

GOOD SHEPHERD HOMES CANON

(Assented to and passed 30th April, 1972, Amended 1984, 1987,
and as attached 2000 and 2003)

Amended 1984 **Preamble**

WHEREAS the Diocese of North Queensland is in the course of establishing a Nursing Home at Murray, Townsville to be known as 'The Good Shepherd Nursing Home' for the purpose of caring in a Christian manner for people who are chronically ill, sick or frail aged,

BE it therefore declared and established by the Bishop Clergy and Laity in the Synod assembled, as follows:

Amended 1984, 1. **The Council.** That the Good Shepherd Homes Council (hereinafter called "the Council") be
1987 hereby created for the following purposes:

(a) To establish the Good Shepherd Nursing Home at Murray, Townsville (hereinafter referred to as "the Nursing Home") upon land owned by the Diocese of North Queensland.

Inserted 1987 (aa) To establish subject to the approval of Diocesan Council other homes in the City of Townsville or the City of Thuringowa, which meet the purposes of this Canon.

(b) To provide, endow, furnish and equip the Nursing Home with all necessary furniture instruments appliances and other equipment.

Amended 1987 (c) To alter, improve or add to the Nursing Home and any other Homes established under the provisions of this Canon subject to prior approval of the Diocesan Council to any such improvements or additions or any major alterations thereto.

Amended 1987 (d) To treat and care for persons who are chronically ill, sick, confused, frail or aged.

Inserted 1987 (da) To provide housing for persons who are aged.

Amended 1987 (e) To maintain and manage the Nursing Home and any other Homes established under the provisions of this Canon.

(f) To do all such other lawful things as are incidental or conducive to the attainment of any of the above purposes.

Inserted 1987 For the purposes of this Canon the words 'Home established under the provisions of this Canon' shall mean and include any Home built, leased or managed by the Council under the provisions of this Canon.

Inserted 1984 1A. **Change of Names.** After the 8th day of September, 1983 The Good Shepherd Hospice
Amended 1987 shall no longer be known by that name but by the name of The Good Shepherd Nursing Home. From the date of the assent of the Bishop to this Amending Canon the Good Shepherd Nursing Home Council shall hence forth be known by the name of The Good Shepherd Homes Council.

2. **Members of the Council.** The Council shall consist of:

The Bishop (or his representative).
The Chairman who shall be appointed by the Bishop.
The Secretary of the Diocese of North Queensland.
Six members appointed by the Bishop-in-Council of whom at least four shall be lay persons.
Three members appointed by the Council itself.

Appointments shall be made annually on or before the first day of July in each year and take effect from that date and each appointee shall hold office until the first July following and may be re-appointed.

Inserted 1987

2A. Vacancy in the Offices of Chairman or the appointed members of Council.

The Chairman and each appointed member of Council shall be deemed to have vacated their respective offices upon:

- (a) becoming bankrupt within the meaning of the law in force for the time being relating to bankruptcy or insolvency or entering into a deed of composition with their creditors or
- (b) becoming a mentally ill person within the meaning of The Mental Health Acts from time to time in force in the State of Queensland or
- (c) dying or
- (d) resigning or
- (e) being removed from office by the Council or
- (f) being convicted in any Court of any offence and punished as a consequence thereof by a term of imprisonment or a suspended term of imprisonment:
- (g) failing to attend three consecutive meetings of the Council without first obtaining the leave of the Council for such non-attendance.

Upon any vacancy occurring in the offices of Chairman or the appointed members of Council the vacancy so occurring may be filled by the Bishop, The Bishop-in-Council or by the Council itself dependent on whether the vacancy relates to the Chairman appointed by the Bishop, the six members appointed by the Bishop-in-Council or the three members appointed by the Council as the case may be. Any person so appointed under the provisions of this section shall hold office from the date of appointment to the 30th June next following such appointment.

Amended 1984, 1987

3. **Powers and Duties of the Council.** The powers and duties of 1984, 1987, the Council at all times shall be:

- (a) To pay the cost of the establishment of the Homes and to all subsequent improvements additions and alterations thereto and for all furniture, instruments, appliances and equipment required by it.
- (b) To control all moneys received for the purpose of the Homes and all expenditure necessary for the proper running and maintenance of the Homes.
- (c) To open banking accounts for the Homes and to authorise operations thereon provided that no account shall be operated upon by less than two persons and shall not be overdrawn without the approval of the Diocesan Council.
- (d) To pay out all debts incurred by the Diocese in the establishment of the Homes or any debts subsequently incurred by the Diocese on behalf of the Homes.
- (e) To lay down the period for which and the terms and conditions upon which patients shall be admitted to the Homes and to remove any patient without having to give any reason for so doing.
- (f) To fix the fees and charges.
- (g) To sue and be sued in the names of the Chairman and Secretary of the Council for the time being in respect to all suits claims and demands which the Homes may have against others or which others may have against the Homes as the case may be.
- (h) To decide in consultation with the Superintendent of the homes (hereinafter referred to as the Superintendent) the salaries to be paid to the employees of the Homes other than the salary of the Superintendent which shall be decided by the Council itself.
- (ha) To appoint such deputy superintendents or deputy matrons as the Council may from time to time determine.
- (i) To appoint one or more persons to audit the accounts of the Homes.
- (j) To forward to the Diocesan Council the Annual Financial Statement of the Homes.
- (k) To report to the Synod of the Diocese annually.
- (l) To do all such other things as are incidental or conducive to the exercise and performance of all or any of the above-mentioned powers and duties.

Replaced 1987 4. **The Superintendent, Deputy Superintendents and Deputy Matrons.**

- (a) The Superintendent shall be a member of a Church as approved by the Bishop and shall have such qualifications as the Council may from time to time determine.
- (b) The Superintendent and all deputy superintendents and deputy matrons shall be appointed by the Council which shall also have the power to terminate their services.

- (c) The Superintendent shall be responsible to the Council for the efficient administration of the affairs of the Homes and shall have control over the employees of the Homes and take all necessary steps as to maintain discipline among patients and employees of the Homes.
- (d) All employees of the Homes other than deputy superintendents or deputy matrons shall be chosen and appointed by the Superintendent or by any deputy superintendent or deputy matron to whom the Superintendent shall delegate such power of appointment. The power of dismissal of any employee other than deputy superintendents or deputy matrons shall only be vested in the Superintendent.

All appointments together with the appointees qualifications and all dismissals of nursing staff of the Homes together with the reasons for same shall be reported in writing by the Superintendent to the next meeting of Council following appointment or dismissal.

Inserted 1987 4A. **Absence of the Superintendent, Deputy Superintendent or Deputy Matron.**

- (a) Whenever the Superintendent, any Deputy Superintendent or any Deputy Matron shall be absent from their duties for any reason for any extended period (the length of which extended period by such as may from time to time be determined by the Council) the Council may appoint a person to perform temporarily the respective duties of the Superintendent any Deputy Superintendent, or any Deputy Matron as the case may require at the pleasure of the Council until the person so absent shall resume normal duties.
- (b) Any persons acting in any of the capacities set forth in the last preceding subsection shall whilst they temporarily act in any of such positions have those powers respectively vested in those persons in whose position they are so acting.

5. **The Secretary and Treasurer.** The Council shall from amongst its own members appoint one person to be the Secretary of the Council and another person to be the Treasurer of the Council.

6. **Meetings of the Council.** Meetings of the Council shall be held at times and places to be decided by the Council and of which at least seven days' notice shall have been given.

No meeting shall be held unless at least five members of the Council are present.

Each member shall have one vote and the Chairman may exercise a casting vote.

Amended 1984

7. **Property.** The Corporation of the Diocesan Synod of North Queensland is trustee to hold real and personal property for and on behalf of the Homes.

Amended 19848.
1987

Amendment of Canon. The amendment of this Canon may be made by the Synod of the Diocese of North Queensland in accordance with the Constitution of the Diocese of North Queensland.

Replaced 1987 9.

Chaplain.

- (a) A Chaplain may be appointed to the Homes by the Bishop and licensed by him. Such appointment shall be made in consultation with the Council.
- (b) The Bishop shall have the power to suspend or remove the Chaplain from his office by the withdrawal of his licence as Chaplain.
- (c) The Chaplain shall be responsible to the Bishop for the worship in the Nursing Home Chapel or any other Chapel and the spiritual care of patients in the Homes. In all other matters he shall be responsible to the Council.

10. **Short Title.**

The Short Title of this Canon shall be "The Good Shepherd Homes Canon 1972-1987".