

Christ Church – Governance Review

At a Zoom meeting on 12 December 2022, the Oxford Diocesan Synod considered its response in the Consultation Paper [Christ Church – Governance Review](#). Extracts from the Consultation Paper are reproduced below.

B. Vision and Theological Rationale

[4]. The ministry of Oxford’s Cathedral is distinctive among English Cathedrals because of its unique history, place and constitution as part of the joint foundation of Christ Church. This brings many opportunities for service, some particular responsibilities for its life and a small activities number of constraints on its activities.

[9]. The four Canon Professors made possible through the joint foundation have a particular responsibility to lead and enable this dialogue between the Church and the wider academy. Their bridging roles are a vital part of the Foundation. The loss of these four Chairs would be significant for the University and for the Church. However, the whole of Christ Church and (to some degree) the whole of the Diocese has been shaped over centuries by this crossroads at the centre of our common life, drawing us all more deeply into dialogue for the common good.

C. Context

The Statutes and Governance

[18]. Though two ordinances were approved by Order in Council in 1858, full statutes were not, in fact, provided until the **Christ Church (Oxford) Act 1867**.

[20]. The statutes were subsequently amended and extended by various Orders in Council under the **Universities of Oxford and Cambridge Act 1923**. There was a substantial revision in 2011 *at which time Christ Church became formally registered with the Charity Commission*. The present statutes can be found [here](#).

[21]. They divide the constitution of Christ Church into “*the House*” and “*the Governing Body*”. The Statutes provide for a single Foundation consisting of the Dean, Canons, Students [*broadly, academics*] and Scholars [*broadly, undergraduates and graduates*], together with the Cathedral Chaplains, Schoolteacher [*the Head of the Cathedral Choir School*], Organist, Lay Clerks and Choristers attached to the service of the Cathedral Church.

- Residentiary Canons

[22]. They also provide that of the six Residentiary Canons, three are annexed to (i) the Regius Professorship of Divinity (ii) the Regius Professorship of Moral and Pastoral Theology and (iii) the Archdeaconry of Oxford. The Crown appointment of the Regius Professorship of Ecclesiastical History or the Lady Margaret’s Professorship of Divinity also hold a Residentiary Canonry or a Lay Canonry.

- Dean and Chapter

[23]. The Dean and Chapter consists of the Dean, those Residentiary Canons plus an additional residentiary canon appointed by the Bishop of Oxford under the **Cathedrals Measure 1963**.

- Governing Body

[24]. The Statutes also provide that the Governing Body consists of: (i) the Dean; (ii) the Canons [the Residentiary Canons]; (iii) all the Students [academics involved in the teaching work of the House, Professors and others elected by the Governing Body];, and (iv) such

other persons as under the provisions of **Statute XVI.3(a)(iii)** may be elected members of the Governing Body.

[25]. Importantly, they also provide that (with the exception of certain powers reserved to the Dean and Chapter or Canons), “the government of the House, and the disposal and management of its possessions and revenues (including property held in trust for purposes connected with the House) shall be vested in the Governing Body”.

[26]. The Statutes provide that seniority in the Governing Body is determined as follows: (i) the Dean, (ii) the Canons, in each case reckoned from the date from which membership of the Governing Body as a Canon has been continuous, and (iii) the Students...

Powers reserved to the Canons and Chapter/Canons

[28]. The powers reserved to the Dean and Chapter include those in respect of: (i) the Cathedral Church and its fabric and appurtenances, including the Chapter House; (ii) the Cathedral Chaplains, Organist, Lay Clerks, and Choristers, and other officers of the Cathedral Church; (iii) the residentiary houses at the date of these Statutes assigned for occupation by the Dean and the Canons together with Cloister House.

[29]. In relation to all of those things and persons, the Dean and Chapter also has all the powers ordinarily vested in the Dean and Chapter of a Cathedral Church, subject to **Statute IV**: “The Cathedral is the College Chapel of the House and the Cathedral of the Diocese of Oxford, and the Dean and Chapter shall facilitate its use in both of these capacities”.

[30]. The statutes also provide that the “Dean and Chapter shall have the exclusive disposal of the moneys to be annually set apart under the provisions of **Statutes VI and VII** as the “Cathedral Fabric Fund” and the “Chapter Fund”, but shall present their accounts to the Governing Body at least once in every year”. They are subject only to the legal authority of the Visitor (the Crown).

[31]. The powers reserved to the Dean and Canons relate to those exercised in relation to the Schoolteacher and the education (under the supervision of the Schoolteacher) of the Choristers. Again, in doing so, they are subject only to the legal authority of the Visitor, but the Governing Body has discretion in making land available for the purposes of the School.

Use of Governing Body's funds for the Cathedral

[32]. The Governing Body is required to set apart from its own funds:

1. an annual amount to be under the exclusive control of the Dean and Chapter (to be known as “the Cathedral Fabric Fund”) designated for the costs of the repairs and maintenance of the Cathedral; and
2. an annual amount to be under the exclusive control of the Dean and Chapter (to be known as “the Chapter Fund”) designated for: (i) payment of stipends or salaries to the Cathedral Chaplains, Schoolteacher, Organist, Lay Clerks, Choristers, and other officers of the Cathedral Church, and of all outgoings and expenses whatever...;(ii) payment of Cathedral alms and pensions; (iii) payment to the Dean...; and (iv) payment to the Canons of their stipends or emoluments.

[33]. The statutes also provide that the Governing Body may at its discretion from time to time contribute, having regard to the funds at its disposal, such a sum as is necessary to pay all or part of the rates and taxes on the houses occupied by the Dean and Canons.

Relationship with the Bishop and Diocese of Oxford

[34]. *The Dean is a royal appointment to a royal foundation and so is not licensed by or subject to the bishop's appointment or subsequent Ordinary control. Unlike every other cathedral in England, the*

Dean, not the Bishop, exercises Ordinary jurisdiction in the cathedral, i.e. the Dean is the highest ranking ecclesiastical authority in the cathedral and is not subject to any other ecclesiastical authority insofar as the cathedral is concerned.

[35]. *The Bishop of Oxford has no part to play in the Statutes (other than the appointment of the additional residentiary canon provided for by the Cathedrals Measure 1963).*

D. Cathedral of and for the Diocese

[41]. It is recommended that we [the Diocese] affirm that Christ Church remains the Cathedral of the diocese. Assuming we do so affirm, it is recognized that we need to communicate more fully and more widely to both the diocese and the University the value of this being the case.

[42]. We recommend that there should be an annual meeting between Christ Church and the diocese to help ensure that any issues arising are dealt with appropriately at an early opportunity and to keep under review the evolving relationship...

E. Role and Accountability of the Dean of Christ Church

[43]. There is known to be a desire amongst some within the College for change in the role and accountability of the Dean of Christ Church...The Dean's role whilst inextricable is considered to be approximately 25% relating to the Cathedral and 75% as Head of House... As a consequence, there is a full time role of Sub-Dean, who subsumes some of what in other Cathedrals would be done by the Dean. This means that Christ Church may only consider as Head of House an individual in Holy Orders who has the ecclesiastical standing to serve as Dean, in addition to all that is required to be Head of a substantial academic institution with a large endowment.

[44]. One option is clearly the status quo...

[45]. The other likely option (which may well be favoured by the College) is for future Deans not to be head of House but to be responsible solely for the Cathedral and Choir School, as is the case for other Cathedral Deans.

F. Financial issues

[46]. Christ Church funds from its corporate revenues/ endowment all the costs of the Cathedral staff and fabric including the stipend and housing of the Dean and Canons. Whereas for all other English Cathedrals the Church Commissioners fund the costs of the Dean and two residentiary canons and provide a grant, in the case of Christ Church the only funding provided by the Church Commissioners is for the stipend (but not housing, which is usually a diocesan responsibility) of the diocesan canon, who may not statutorily be funded from Christ Church revenues.

[47]. Significantly, Christ Church also funds from endowed funds 50% of the costs of the Canons Professor - were this not the case, it is very unlikely that there would be as many as four...

[49]. If, either at this or any future point, there were to be any kind of separation of the current joint foundation, the Church of England would expect that a substantial proportion of the assets would become the responsibility of the Church, recognizing that the first objective for which the foundation exists is to provide a cathedral for the diocese.

[50]. Clearly, if there is not to be any such separation, the Church of England would need to be assured that there would be no change in the responsibility of the Foundation for providing a corporate grant to fund the balance of costs of the mission and ministry of the Cathedral and Choir School.

G. Cathedral Governance

51. The Cathedrals Working Group (CWG) Final Report was published in June 2018, and led to the Cathedrals Measure 2021 (CM21), and General Guidance for Cathedrals (Guidance) issued by the Church Commissioners in September 2021...were the current governance review to delegate the operation of the cathedral as a distinct part of the joint foundation, many of the governance recommendations of CWG/CM21 could and arguably should be adopted or mirrored. This would enable a closer, clearer working relationship between the cathedral and Oxford Diocese and also reflect best practice on governance.

[52]. [The [Cathedrals Measure 2021](#)] does not apply to the cathedral church of Christ in Oxford. *The only provision that relates to Christ Church in the 1963 and 2021 Cathedrals Measures is that specifying that the Christ Church funds may not be used for the diocesan canon role at Christ Church. These should potentially both be reversed i.e. to bring Christ Church within most of the provisions of the Measure and to repeal the statutory provision relating to the diocesan canon (which would more normally be a matter for agreement or variation locally over time).*

Note: Some clarification of the wording of this paragraph in the original document is required.

[53]. Despite limited detail on the governance of the Cathedral within the statutes of the Foundation, it is clear that Christ Church as a whole would continue to own and have financial responsibility for maintenance of the land and buildings including those used by the Cathedral and its Canons and other staff.

Aspects of the Cathedrals Measures that should be reflected in revised governance documents include the following:

1 Section 1 of CM21 confers a duty to have due regard to a cathedral's ecclesiastical purpose, specifically (i) The fact that the cathedral is the seat of the bishop and a centre of worship and mission, and (ii) The importance of each cathedral's role in providing a focus for the life and work of the Church of England in the diocese which applies to Christ Church as to any cathedral.

2 Section 2, Section 11 and Schedule 1 contain detailed provisions regarding the Chapter of cathedrals. If the Chapter is delegated responsibility for the cathedral by the governing body of Christ Church, bringing the Chapter more into line with the provisions of CM21 could strengthen the relationship between cathedral and diocese.

Key changes could be (i) The inclusion of non-executive members, including lay members, which under the CM21 are expected to be greater in number than the executive members (ii) The requirement to gain the bishop's approval of these non-executive members (iii) The bishop to appoint the Senior Non-Executive Member (SNEM), after consulting the Chapter, who would chair Chapter meetings in the absence of the Dean (iv) A special meeting to be held each year between Chapter and Bishop to consult on the general direction and mission of the cathedral.

3 Section 3 contains provisions regarding the College of Canons, and the membership and responsibilities of this body in other cathedrals (which does vary) will help resolve what would be right for the College of Canons at Christ Church.

4 Sections 4, 5, 6 & 7 outline provisions for the constitution and statutes of cathedrals. Some of these provisions relate to the fabric and finances of cathedrals and may have limited applicability, as these areas are more likely to be the responsibility of the governing body of Christ Church (rather than being delegated to the Chapter.) However, some provisions could be applicable, eg 4(1)(a) the object to advance the Christian religion in accordance with the faith and practice of the Church of England.

5 Section 9 provides for the role and responsibilities of the bishop. The inclusion of these clauses, with minor amendment, could help define the bishop's role and ensure proper influence and cooperation between bishop and cathedral.

6 Section 12 specifies the role and responsibilities of the Dean, and could helpfully be included to define the role of the Dean of Christ Church in relation to the cathedral.

7 Sections 35 to 39 relate to safeguarding. These should be reviewed to ensure anything relevant is included, in addition to other safeguarding provisions that will undoubtedly be included in the constitution of the whole Christ Church entity. 8 It may be useful to require the Dean and Chapter to have due regard to the Guidance, as far as it is applicable to Christ Church cathedral. We stand ready to work collaboratively together on how these are best reflected.

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