(Letterhead)

**Summary of the Phase 1 LCA/NZ Constitution Review**

***‘Guiding Principles for a 21st Century LCA/NZ:***

***Phase 1 of our half-century Constitutional Review’.***

**Background**

For over 50 years our existing Constitution has guided the Lutheran Church of Australia & New Zealand and served us well. We take this opportunity to remember and give thanks to all those church members involved in the initial development of, and subsequent stewardship of, our Constitution.

However the Constitution is no longer ‘fit for purpose’. This is because of several reasons. We have made many ad hoc amendments to it over the last half century and the Constitution is now difficult to comprehend in places and contradictory in others – and it no longer gives us clear guidance in all matters. It also needs to be reviewed to ensure the church is compliant with legislation that it is required to comply with. And last but not least, there have been many changes both within our church and within the societies in which we minister but such practices are not reflected in our existing Constitution.

At its meeting in February 2018, the GCC (now GCB) resolved that the Constitution of the Church be reviewed in the next Synodical term. This was reported to the 2018 Convention of General Synod.

LCA/NZ is conducting a review of our Constitution in two phases. Phase One is this phase and it is where we will be identifying the key principles upon which to rewrite our Constitution. Phase Two will be the rewriting of the Constitution at some later date.

**Purpose of the Phase 1 Review**

To achieve a Constitutional framework that has longevity and reflects who we are, why we exist, how we are governed, is consistent with contemporary standards, and be of such a nature that requires minimal changes over time the Review will:

1. Define the relevant issues and concerns with the current Constitutional arrangements, including, but not limited to the matters raised above;
2. Analyse the identified issues, seek professional advice where necessary, and engage with interested parties;
3. Establish the key principles that will underpin the changes to the constitutional framework;
4. Make recommendations in a final report to the General Church Board that would provide guidance for engaging with General Synod in 2021.

Where appropriate the above will include:

* identifying and examining constitutional and organisation structural arrangements used in other churches;
* calling for and receiving submissions from and, as necessary, engage directly with interested parties;
* examining any other relevant matters.

**Scope of Work**

The scope of work in this Phase 1 Review is to identify and analyse the key issues and establish the Key Principles that will be presented for approval to the 2021 Convention of General Synod as the framework that will guide the development of a new constitutional structure.

The scope of work will require an analysis of issues in the following areas:

1. Ecclesial and theological – how we represent the LCA/NZ as Church (including the LCA/NZ’s self-understanding of Church and Ministry);
2. Governance and accountability (including issues such as Authority & Powers);
3. Relationships (including between districts, congregations, institutions, agencies and church-wide);
4. Operations (including finance, personnel); and
5. Legal and compliance (policies, legislation, regulation).

The instigating Terms of Reference for this Review will be placed on the Review webpage when that is up and running.

It is important to understand that the above ‘scope of work’ is the only intent and focus of the Review, that is, the Review is constitutionally focused only. Accordingly the Review is not focused on any other issues including the unalterable clauses in Article 2 of the current Constitution; the very real and current issue of the ordination of women, nor is this a structural review of the church. Whilst it is acknowledged that these matters may indeed be raised by church members who contribute to this Review - and the Review Team will discuss all constitutional related matters - it is the clear intention of the Review Team to remain only within its Terms of Reference and set Scope of Work.

**Methodology**

*Engagement and Collaboration*

The methodology will include the engagement of representatives from key parts of the church from the beginning of the project in an effort to bring everyone along the process together, identifying and working through the issues collaboratively. The Review will be conducted in the spirit of openness, transparency and in accordance with the LCA/NZ Principles of Dialogue:

*Communion*: Because God has gathered us in communion with one another, there is freedom to dialogue with one another on potentially contested matters.

*Trust*: Because God has made us brothers and sisters in Christ, we can trust God to use our communion to build us up in love and overcome any mistrust that may affect our capacity to dialogue openly with each other.

*Listening*: As we listen we will grow in understanding of ourselves, of other people and the opinions they hold, and of God’s will.

*Speaking*: As we speak we will grow in understanding of ourselves, of other people and the opinions they hold, and of God’s will.

*Patience*: We can be patient in listening and speaking with each other, trusting that God will deepen the unity he has already given us.

*Review Stages*

The Phase 1 Review will be conducted in five stages:

Stage 1: **Relevant Constitutional Issues are identified** – In this stage everybody that identifies with LCA/NZ (i.e. Congregations, Districts, GCB, Churchwide Office, District & Churchwide agencies, and external agencies that are in mission with LCA/NZ (e.g. LLL, some aged care services)) are notified about this Review and have the opportunity to feedback (by survey or submission) what they think are the key issues to do with this church-wide Constitutional review.

Stage 2: **Issues are collated and prioritised** – In this stage key issues for analysis are prioritised based on the church-wide feedback and advice from some working groups. The Review Team will let people know the results of constitutional related feedback.

Stage 3: **Issues analysed & draft Key Principles discerned** – In this stage all relevant issues are explored, understood, options going forward are identified and evaluated by a number of working groups, and draft Key Principles for developing an improved LCA/NZ Constitution are discerned. A church-wide representative Constitutional Key Principles Forum is conducted to road-test the draft Key Principles and an *Interim Report* is submitted to GCB by 3 June 2020. The Interim Report will summarise progress to date, list the draft Key Principles to take into account in the development of a new LCA/NZ Constitution, and outline the remaining work to be achieved in this Review.

Stage 4: **Outstanding issues & Key Principles are clarified** – In this stage remaining and/or complex issues are further analysed and Key Principles discerned. A church-wide representative Complex Issues Forum is conducted to road-test the final draft set of Key Principles.

Stage 5: **Final Report** – In this stage a final report is developed and provided to GCB.

*Issues Sequencing Hierarchy*

In terms of sequencing key issues for analysis within the above methodology, the Review Team intends to focus on the key issues in the following order where possible:

1. Issues that may lead to belief based ‘core’ key principles; then
2. Issues that may lead to ‘good governance based’ key principles; then
3. Issues that may lead to ‘relational’, ‘operational’ and ‘structural’ based key principles; then
4. Issues that may lead to ‘legal’ and ‘compliance’ based key principles.

By following this sequence of analysis and assessment, the final set of key principles should enable the future development of a Constitution that meets Lutheran belief requirements, meets the governance and compliance requirements of the modern world, minimises future relational, operational and/or structural issues, and is housed within the most appropriate legal framework for the church in the 21st century.

*Examples of what Key Principles may look like*

The following are examples only of what ‘Key Principles’ might look like in the Final Report:

Sample-only of potential Lutheran Belief-based Key Principles:

* Principle #: The Purpose of our Church. The purpose of our Church is to…
* Principle #: Our key Values. The key values that underpin everything we do in the LCA/NZ are …

Sample-only of some secular Good Governance Principles we might potentially use:

* Principle #: Good Governance. LCA/NZ will govern consistent with contemporary governance standards.
* Principle #: Suitable Members/Owners. Members/Owners of an organisation must be sufficiently skilled and capable of carrying out their duty of oversighting the governing body of the organisation that they appoint and monitor.
* Principle #: Clear Accountability. There should be clear lines of accountability throughout the organisation back to the governing body and from the governing body to the Members/Owners of the organisation.

Sample-only of a ‘general’ Key Principle:

* Principle #: Strategic Longevity. The new LCA/NZ Constitution should be written in a way that will enable it to require minimal changes over time.

**Review Facilitation & Support**

Les Stahl will lead and facilitate this process. Les has been an organisational development facilitator for over 20 years and has worked with many church agencies and other values-based organisations. Les has led projects for our church in the past including facilitating the LCA Aged Care and Community Services Dialogue, facilitating governance reviews in the LCA Queensland District and he facilitated a governance review of Lutheran Community Care and Lutheran Disability Services in the SA/NT District. Les will be supported by his colleague Terence Corkin.

Terence is a Mediator; a Supervisor providing professional supervision for Ministers of religion; and a consultant and coach with church and international religious bodies on consensus building alternative decision making processes. Terence has also been involved in governance reviews within this church. Terence was formerly the General Secretary of the National Assembly of the Uniting Church in Australia.

These two facilitators will be supported by a volunteer Review Group which will provide advice and assistance throughout the process. Members on this support group are:

* Paul Argyle (NZ) – GCB and Council of Synod, NZ, email paul.argyle@lca.org.au
* Faye Schmidt (Vic) – GCB and Standing Committee on Constitutions,

email faye.schmidt@lca.org.au

* Ralph Brinkmann (Tas) – Vic/Tas DCC, email ralph.brinkmann@bigpond.com
* Bruce Lockwood (Qld) – Qld DCB and Chair of the Qld Governance Change Project,

email bruce.lockwood@lca.org.au

* Rev Mark Vainikka (Qld) – Assistant Bishop, email mark.vainikka@lca.org.au
* Rev Andrew Vanderlwal (SA) – SA/NT DCC (& previous membership on SA/NT Constitutions Committee), email andrew.vanderwal@lca.org.au
* Nancy Fox (NSW) – previously member of LCA Governance & Administration Review Team (2013) & LCA Aged Care & Community Services Dialogue Group, email nancysfox@gmail.com
* Peter Schirmer – Executive Officer of the Church, email [peter.schirmer@lca.org.au](mailto:peter.schirmer@lca.org.au)

Bishop John Henderson is ex-officio a member of the Review Group.

Together, the two Review Facilitators and members of the Review Group constitute the Review Team.

**Timeframe**

An interim report will be submitted to the GCB by no later than 3 June 2020.

A final report with recommendations is planned to be submitted to the GCB by 3 February 2021 if the Review runs to schedule (it is acknowledged that delays can occur).

**How you can be involved**

Shortly more information will be provided to you about how you can be involved in this important Review.

In summary, every church member will be able to participate in a church-wide survey. You will also be able to lodge a submission. If needed, after your completion of the survey or a submission, you could also contact a member of the Review Group listed above if you have any concerns.

**Communications and Updates**

There will be regular Communiqués as well as the circulation of draft documents.

Shortly you will be able to find out more about this important review by going to the LCA website ([www.lca.org.au](http://www.lca.org.au)) and clicking on the “LCA/NZ Constitution Review” tab. Bishop John Henderson will let you know in his next Communiqué when the Review webpage is up and running.

Once the review webpage is up and running, if you think you may have missed out on some information you’ll be able to check the Review’s webpage for information. All key documents associated with the Review will be posted on its webpage.

In the meantime, if you need any more information about this Phase 1 Review contact Peter Schirmer, Executive Officer of the Church at [peter.schirmer@lca.org.au](mailto:peter.schirmer@lca.org.au)

Les Stahl

Review Facilitator

on behalf of the LCA/NZ Constitutional Review Team

9 December 2019