and inspiration from the "*To 2020 and Beyond*" Planning Framework for Agencies in the Archdiocese which I released in January 2017. This Planning Framework names five priorities for Agencies in the context of the vision "*On a Journey Led by the Spirit*". It is together that we set out, conscious that the spirit moves us in ways that are often surprising even unsettling.

All these endeavours I entrust to the prayers of our Archdiocesan Patron, St Mary of the Cross MacKillop.

+ Mark Coleridge  
Archbishop of Brisbane

Very Rev Dr Adrian G Farrelly  
Chancellor

2 June 2017



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## 1.0 INTRODUCTION

This document is to assist those working in the curia of the Archdiocese and their advisors to deepen their understanding of how the Archdiocese is governed and how those appointed to curial positions assist the Archbishop in his governance of the Archdiocese.

The Holy Father has entrusted care of this portion of the people of God to the Archbishop. He works in cooperation with the presbyterium (the priests) and through the Holy Spirit centres the life of the Archdiocese on the Gospel and the Eucharist so that in this place the one, Holy, Catholic and Apostolic Church of Christ is truly present (can. 369).

Diocesan governance is derived from the institution and functions of a bishop in the Catholic Church and is explained in Canon 375 of the code of canon law:

### *Canon 375*

*§1. By divine institution, Bishops succeed the Apostles through the Holy Spirit who is given to them. They are constituted Pastors in the Church, to be the teachers of doctrine, the priests of sacred worship and the ministers of governance.*

The power of governance is a sacred and personal power which is conferred by ordination. Diocesan bishops are entrusted with the care of a particular diocese (can. 376). A diocesan bishop's power of governance is distinguished as legislative, executive and judicial (can. 391 §1). It is the diocesan bishop's exercise of executive power that is of particular significance in defining the Archdiocese of Brisbane's Governance Policies.

The pastoral needs of the Archdiocese are such that the Archbishops over the years have sought and been given Auxiliary Bishops to assist them. The duties and responsibilities of any auxiliary are at the discretion of the Archbishop. They are not addressed in this document.

**Appendix A** provides a diagram of the Archdiocese of Brisbane governance structure.

## Code of Canon Law

- 1.1 The code of canon law is the collection of laws which govern the public order of the Catholic Church. The current code was promulgated in 1983 by Pope John Paul II. In this document, quoted canons are from the English translation of the Latin text by the Canon Law Society of Great Britain and Ireland.





## 2.0 GOVERNANCE PRINCIPLES AND PRACTICES

### Principles

Subject always to the requirements of the code of canon law, the governance of the Archdiocese through the structure described in this document is conducted in accordance with the following principles:

#### Mission Purpose

- 2.1 That all offices, bodies and persons involved in the curia exist to support and nurture the mission of the Catholic Church in the Archdiocese of Brisbane.

#### Collaboration

- 2.2 That all persons working in the curia and their advisors, united in a common purpose of supporting the Archbishop, respect each other's abilities to work towards this purpose in a spirit of collaboration.

#### Subsidiarity

- 2.3 Whilst being respectful of the notion that only the Archbishop and those holding vicarious or delegated power under him may exercise legislative, judicial or executive power, that the distribution of authority, responsibility and accountability within the Archdiocese be devolved to the appropriate practical level so that the people or groups most directly affected by a decision or policy have a collaborative role in the decision making process and in the drafting of policy.

#### Openness and Accountability

- 2.4 That the Archdiocese should be accessible and responsive to members of the faithful and members of the general public through the provision of information about its mission, ministries and finances. In particular this applies to all fundraising activities and associated communications which also need to be respectful of the personal privacy, interests and intentions of donors and prospective donors.

#### Stewardship of Resources

- 2.5 That all the resources of the Archdiocese are managed sustainably for the benefit of current and future generations, including a commitment to caring for the environment and the wise management and development of people and their talents.



## Compliance

- 2.6 That the Archdiocese seeks to comply with the diverse array of legal and regulatory requirements, including those of canon law.

Accordingly, the Archdiocese is committed to ensuring compliance with all government legislation, regulations and guidelines for the use of funding received for recurrent and capital purposes.

## Safety and Respect

- 2.7 That all persons who come to work, volunteer, access services or have any contact with the Archdiocese, but especially the young, weak and vulnerable, be provided with a safe and nurturing environment where each person's privacy and dignity is respected.

## Practices

### Presider

- 2.8 As described in this document, the Archbishop is assisted in his governance of the Archdiocese by a range of office holders and consultative Councils. This importantly includes lay members of Christ's faithful (can. 129 §2).

The Archbishop or his delegate attends and presides at meetings of each of the consultative Councils. Each Council also has a Chair appointed by the Archbishop who chairs the meeting in the presence of the Archbishop or his delegate.

Being present without the responsibility of being Chair, allows the Archbishop or his delegate, to hear the opinions and discussions around the table and to participate when he chooses. However, the Archbishop or his delegate may (at their discretion and consistent with his presidency of each Council) assume the Chair for any meeting or part of a meeting.

### Council Processes

- 2.9 These Councils operate through a process of dialogue. This entails individuals voicing their respective opinions, but being sufficiently detached from personal opinions to enable careful listening to the opinions of others. Members of Councils are open to dialogue and are motivated by desire to harmonise the various personal opinions expressed. This system of participation occurs in the context of ecclesial communion and it fosters such communion.



## Counsel

2.10 All of these Councils assist the Archbishop by providing advice on pastoral and administrative matters depending on their purpose and mandates.

In some cases such as the Council of Priests, the College of Consultors and the Archdiocesan Finance Council, canon law mandates that the Archbishop seeks the counsel of these bodies in relation to certain matters. These matters will be detailed in following Sections.

However, for Agency Councils which are all established by the Archbishop and not mandated by canon law, the Archbishop has chosen to seek their counsel on certain matters as detailed in their mandates and governance policies. Such advice provided to management, the Vicar General and Archbishop assists them fulfil their responsibilities.

In relation to all these matters the canonical procedures of consultation in Canon 127 are followed, being:

- (i) Councils are convened by proper notice (can. 166);
- (ii) advice of all is sought;
- (iii) necessary information is provided to allow fully informed opinions (can. 1292 §4); and
- (iv) opinions are to be given sincerely.

If canon law requires the Archbishop to consult with a council, he is not bound by that advice but would require a compelling reason to act against the advice, especially if the advice was unanimous (can. 127 §2, 2°).

## Consent

2.11 In a number of limited circumstances canon law requires the Archbishop to seek the consent of the College of Consultors and the Finance Council. In those cases the required consent of an absolute majority of those present is required (can. 127 §1). The same canonical procedures in Canon 127 applying to consultation also apply to these matters requiring consent.

If consent is required by canon law for a particular act, the Archbishop must receive that consent before acting (can. 127 §2, 1°). He is not then bound to act and may choose not to proceed with the proposed act.



### 3.0 LEGAL ENTITY

The Archdiocese of Brisbane exists as a distinct Church entity under canon law known as a public juridical person. Every parish is similarly established under canon law as a separate and distinct public juridic person. However, the Archdiocese of Brisbane's civil legal entity is **The Corporation of the Trustees of the Roman Catholic Archdiocese of Brisbane** (Corporation). This entity was incorporated by Letters Patent on 25 July 1935 under the *Religious Educational and Charitable Institutions Act of 1861* (RECI Act). In 1967 this Act was amended to enlarge the powers of entities incorporated under the Act beyond the acquisition and holding of land to do all such things as are incidental or conclusive to the attainment of the objects and powers of the corporation.

Further, the *Roman Catholic Church (Incorporation of Church Entities) Act 1994* (ICE Act) clarified and confirmed the legal capacity and powers of Catholic Church entities incorporated under the RECI Act. Section 25 of the ICE Act confirms that such corporations have all the powers, and the legal capacity, of an individual when performing its objects or functions.

Through this (civil law) Corporation the Archdiocese owns property, operates its services, enters into contracts, employs staff and registers and engages with government regulators. Therefore the Corporation is the registered owner of Archdiocesan properties such as the Cathedral, Penola Place and Wynberg.

There are other Archdiocesan properties also in the name of the Corporation which because of government funding can only be used for specific purposes. Examples of such properties would be Archdiocesan Colleges and Centacare properties. These restrictions also apply to the use of any proceeds from sale of the properties.

The Corporation is also the registered owner (in civil law) of all the properties beneficially owned by the parishes. It holds each such property (in civil law) in trust for the relevant parish which is the beneficial owner in civil law and under canon law. Section 25A of the ICE Act recognises in civil law that an incorporated church entity can hold property in trust under canon law for an unincorporated church entity. Once again, parish owned school properties will be subject to restrictions associated with government funding.

The only exception to the above is the wholly Archdiocesan owned Xavier Children's Support Network that was separately incorporated in 2003 under the ICE Act (see Section 4.9 (ix) for further details).



## Directors and Officers Liability Insurance

- 3.1 Although all the members of the various Archdiocesan councils, boards, committees and commissions are volunteers and performing advisory roles only, it has been deemed prudent that the Archdiocese hold Directors and Officers Liability Insurance.

This policy through Catholic Church Insurances indemnifies such members and Archdiocesan officers for claims made against them if they commit, or it is alleged they have committed, a wrongful act.

The policy covers wrongful acts such as:

- Actual or alleged breach of duty
- Breach of trust
- Negligence
- Error
- Misstatement
- Misleading statement(s)
- Omissions
- Breach of warranty of authority
- Other acts wrongfully done or wrongly attempted in your capacity as a member of a council, board, committee or commission or officer.

Employees, customers, clients, students, parents/carers, creditors, the Australian Competition and Consumer Commission and the Commissioner for Taxation can all bring actions against members and officers. This policy provides indemnity for members and officers, and for the Archdiocese for payments it makes in respect of claims against members and officers.

This policy also covers members of school and parish councils, committees and boards.



## 4.0 ARCHDIOCESAN CURIA

### 4.1 Canon 469

*The diocesan curia is composed of those institutes and persons who assist the Bishop in governing of the entire diocese, especially in directing pastoral action, in providing for the administration of the diocese, and in exercising judicial power.*

The curia consists of those individuals as well as those structures which assist the diocesan bishop in his governance responsibilities. In the Archdiocese of Brisbane there currently exists the following persons, departments and bodies, some of which are mandated by canon law and others established at the discretion of the Archbishop.

### Vicar General

### 4.2 Canon 475

*§1 In each diocese the diocesan Bishop is to appoint a Vicar general to assist him in the governance of the whole diocese. The Vicar general has ordinary power, in accordance with the following canons.*

The Archbishop must appoint a Vicar General. While the Archbishop appoints any Auxiliary Bishop a Vicar General, he has chosen a priest to be the Vicar General who assists him most closely in the governance of the Archdiocese. To this end he has established the office of the Vicar General.

Section 5 discusses in detail the role of the Vicar General.

### Episcopal Council

### 4.3 Canon 473

*§4 Where the Bishop judges it useful for the better promotion of pastoral action, he can establish an episcopal council, comprising the Vicars general and episcopal Vicars.*

The Archbishop has established an Episcopal Council. The members are those appointed Vicars General. The Archbishop meets the Council generally on a weekly basis.



## Chancellor

### 4.4 Canon 482

*§1 In each curia a chancellor is to be appointed, whose principal office, unless particular law states otherwise, is to ensure that the acts of the curia are drawn up and dispatched, and that they are kept safe in the archive of the curia.*

*§2 If it is considered necessary, the chancellor may be given an assistant, who is to be called the vice-chancellor.*

*§3 The chancellor and vice-chancellor are automatically notaries and secretaries of the curia.*

In addition to the duties stipulated in the Code (cann. 482 and 483), the Archbishop delegates the Chancellor to grant dispensations from canonical form and disparity of worship and give permission for mixed marriages and to marry in a place other than a church, chapel or oratory. The only exception is where both bride and groom are Catholic. The Archbishop has reserved this permission to himself.

## Notaries

### 4.5 The Chancellor by virtue of his office is a notary.

#### *Canon 483*

*§1 Besides the chancellor, other notaries may be appointed, whose writing or signature authenticates public documents, whether in respect of all acts, or of judicial acts alone, or only for acts concerning a particular issue or business.*

Other notaries in the Archdiocese of Brisbane are the Vicars General and those designated for judicial acts.

## Archdiocesan Finance Council

### 4.6 Canon 492

*§1 In each diocese a finance committee is to be established, presided over by the diocesan Bishop or his delegate. It is to be composed of at least three of Christ's faithful, expert in financial affairs and civil law, of outstanding integrity, and appointed by the Bishop.*

Canon law entrusts a number of specific responsibilities to the Council including:





- to prepare the annual budget for the Archdiocese in accordance with the Archbishop's direction (can. 493);
- to receive a year-end report on the actual income and expenditure (can. 493);
- to be consulted by the Archbishop before appointment and removal of the financial administrator (can. 494);
- to be consulted by the Archbishop before the imposition of a new diocesan tax (can. 1263);
- to be consulted by the Archbishop in relation to an act of major importance for the Archdiocese (can. 1277)
- to give or withhold **consent** for acts of extraordinary administration (can. 1277);
- to give or withhold **consent** for acts of alienation (can. 1292);
- to give or withhold **consent** for transactions where the patrimonial condition of the Archdiocese may be jeopardised (can. 1295); and
- to give or withhold **consent** for leases in accordance with decisions of the Episcopal Conference (can. 1297).

For some acts the Archbishop requires the consent of the Council but in most circumstances he is only consulting with them. The Archbishop prudently seeks the advice of the Council in relation to all major financial, administrative and legal issues and risks facing the Archdiocese.

The Archdiocesan Finance Council has a significant role in assisting the Archbishop in his financial administration of the Archdiocese by the advice and consents it offers him. In order to carry out its role effectively, the Archdiocesan Finance Council requires the best possible information from all Archdiocesan Agencies.

Where Agency Councils recommend matters to the Archdiocesan Finance Council for its endorsement and recommendation to the Archbishop for approval and the Archdiocesan Finance Council has concerns with aspects of the matter presented, e.g., the annual budget, the Financial Administrator communicates these concerns to the Agency Executive Director for resolution with the Archdiocesan Finance Council.

The Agency budgets recommended to the Archbishop by the Archdiocesan Financial Council provides the parameters within which the Financial Administrator carries out his administration (can. 494 §3). However, due to the size of the Archdiocese this administration is shared with Agency Executive Directors. Within most of the Agencies, Executive Directors have also appointed Chief Financial Officers to assist them with these matters.





Further details concerning the role and responsibilities of the Archdiocesan Finance Council can be found in its own separate statutes approved by the Archbishop.

## Financial Administrator

### 4.7 Canon 494

*§1 In each diocese a financial administrator is to be appointed by the Bishop, after consulting the college of consultors and the finance committee. The financial administrator is to be expert in financial matters and of truly outstanding integrity.*

*§2 The financial administrator is to be appointed for five years, but when this period has expired, may be appointed for further terms of five years. While in office he or she is not to be removed except for a grave reason, to be estimated by the Bishop after consulting the college of consultors and the finance committee.*

*§3 It is the responsibility of the financial administrator, under the authority of the Bishop, to administer the goods of the diocese in accordance with the plan of the finance committee, and to make those payments from diocesan funds which the Bishop or his delegates have lawfully authorised.*

*§4 At the end of the year the financial administrator must give the finance committee an account of income and expenditure.*

The Archbishop must appoint a financial administrator. The Financial Administrator's canonically mandated duties principally are:

- to administer the goods of the Archdiocese in accordance with the plan of the Archdiocesan Finance Council;
- to follow the budget determined by the Archdiocesan Finance Council;
- to meet the expenditures authorised by the Archbishop or his delegate; and
- to submit to the Archdiocesan Finance Council at the end of the financial year a report of receipts and expenditures.

Canon 1278 allows for the fact that the diocesan Bishop may also entrust to the Financial Administrator the duties mentioned in Canon 1276 §1 (supervision of parish administration) and Canon 1279 §2 (appointment as the administrator of a public juridical person). The Financial Administrator of the Brisbane Archdiocese does not have these additional roles.



The Financial Administrator's administration is under the authority of the Archbishop (can. 494 §3). In the Archdiocese of Brisbane the Financial Administrator reports primarily to the Vicar General and collaborates with him in relation to the Vicar General's financial and administrative responsibilities. He does however, also meet regularly with the Archbishop.

As the Executive Officer of the Archdiocesan Finance Council, the Financial Administrator has a close working relationship with that Council and is responsible for assisting the Council in the execution of its responsibilities in accordance with the code of canon law. He therefore attends the Council meetings and all committees of the Council.

The Financial Administrator's various roles are critical to supporting the Vicar General, the Archdiocesan Financial Council and the Archbishop.

The Financial Administrator is an ex-officio member of the following:

- Archdiocesan Development Fund Board
- Archdiocesan Ministries and Services Council
- Catholic Education Council Finance Committee
- Catholic Foundation Advisory Board
- Centacare Council
- Centacare Administrative Services Committee

When attending the Archdiocesan Ministries and Services Council he also provides financial reports on the Episcopal and Corporate Agency.

The Financial Administrator is therefore able to monitor consistently the financial management of the Agencies. He can ensure that appropriate financial "checks and balances" are in place and can offer an independent overview of their financial systems and management.

A quality relationship between the Financial Administrator and the Executive Directors ensures that the Financial Administrator's opinion is sought and respected. Improvements in the overall financial management of Archdiocesan Agencies are often better achieved through these informal relationships rather than through more formal instructions which may be needed from time to time.

## Archdiocesan Agencies

- 4.8 The curia is one collective organisational reality, made up in turn by a number of departments, offices and organisational bodies. Apart from the above mandated offices, the Archbishop can provide for a variety of institutions depending on the needs of the Archdiocese, its size and its customs.



In the Archdiocese, the various works of the Archdiocese are organised into distinct Agencies. This structure provides clear distinctions in responsibilities, management and governance and also assists with compliance to government funding and taxation requirements.

Each Agency is directed by an Executive Director or Director, all of whom report to the Vicar General.

Collectively they are referred to as “Executive Directors”.

Currently the curia of the Archdiocese consists of the above mandated offices and also the following:

(i) ***Archdiocesan Development Fund***

Agency responsible for providing financial support for the Catholic mission. The ADF services a range of Catholic entities including Parishes, Religious Institutes, Archdiocesan Agencies and other Catholic works approved by the Archbishop. This incorporates initiatives across many ministries including education, aged care, healthcare, welfare, childcare and pastoral programmes.

Executive Director: General Manager

(ii) ***Brisbane Catholic Education***

Agency responsible for administration and management of all Archdiocesan and parish schools in the Archdiocese and also has responsibility in the area of religious education curriculum for all Catholic Schools in the Archdiocese.

Executive Director: Executive Director

(iii) ***Centacare***

Agency responsible for the provision of social, community and pastoral services through a Public Benevolent Institution (Centacare). Additionally child care and administrative services are provided through Centacare Administration Services. Together the two entities provide disability services, aged care, family services, child care, chaplaincy and pastoral services.

Executive Director: Executive Director

(iv) ***Archdiocesan Services***

Agency responsible for providing support in the areas of corporate services, including accounting, fundraising, human resources,



information technology and property management to Archdiocesan Agencies and Parishes, as appropriate.

Executive Director: Executive Director

(v) ***Episcopal and Corporate***

Collection of curial offices that provide services for, and support to, the Archbishop, Auxiliary Bishops and Vicar General, including the following:

- Archdiocesan Archives
- Clergy Support Office
- Episcopal Offices
- Financial Administrator's Office
- Vicar for Religious
- Vocations Office
- Wynberg residence

Executive Director: Financial Administrator

(vi) ***Evangelisation Brisbane***

Agency responsible for supporting pastoral activities and adult faith education in Parishes and Deaneries.

Executive Director: Director

## Other Organisations

4.9 There are a small number of other organisations in the Archdiocese that exist outside of the above Agency structure as follows:

(i) ***Institute of Faith Education***

A Registered Training Organisation which prepares and provides accredited courses in theology and ministry.

(ii) ***Liturgy Brisbane***

Office responsible for developing liturgical resources and supporting liturgical practices in the Archdiocese.

(iii) ***Xavier Children's Support Network***

A separately incorporated welfare organisation (at civil law). This organisation provides support to medically disabled children. Originally a ministry of the Franciscan Missionaries of Mary, it was entrusted to the Archdiocese in 2003.



## Agency Councils

4.10 The Vicar General and the Executive Directors are assisted in their roles by advisory councils of governance (referred to as “Agency Councils”). In general, all these Councils exist at the discretion of the Archbishop with one exception being Centacare’s public benevolent institution status under taxation legislation which requires a constitution that includes a governing council.

In recognition of the scope and complexity of the Archdiocesan activities, the Archbishop has established these Councils to provide advice to him, the Vicar General and the Executive Directors in relation to the various activities and responsibilities of the Agencies. The Archbishop has given a specific mandate to each of these Councils as well as approving governance policies for each. All these Councils provide advice only. There are no circumstances where the Archbishop requires their consent before he can act.

Below are the current Agency Councils in the Archdiocese:

- (i) ***Archdiocesan Development Fund Board***  
Oversight of the Archdiocesan Development Fund.
- (ii) ***Catholic Education Council***  
Oversight of Brisbane Catholic Education.
- (iii) ***Centacare Council***  
Oversight of Centacare Brisbane and Centacare Administration Services (CAS).
- (iv) ***Archdiocesan Ministries and Services Council***  
Oversight of Archdiocesan Services and, acknowledging the Archbishop’s particular pastoral involvement, an oversight role limited to administrative and financial matters with the following Agencies:
  - Episcopal and Corporate
  - Evangelisation Brisbane

Since the Archdiocesan Finance Council is the body mandated under canon law with responsibilities connected with finance and administration, advice and recommendations concerning these matters from Agency Councils are first directed to the Archdiocesan Finance Council for consideration before being presented to the Archbishop for his approval.

Therefore the following matters are considered first by the Agency Council before presentation to the Archdiocesan Finance Council:



- annual budgets
- audited financial statements
- management accounts
- large property purchases
- long-term leases of Agency property
- alienations
- annual risk management reports
- annual compliance reports
- significant new service proposals

Where an Agency Council is providing advice on matters without significant financial implications, these do not have to be presented to the Archdiocesan Finance Council.

Agency Councils also review regular Agency Work Health & Safety reports and provide advice on these but do not approve or recommend these reports for approval by the Archdiocesan Finance Council. The Director Work Health & Safety presents these reports to the Archdiocesan Finance Council Audit and Risk Management Committee for review. These reports are also presented by the Director to the Archbishop, Vicar General, Auxiliary Bishops and Financial Administrator to satisfy their obligations as Person Conducting a Business Undertaking (PCBU).

### Catholic Foundation Advisory Board

- 4.11 The Catholic Foundation Advisory Board is a separate Board that has no oversight of any Agency but advises the Archbishop and Vicar General in relation to fundraising strategies and initiatives in the Archdiocese.

### Commissions

- 4.12 Within the Archdiocese, the Archbishop has also established several Commissions to which he appoints suitably qualified persons to provide advice to him according to their particular mandate.

The current Archdiocesan Commissions are as follows:

(i) **Archdiocesan Commission on Liturgy**

The Archdiocesan Commission on the Liturgy assists the Archbishop who is the moderator, promoter and custodian of the liturgical life of the archdiocese, reviews the liturgical life of the Archdiocese and identifies areas of liturgical need and provides a reference group for and works with Liturgy Brisbane in its publishing and educational activities.



(ii) **Catholic Justice and Peace Commission**

The Catholic Justice and Peace Commission articulates and promotes among Catholics and wider society the practical implications of the Gospel for living in today's world.

The focus of the Commission's work is right relationships with people and all of creation in the light of the way that Jesus lived. The Commission is guided by Catholic Social Teaching which identifies key gospel-based principles necessary to support the common good. The Commission assists parish communities to understand and be proactive about justice, peace and ecology as an essential part of Christian life and mission. The Commission speaks officially on behalf of the Archdiocese on public justice and peace issues.

(iii) **Commission for Ecumenism and Inter-Religious Relations**

The Commission for Ecumenism and Inter-religious Relations assists the Archbishop in making practical ecumenism an organic part of the life and work of the Archdiocese.

Among its activities are promoting relations with other Christian churches, providing opportunities for ecumenical prayer, promoting local dialogue with other religious traditions, and developing appropriate educational resources and programs. In recent years, in response to Vatican encouragement and directives, the Commission has promoted Catholic understanding of and local dialogue with other religions, particularly Judaism, Buddhism and Islam.





## 5.0 THE ROLE OF THE VICAR GENERAL

In order to understand the particular role of the Vicar General in the governing structures of the Archdiocese of Brisbane it is first necessary to provide some information about:

- the role of Vicar General in canon law;
- curial organisation in the Archdiocese of Brisbane;
- curial advisory forum; and
- the relationship between the Vicar General, the Financial Administrator and the Archdiocesan Finance Council.

### Role of Vicar General in Canon Law

- 5.1 A diocesan bishop exercises his executive power either alone or through his vicar general or a moderator (cann. 391 §2, 473 and 475). The vicar general has by virtue of his appointment the authority of the bishop and acts within the prescriptions of the Law of the Church, and within the terms of any special mandate the bishop may give him.

#### *Canon 473*

*§1 The diocesan Bishop must ensure that everything concerning the administration of the whole diocese is properly coordinated and is directed in the way that will best achieve the good of that portion of the people of God entrusted to his care.*

*§2 The diocesan Bishop has the responsibility of coordinating the pastoral action of the Vicars general and episcopal Vicars. Where it is useful, he may appoint a Moderator of the curia, who must be a priest. Under the Bishop's authority, the Moderator is to coordinate activities concerning administrative matters and to ensure that the others who belong to the curia properly fulfil the offices entrusted to them.*

*§3 Unless in the Bishop's judgement local conditions suggest otherwise, the Vicar general is to be appointed Moderator of the curia or, if there are several Vicars general, one of them.*

*§4 Where the Bishop judges it useful for the better promotion of pastoral action, he can establish an episcopal council, comprising the Vicars general and episcopal Vicars.*

The Vicar General's power is "ordinary", that is, attached to the office, and in addition, it is also "vicarious", that is, the Vicar acts on behalf of the Bishop whom he represents.





### *Canon 479*

*§1 In virtue of his office, the Vicar general has the same executive power throughout the whole diocese as that which belongs by law to the diocesan Bishop: that is, he can perform all administrative acts, with the exception however of those which the Bishop has reserved to himself, or which by law require a special mandate of the Bishop.*

Among the acts which a bishop usually reserves to himself, we find the following:

- the opening and closing of parishes;
- incardination and excardination of clerics;
- convocation of a diocesan synod;
- recognition of a new association of the faithful;
- levies on parishes; and
- special collections.

In the Archdiocese of Brisbane, the Archbishop has reserved these acts to himself.

### *Canon 480*

*The Vicar general and the episcopal Vicar must give a report to the diocesan Bishop concerning more important matters, both those yet to be attended to and those already dealt with. They are never to act against the will and mind of the diocesan Bishop.*

Canon 480 provides that there is to be regular communication between the vicars and the diocesan bishop. This is where the Episcopal Council is most useful, because it provides a forum for the sharing of information. However, this communication occurs in many other ways both formal and informal.

The second part of the canon provides for pastoral unity by specifying that the Vicars General are never to act contrary to the intention and mind of the diocesan bishop.

## **Curial Organisation in the Archdiocese of Brisbane**

- 5.2 A significant part of the role of the Vicar General in the Archdiocese of Brisbane is to act in the name of the Archbishop and with the executive power of the Archbishop in the administration of education, welfare, evangelisation, finance, administration and other works of the Archdiocese. As described in Section 4.8, all these works are organised into separate Archdiocesan



Agencies. Each Agency is directed by an Executive Director or Director, all of whom report to the Vicar General.

As described in Section 4.10, the Archbishop has also established Agency Councils to assist him, the Vicar General and the Executive Directors.

The Vicar General is the Archbishop's delegate for each Agency Council and presides at every Council meeting.

### Curial Advisory Forum

- 5.3 The Vicar General also meets regularly together with all the Executive Directors and the Financial Administrator in the Curial Advisory Forum. This Forum allows for consideration of Archdiocesan-wide strategies and issues including work, health and safety matters, and assists with facilitating collaboration between Agencies. The Archbishop attends these Forums when able to do so.

Further information can be found in the Terms of Reference of the Curial Advisory Forum.

### The Relationship between the Vicar General, the Financial Administrator and the Archdiocesan Finance Council

- 5.4 It is important to have a good understanding of the interrelationships between these three roles.
- 5.4.1 While the roles of the Vicar General, the Archdiocesan Finance Council and the Financial Administrator are clearly mandated in canon law, the ability of each of these persons or group to carry out their roles substantially depends on the timeliness and accuracy of information and the integrity of advice that is given to them. Therefore, trust and respect must be critical values in the relationship between the Vicar General, the Financial Administrator and the Archdiocesan Finance Council.
- 5.4.2 The Archbishop has determined that the Vicar General is his delegate on the Archdiocesan Finance Council and presides in his absence. When the Archbishop is presiding at the Archdiocesan Finance Council, the Vicar General still attends but does not preside. The role of presider as distinct from the Chair is explained in Section 2.8.
- 5.4.3 The Vicar General provides important guidance to the Archdiocesan Finance Council on Archdiocesan matters because he is the only person who has a day-to-day governance and management relationship with the Agency Councils and Executive Directors. As



such, he is able to provide the Archdiocesan Finance Council and the Financial Administrator with comprehensive advice from his perspective across all these areas.

- 5.4.4 Through the formal and informal relationships the Vicar General and Financial Administrator have with the Executive Directors and Agency Councils, they are able to ensure the integrity and accuracy of the advice and reports provided to the Archdiocesan Finance Council by the various Archdiocesan Agencies.

### **Vicar General Governance Responsibilities**

- 5.5 The Vicar General has oversight of all the Archdiocesan Agencies. He attends all Agency Council meetings. On these Councils he is the Archbishop's delegate and presides at the meetings unless the Archbishop is in attendance.

The Vicar General's governance responsibilities include:

#### **Mission**

- 5.5.1 Provides leadership and guidance to Executive Directors and Agency Councils on the appropriateness of the Vision and Mission Statements and their ongoing development.
- 5.5.2 Communicates proposed revisions to the Vision and Mission Statements to the Archbishop for his approval.
- 5.5.3 Oversees the ongoing theological and mission formation of Agency staff.

#### **Archdiocesan Planning**

- 5.5.4 Co-ordinates the pastoral activities, strategic development and mission focus of the Agencies.
- 5.5.5 Develops processes and encourages initiatives to ensure that there are strong links between the Agencies, Parishes and other key groups within the Archdiocese.
- 5.5.6 Ensures that the Strategic Plan of each Agency supports the strategic development and pastoral plan of the Archdiocese.
- 5.5.7 Ensures that Agency programs and services enable the carrying out of the Archdiocese's Vision and priorities.



5.5.8 Ensures that programs and services of the Agencies are co-ordinated so that duplication of services are avoided and structures are efficient and effective for service delivery.

5.5.9 Relates all major changes to services or programs of the Agencies to the Archbishop after consultation with appropriate bodies.

### Human Resources

5.5.10 Provides pastoral leadership and co-ordination of the apostolic works of the Agencies and Agency Councils.

5.5.11 Through the Agencies, facilitates the effective support for the Archbishop, Auxiliary Bishops, Deans, Parish Priests and other key Archdiocesan personnel in the exercise of their roles.

5.5.12 Ensures that there are Archdiocesan policies and practices in place that all employees receive appropriate orientation, annual performance review, just remuneration and conditions, including a safe and ethical working environment as well as professional development opportunities and appropriate staff support systems.

5.5.13 Ensures that there are Archdiocesan policies in regard to providing a safe and nurturing environment, where the privacy and dignity is respected for all persons who come to work, volunteer, access services or have any contact with Agencies but especially the young, weak and vulnerable.

5.5.14 Provides support and leadership to the Executive Directors and the Financial Administrator.

5.5.15 Develops and implements processes for the selection and appointment of Executive Directors and the Financial Administrator in consultation with appropriate bodies and persons.

5.5.16 Develops periodic performance appraisal and feedback processes for the Executive Directors.

5.5.17 Assists the Executive Directors to set professional development goals resulting from the outcomes of their performance appraisal processes.

5.5.18 Makes recommendations in relation to the employment or termination of an Executive Director to the Archbishop, subject to all legal and canonical requirements.



## Financial Management

With the Financial Administrator ensures the following:

- 5.5.19 That the Archdiocese has in place policies in regard to the wise management of resources of the Agencies for the benefit of current and future generations, including a commitment to sustainability and caring for the environment;
- 5.5.20 That appropriate operational policies are established for the production of timely and accurate financial information by each Agency;
- 5.5.21 That an Agency budget is prepared for the Archdiocesan Finance Council of income and expenditure for recurrent and capital expenditures by each Agency on an annual basis; and
- 5.5.22 That an external audit of each Agency is performed annually as part of the total Archdiocesan audit, and presented to the Archdiocesan Finance Council.

## Compliance and Risk Management

With the Financial Administrator ensures the following:

- 5.5.23 That an Archdiocesan strategic risk management policy and practices are in place.
- 5.5.24 That appropriate risk management policies and practices are also in place in each Agency.
- 5.5.25 That an Archdiocesan Compliance Management System is developed and implemented across the Archdiocese, Agencies and Parishes.
- 5.5.26 That complaints management policies and practices are in place in each Agency.

## Work Health and Safety

- 5.5.27 Ensures that each Agency, Parish and other key groups within the Archdiocese have effective safety processes and systems in place to meet legislative requirements.

## Public Relations

- 5.5.28 Liaises with the Archdiocesan Communication Office and other key Archdiocesan personnel in relation to Archdiocesan communication issues.



## Operation of Agency Councils

- 5.5.29 Ensures that each Agency Council has in place appropriate governance policies and frameworks.
- 5.5.30 Recommends the financial governance policies to the Archdiocesan Finance Council for their consideration before recommending them for the Archbishop's approval.
- 5.5.31 Recommends all other governance policies of each Agency Council directly to the Archbishop for his approval.
- 5.5.32 Ensures that good relations and efficient work practices exist within and between each Agency Council.
- 5.5.33 Identifies for each Agency Council any matter that may require the Archbishop's advice or consent.
- 5.5.34 Provides support and pastoral leadership to the members of Agency Councils.
- 5.5.35 Facilitates the development and implementation of processes for the selection of members of Agency Councils and makes recommendations to the Archbishop in relation to appointments.
- 5.5.36 Establishes processes which ensure that the members of the Agency Council are persons of outstanding integrity and offer expertise and experience to the Council in required areas of service.
- 5.5.37 Works with Agency Councils to develop evaluation processes for the applicable work of those Councils.
- 5.5.38 Ensures that a high ethical standard is maintained through overarching principles and rules which govern individual and organisational behaviour.



## 6.0 THE ROLE OF THE COUNCIL OF PRIESTS AND THE COLLEGE OF CONSULTORS

### Council of Priests

#### 6.1 Canon 495

*§1 In each diocese there is to be established a council of priests, that is, a group of priests who represent the presbyterium and who are to be, as it were, the Bishop's senate. The council's role is to assist the Bishop, in accordance with the law, in the governance of the diocese, so that the pastoral welfare of that portion of the people of God entrusted to the Bishop may be most effectively promoted.*

The Archbishop must establish a Council of Priests. In the Archdiocese, the Council of Priests meets at least six times a year. In accordance with canon law the Archbishop must consult the Council in relation to the following:

- the erection, suppression and substantial modification of parishes (can. 515 §2);
- the establishment of new churches (can. 1215 §2);
- changes to the sacred nature of a church (can. 1222 §2); and
- the levying of taxes on parishes (can. 1263).

The Archbishop will seek the advice of the Council when prudence dictates. Further details of their role and structure can be found in their own separate statutes approved by the Archbishop.

### College of Consultors

#### 6.2 Canon 502

*§1 From among the members of the council of priests, the diocesan Bishop freely appoints not fewer than six and not more than twelve priests, who are for five years to constitute the college of consultors. To it belong the functions determined by law; on the expiry of the five year period, however, it continues to exercise its functions until the new college is constituted.*

The Archbishop must establish a College of Consultors. Under canon law the College has a number of responsibilities including:

- to be consulted by the Archbishop in the appointment of the financial administrator (can. 494 §1);



- to be consulted by the Archbishop in regard to acts of administration of major importance (can. 1277);
- to give consent in regard to acts of extraordinary administration (can. 1277); and
- to give consent for alienation of patrimony above the value set by the Australian Catholic Bishops Conference (can. 1292 §1).

Similar to the Archdiocesan Finance Council, there are a number of transactions for which the Archbishop requires the consent of the College.

Further details of their role can be found in their own separate statutes approved by the Archbishop.





## Appendix A – Governance Structure Diagram

