

Charter

for the
MISSION COUNCIL



1. Preamble

- 1.1 Marists strive to make Jesus Christ known and loved through the Christian education and care of young people, especially those most in need. This purpose is pursued by a broad movement of people who are attracted to Marist spirituality and the ways in which this spirituality finds expression in shared Marist life and in Marist ministries. At the present time, the mission is canonically entrusted by the Church to the Institute of the Marist Brothers which is responsible for nurturing and supporting the wider spiritual family of Marists.
- 1.2 The Mission Council is a visible expression of co-responsibility and communion among the Brothers and the Lay Marists of the Province of Australia, called for by the XXI General Chapter of the Institute. It is underpinned by a recognition of the breadth and depth of those who feel called to live out Marist spirituality in the tradition of Saint Marcellin, to share in realising God's mission in the Marist way.

2. Purpose and Scope of the Council

- 2.1 The purpose of the Mission Council is to provide advice and support to the Provincial in his leadership and animation of those aspects of Marist life and mission in the Province that have been delegated to it by the Provincial and Council.
- 2.2 The Mission Assembly is a gathering which represents the entire Province and expresses the participation of all those involved in Province ministries. The Mission Assembly meets as a lead-in to the Provincial Chapter. Under the leadership of the Provincial, the Mission Council works to advance the recommendations of the Mission Assembly, and its own deliberations, through strategic planning and review.
- 2.3 The Mission Council provides oversight of the ministries and institutions of the Province by offering the Provincial strategic advice, and attending to financial, personnel and policy approvals as required.
- 2.4 The Mission Council complements the work of the Provincial and Council. Both canonically and civilly, the Mission Council acts with authorities formally delegated to it by the Provincial and Council. It has no canonical or civil authority independent of that. These delegations ordinarily involve most matters that concern: the overall animation of Marist ministries and institutions; the promotion of shared Marist life within them; and the fostering of Marist spirituality amongst those associated with Marist ministries.
- 2.5 The Mission Council is an advisory and non-executive body. Its deliberations and its recommendations are for the Provincial who, in his turn, operates within the authorities and limitations that are his as a Major Superior. At the same time, it is expected that the modus operandi of the Mission Council will be collegial, and its outcomes reached normally by consensus.
- 2.6 The Mission Council operates within the teachings, discipline and laws of the Catholic Church, the proper law of the Marist Brothers, and within civil law and relevant government regulation.

- 2.7 The Mission Council operates at a governance and policy level, leaving the day-to-day management of ministry areas and individual institutions to those with executive responsibility for them. The latter group includes the Provincial, the Executive Director of Ministries, other officers of the Province, and individual ministry leaders.
- 2.8 The Mission Council is not a board of directors and does not have any legal responsibility for the Province or its works. Members are not legally liable for any decision of Council.

3. Appointment and Membership

- 3.1 The membership of the Mission Council is comprised of men and women who are all recognised first for their commitment as *Marists*, and who can bring sufficient wisdom, competence, and knowledge to the responsibilities entrusted to the Council.
- 3.2 The Mission Council has six to eight members, made up of two Brothers and four Lay Marists. The Executive Director of Marist Ministries is the Executive Officer of the Mission Council and at the discretion of the Provincial, by addition, may also be appointed a member. In addition to these members the Provincial may choose, at his discretion, to add a member to the Council.
- 3.3 The Mission Council is ordinarily chaired by the Provincial, or by his nominee.
- 3.4 Members are appointed by the Provincial, in consultation with the Provincial Council, following a process of nomination across the Province.
- 3.5 The term of appointment of members is three years, from one Provincial Chapter to the next. Appointments may be renewed.
- 3.6 If a member leaves the Mission Council within the three year period of appointment the Provincial may choose to appoint a new member for the remaining period, informed by the results of the nomination process.

4. Meetings and Procedures

- 4.1 The Mission Council meets as frequently as the Provincial may determine, but not fewer than six times per year.
- 4.2 In the absence of the Provincial, the meeting is chaired by another member nominated by the Provincial.
- 4.3 A quorum for the meeting is more than half of the members.
- 4.4 The agenda for the meeting is determined by the Provincial after consultation with the Executive Director of Ministries prior to each meeting.
- 4.5 The Mission Council may also consult directly with any other leaders of Marist life and mission, or other members of the Province as it deems appropriate from time to

time. Officers of the Province, for example the Director of Business Services, or other invitees of the Provincial, may attend parts of meetings when the Mission Council deems that their presence will help to inform the discussion.

- 4.6 The office of the Provincial attends to administrative matters associated with the Mission Council meetings and business.
- 4.7 The Mission Council determines its own meeting procedures. Meetings are formally minuted. The Council may appoint a non-member Minutes Secretary for this purpose. Copies of the minutes are circulated in a timely manner.
- 4.8 As one aspect of its business, the Mission Council receives periodic reports from such Province committees and leaders of Province ministry areas as it determines it needs.
- 4.9 The Mission Council may appoint any standing or ad hoc committee, as it may determine from time to time, and allocate to such groups any tasks it may choose. The Mission Council may also choose, in the interests of timely decisions and efficiency, to appoint a Council executive.
- 4.10 While resolutions of the Mission Council are normally achieved on a consensus basis, formal votes are required for financial and capital matters.
- 4.11 A member who is absent from three consecutive Mission Council meetings without leave granted by the Chair is deemed to have forfeited membership of the Council.

Appendix A: Code of Ethics for Members of the Mission Council

Being a member of the Mission Council involves particular kinds of responsibilities and relationships based on trust and respect. It is an exercise in Gospel stewardship rather than in corporate management. The basic Marist purpose is to make Jesus Christ known and loved among young people, especially the most needy. All decisions and deliberations of Council are subsidiary to bringing about the reign of Gospel values within the Province and those people with whom it works. The Mission Council itself should be an exemplar of Christian community and, in the Marist way, be characterised by simple, transparent, unpretentious, warm and down-to-earth ways of relating and working.

1. Members give the necessary time, thought and study to the work of the Mission Council so that their contributions can be informed and effective.
2. Members keep all Council discussions in absolute confidence and only speak about them outside Council meetings when the Council has explicitly resolved that it may be appropriate to do so. In this way, members can contribute to Council meetings with honesty and trust.
3. Members participate in all meetings in a spirit of cordiality, respect, frankness, and sincerity. All opinions are heard and respected.
4. Members do not represent any constituency of the Province. While they bring a perspective which is informed by their own backgrounds and involvements, they are free to deliberate as individuals.
5. While members have some responsibility to be aware of currents of opinion in the wider Province, they do not canvass views from members of the Province community, or presume to speak on behalf of any non-member. Their normal advice to any such person is to refer him or her to the Provincial or their ministry leader, as appropriate.
6. Members are expected to be supportive in public of any decision of the Council or the Provincial, even when they may have had a variant view prior to a decision being taken.
7. An individual member is not at liberty to make comments on behalf of the Council.
8. A Council member declares any conflict of interest that may be associated with a matter before the Council, and excuses himself or herself from deliberation that involves a family member, a personal business interest, or a conflict of ministry interest.

Appendix B: Where decision-making takes place for ministry matters

Preliminary notes:

1. It is the custom and practice of the Province to have extensive informal dialogue among key leaders. This is how the normal working relationships of the Province leaders play out. In the case of the matters named below, it is envisaged that between meetings of the Mission Council the Provincial, the Executive Director of Ministries, and the Director of Business Services – and others in their respective offices – would maintain a frequent and collegial communication, and would seek ongoing counsel from others by means such as email.
2. The basic principle on which this table is developed is the distinction between “governance” and “management”. The Mission Council operates at a governance level. That is, it is concerned with approving policy, setting strategic directions, making key appointments, and ensuring that management is doing its job effectively. The Executive Director of Ministries and the Director of Business Services – and all who work with them and advise them – are charged with management, i.e. the implementation of policy, the delivery of strategic objectives, working with ministry leaders and the various advisory groups that are set up.
3. Where the “EDM” or “EDM’s office” is named below, this implies all the people and groups that contribute to the EDM’s recommendations and/or decisions, e.g. the MSA Leadership Team, the MSA Regional Councils, the leaders/directors of various ministry areas, the various advisory boards, various councils and reference groups for ministry areas. These people and groups are not specifically named in this table.

Key area	Specific matter	Who decides	Comments
Policy documents	Charters for councils/boards	P&MC	e.g. MSA Regional Council; The Hermitage Board; Remar reference group.
	Financial Governance Policy (for schools)	P&MC	On advice of Director of Business Services and the EDM. This policy covers the various requirements within which individual schools and ministries are required to operate. As long as they are operating within this framework, almost all of their dealings would be with management (i.e. Business Office, MSA Leadership Team, and Directors/Coordinators of ministry areas) and not involve the Mission Council directly.
	Executive Limitations Policy (for school principals)	P&MC	i.e. the limits on the authority of a principal.
	Child Protection Policy	P&C	Applies to all aspects of Province life.
	Employment Relations Policy	P&MC	Broad principles/framework in which Marist works operate.
	Constitution of school advisory boards	P&MC	Template approved by P&MC. EDM approves variations for individual schools.
	Procedures for appointment of principals	P&MC	This is a standing procedure that would be implemented by the EDM’s office.
	Template agreement with bishops regarding schools	P&MC	EDM develops customised agreements for individual schools based on template. Provincial to sign as Major Superior.
	Naming Policy	P&MC	
Personnel &	The number and	P&MC	With advice from EDM’s office and DBS.

appointments	deployment of Province-level employees		
	Appointment of EDM	P&MC	P&C involved beforehand if it is a Brother.
	Appointments of directors/leaders of principal ministry areas	P&MC	
	Appointment of councils/boards for principal ministry areas	P&MC	With advice from EDM.
	Appointment of advisory councils/boards for individual ministries/schools	EDM	
	Appointment of governing bodies, & boards of directors of companies owned by the Province (e.g. MYC; school foundations)	P&C	On recommendation from the EDM. Needs to be done formally by the members of the corporation, i.e. the Trustees.
	Appointment of principals & ministry leaders	P&MC	Process managed by EDM's office according to the approved procedure. Approval of the P&MC would likely be email-resolution. Letter of appointment from EDM on behalf of Provincial.
	Appointment of deputy principals and any other positions that are Province appointments	EDM	
	Brothers' appointments	P&C	In liaison with EDM if to do with ministry.
	Contract renewal	EDM	According to approved procedure
	Role statements for principals and ministry leaders	EDM	
	Performance reviews	EDM	Tabled and discussed at MSA Regional Councils (for school personnel).
Strategic directions	Areas of mission priority	P&MC	Setting and evaluating.
	New foundations	P&MC	Approval for EDM to begin negotiations from P&MC; negotiations carried out by EDM's office; final approval from P&MC.
	Major changes in structure/focus or governance for individual ministries	P&MC	With advice from EDM.
	Strategic Directions for incorporated bodies (e.g. AMS, MYC)	P&MC	Deliberation on these are entrusted to the Board of each entity within the limits of its constitution, and in dialogue with the Provincial and EDM.
	Closures	P&MC	With advice from EDM.
Finances	Financial policies	P&MC	Developed by DBS's office in liaison with EDM.
	Annual budgets for ministry areas	P & MC	Proposed to MC after development with the DBS.
	Annual budgets for individual ministries	EDM	Within approved policy framework. School fees would be part of this process. This includes school-fee approval. P&MC may want to set annually a range in which school fees increases should sit (e.g.5-7%).
	Annual financial	P&C	Audited annual financial statements need to be

	statements		tabled at a meeting of the Trustees (i.e. Provincial Council).
	5&10 financial plans	EDM	Within approved policy framework.
	Major capital developments	P&MC	On advice from EDM's office, after approval from DBS. Provincial may then be required to seek ratification from both his Council, and from General Council.
	Loans	P&C	On advice from EDM's office and DBS. Further approval may be required from General Council.
	Levies/charges to be paid by Province-governed schools	P&C	Policy guidelines set and periodically reviewed.