

Proposal 3

Renomination of a Moderator

That the Synod:

1. Amend by-law Q2.3.3 to:
 - allow for a Moderator to be nominated for a single contiguous 3 year term (to a maximum 6 year continuous total service)
 - allow the Moderator-elect and ex-Moderator to serve on Synod Standing Committee for 1 year before and after their moderatorial term respectively.
2. As transitional provisions:
 - allow the 34th Synod Moderator-elect to serve an 18 month term as Moderator-elect
 - direct the Synod Standing Committee to seek exemptions from Regulations from the Assembly Standing Committee as required to give effect to this decision.

The Scope

In late 2017, the long-standing inconsistency between the Constitution and the Regulations was considered by the National Assembly and as a result the President of the Assembly ruled on 19 October 2017 that Regulation 3.6.3.1(c) does not conform to the Constitution.

Paragraph 34 of the Constitution states that the Synod shall elect, in accordance with such rules and procedures and for such term as the Synod may determine, a Moderator who shall have such powers as may be prescribed and such further powers as may be determined by the Synod.

This means there is now no regulatory barrier against the Synod determining the length and conditions of the Moderator's term. The term can be changed at any time by the Synod.

Previously the Synod has requested from the Assembly that the prohibition on contiguous terms be lifted. This has been granted for the current Moderator's term only. Whilst it was expected that the 15th Assembly may consider Regulation 3.6.3.1(d) which governs contiguous terms, given that it also does not conform to the Constitution, this was not addressed.

The Queensland Synod's existing By-law Q2.3.3 states that the Moderator shall be elected for a term of 3 years and shall not be eligible for re-election for a contiguous term.

Rationale

Following the presidential ruling of 19 October 2017, there is no legal or regulatory prohibition to a longer Moderator term except for the Queensland Synod by-laws themselves.

After many years of discussion and consideration the 33rd Synod in Session considered the Moderator term again. It was clear during that discussion that the issue is still very much alive in people's minds.

Now there is no regulatory prohibition, the Synod's mind is sought as to whether the By-laws be amended to allow for two consecutive terms. The By-laws would also be amended to manage the church's expectations of the ex-Moderator.

In June 2018 a consultation paper was circulated on Queensland Synod Governance Structures, inviting comment on a number of governance areas within the Synod, including the term of the Moderator. The paper was circulated broadly with several reminders issued via Uniting News.

The consultation paper proposed 3 options:

1. Retain the current 3 year term for the Moderator, but amend the by-law to relax the Moderator's ability to serve a contiguous term.
2. Change the primary term of the Moderator to a term of 6 years (equalling two Synod terms).
3. Make no change.

Following the consultation process, while there was mixed feedback on the term of the Moderator, there was clear majority support for a longer term.

In particular there was majority support for the proposition of a 3 year term with the ability to serve a contiguous term.

It is considered that the proposed model below reflects the majority response:

- 3 year Moderator term with the ability to be nominated for a contiguous 3 year term
- The Moderator-elect and ex-Moderator would serve on Synod Standing Committee for 1 year.
- The incoming Moderator-elect would serve an 18 month term as a transitional arrangement.

The Synod Standing Committee resolved to put this proposal to the Synod by agreement.

If the resolutions are adopted, processes and pastoral strategies will be enhanced to ensure all nominees for Moderator are aware of the processes, challenges and support mechanisms. Information regarding timelines and expectations will be readily available and supported through Synod office processes.

A theology of leadership

Jesus Christ is the head of the Christian Church.

Beyond this statement the Uniting Church in Australia has no stated position on a theology of leadership within the church and the question remains one for ongoing discernment. The Queensland Synod has tried to capture some of the conversations around leadership in resources which can be found here <https://ucaqld.com.au/about-us/ministry-resources/ministry-and-leadership/>

The Uniting Leadership Collaboration across the Queensland and South Australian Synods is running a theological symposium on this very issue in the second half of 2019.

It is recommended that the Moderator term proposal still be considered whilst the theology of leadership discernment continues.

The ability for a Moderator to nominate for a contiguous 3 year term allows a Moderator to:

1. establish themselves as the Synod's spiritual and pastoral leader in the eyes of the wider community. This has been raised as probably the most significant issue by a number of former Moderators. It is argued that ecumenical relationships, relationships with government, commerce, leaders of other faiths, and community organisations can be enhanced with a longer time of presence and influence in these areas.
2. have a deeper awareness of the ministry of the Assembly, the Synod office, the presbyteries, and the congregations. A significant role of the Moderator is to help the church be united in worship, witness, and service, and a longer period of time in office will strengthen that. It will also strengthen the oversight of directions and strategies discerned by the Synod in Session.
3. establish better relationships with significant bodies within the church. UnitingCare Queensland (UCQ) is a large and complex institution. Membership on the board allows the Moderator to have a deep understanding of the opportunities and challenges that UCQ deals with, but it takes time to develop that deep understanding. A longer term will enable the Moderator to be a better advocate for UCQ in the life of the church, and for the church's purposes in establishing UCQ. While the Moderator is not a member of any of the boards of the church's schools and residential colleges, the same argument applies in terms of the Moderator's role of helping all the parts of the church know their connection to the whole.

Consideration of common contentious areas with regard to the term of the Moderator are considered below:

Topic	Risk/issue	Mitigator
Unwillingness of people to run against a current Moderator	The challenge of finding people willing to be nominated along with a re-nominated Moderator have been reported as defects in a renomination model.	History shows that people are willing to run against a current Moderator. Several Synods have this in place, and the concern has not been realised. The risks and benefits of nominating for a second term as Moderator are known and there are appropriate pastoral and organisation support strategies in place for people transitioning in and out of roles.
Current Moderator renominates but is not elected for a contiguous term	The pastoral implications of this situation need to be addressed.	Pastoral strategies will be in place for all nominees for Moderator from the time of their nomination until after the election is concluded, for as long as is required. All nominees will be made aware of the processes in place and will have adequate care and support throughout any transitional arrangements.
Challenges with the performance of a Moderator		This is an issue for a Moderator serving any length of term. There are regular quality feedback processes in place which allow for

Topic	Risk/issue	Mitigator
		clarification of roles and expectations. All Moderators have access to feedback and support mechanisms and informal counsel from former Moderators and people experienced in the governance of the church.
Relationship with the General Secretary's role		The position descriptions of both roles have matured and developed over time, and the management of that relationship has been enhanced by increased executive function role of the General Secretary and by governance training for the Moderator as the chair of the Synod Standing Committee (SSC).
Fewer people having an opportunity to serve as Moderator	The role of Moderator offers people a unique perspective on the life of the church. The role of Moderator could advance their capacity to minister broadly across the church.	The development of Ministry capacity is a key priority across the life of the church. While the Moderator role is unique, there are other pathways to express ministry. No person would be discouraged from nominating for Moderator. The discernment of the church will continue to guide the appointment of the Moderator.
Role of ex-moderator	The Regulations have been written and amended over the life of the UCA. Regulations 3.7.4.1(i) and 3.3.7(a)(ii) in relation to the membership of the ex-Moderator on Synod and SSC, to the best of our research, have not been changed from the time when Synods in Session were yearly, and Moderators' terms were yearly and unstipended. In the event of a 3+3 year term of office, retaining this regulatory requirement would mean a Moderator would serve for a total of approximately 13 years – as Moderator elect, Moderator, and then immediate past Moderator. This is an impractical and onerous obligation.	Given the deeper level of processes around governance today, the continuity of membership of Synods and SSC and the longer terms of Moderatorial office, the need to regulate for a former moderator to have an ongoing governance role for the complete term of the incoming moderator is redundant. A 1 year term on the SSC after the term of their office of Moderator expires supplies enough time to hand over "corporate memory" and releases the immediate past Moderator to other service to the church. This change would not preclude a former Moderator from being nominated, should they be eligible, for membership of Synod or SSC.

Whilst there was majority support for a 3 year term with the ability to serve a contiguous term, it is worth restating the advantages expressed for the alternative of changing the primary term of the Moderator to a term of 6 years. These are:

- it allows a length of time for a Moderator to establish themselves as the Synod’s spiritual and pastoral leader in the eyes of the wider community
- it allows a Moderator to establish better relationships with significant bodies within the church
- it allows the Moderator to have a deeper awareness of the ministry of the Assembly, the Synod office, the presbyteries, and the congregations
- a term length of six years is consistent with modern governance practice for chairs of institutions and not for profit entities
- a set term avoids the complications of a Moderator renominating for a second consecutive term.

Whilst some of the advantages of a 3 year term with the ability to serve a contiguous term are outlined above, another commonly stated pro is that the Synod in Session retains the opportunity to make a discernment; it puts the decision about the next Moderator in the hands of the Synod in Session.

Proposers

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