

2. The Disciplinary Process rights, to recognise the pastoral role of the Synod Moderator and the Synod, as well as to establish separate bodies to reach a conclusion about his/her ministry in the light of the complaint or allegation.

3. Four general principles about the Disciplinary Process:

ministers are judged against the promises they made at ordination (or, in the case of CRCWs, commissioning), as to which see the Basis of Union, Schedule E, Paragraph 2 for ministers and Schedule F, Part II, Paragraph 2 for CRCWs;

the disciplinary procedure is separated from pastoral care. Therefore those involved in the Disciplinary Process are not the same people as those responsible for pastoral care;

the rules governing discipline have been drafted to ensure that the principle of natural justice is preserved;

all cases are dealt with in strictest confidentiality. Primarily this is to protect the minister. Local churches, in particular, are anxious to know what is happening and, on occasion, a minister has wished to waive his/her right to confidential treatment. This aspect of the Process has been reviewed and, on confidentiality must be maintained. The minister may of course wish to talk in confidence to potential witnesses who might assist in countering the allegations and any such persons must in turn preserve the confidentiality of the Process. The minister is warned not to go further than that and talk to people generally about the case but, if s/he chooses to do so, there is nothing which can be done to prevent this, although it is unlikely to serve the minister

most obvious examples of Gross Misconduct would be any abusive conduct, conduct with a sexual connotation, fraud or any conduct which could amount to a criminal offence. Should the allegation(s) of abuse involve children or vulnerable adults, the Synod Moderator will seek the advice of the Synod Safeguarding Officer. Even in the absence of Gross Misconduct the Synod Moderator might decide to call in a Mandated Group if s/he considered that the alleged misconduct was serious enough to justify this course of action.

6. Information as to possible Gross Misconduct or other serious misconduct as just mentioned might reach the Synod Moderator from a voluntary confession by the minister or as a result of concerns expressed by the Church Elders or (in the case of a joint pastorate) by one of the other ministers or by a complaint from a third party which the Moderator considers to be sufficiently reliable and serious to justify disciplinary investigation.

7. But what if there is no Gross Misconduct or other serious misconduct which would justify the immediate calling in of the Mandated Group? Can disciplinary issues still arise? The answer is: yes, they can, where you, as the responsible officers within the local church, come to realise, possibly after a period of increasing concern and anxiety, that, either due to deliberate intent or a blatant lack of care and concern, the minister is failing to live up to the promises which s/he made at ordination and that this in turn is causing significant damage within your pastorate and/or other areas of his/her ministry (as to the ordination promises, see the Basis of Union, Schedule E, Paragraph 2 (in the case of ministers) or Schedule F, Part II, Paragraph 2 (in the case of CRCWs)).

8.

10. If you feel that, despite your best efforts to resolve these with the minister, there are disciplinary issues which should be looked into, you should request a meeting with the Synod Moderator. The Moderator will then look into the matter and, if s/he feels that your concerns are justified, s/he will begin the Disciplinary Process by calling in two

administrative role and it is this for this reason that the Synod makes such appointments when ministers are suspended or on long term sick leave. The appointment of an Interim Moderator does not mean that any decisions about the minister under

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17. Your Interim Moderator will also assist you in making application for the Pulpit Supply fee grants available to local churches whose ministers are under suspension and for any other assistance that may be available from the Synod or the central funds of the Church.

18. **Informing others.** When the minister is suspended others besides the local church will be informed. These are: the Synod Clerk, the General Secretary, the United Reformed Church's Press Officer and Assembly Safeguarding Officer, the Secretary for Ministries and the responsible officer of any relevant Outside Organisation. In this context "Outside Organisation" means: "any body or organisation outside the Church by which the minister is employed or with which the minister holds any position or post or has any involvement, paid or unpaid, where such body or organisation would have a reasonable and proper expectation of being made aware of the particular step(s) being taken" (Disciplinary Process, Paragraph A.5). You may well know of such an organisation with which the minister has a relationship - perhaps directly through the work of your church or because s/he is, for example, chaplain to a hospital, school or prison or is involved with any of the uniformed organisations such as Scouts or Guides. If you think such an organisation should be informed, but that the Synod Moderator may not be aware of it, please let the Moderator know. Remember that suspension does not imply any judgment about the minister or his/her conduct. However, because while suspended the minister may not present him/herself as a minister it will often be necessary that Outside Organisations are made aware of the position. In order that confidentiality is preserved those informed about the suspension will not be given any details of the reasons.

19.

20. Your Synod Moderator and Synod have the responsibility of exercising continued pastoral care for the minister and his/her family. This will normally be done through the appointment of a local minister who, like the Interim Moderator, has no involvement with the Disciplinary Process. However the Elders may wish to continue with their pastoral care of the minister and his/her spouse and family and no doubt other friends within the Church will wish to be involved in this as well. The Synod will also have the needs of the pastorate very much in mind and you should stay in close touch with your Interim Moderator or the person appointed by the Synod to give you support.

21. However you need to remember that, once the minister has been referred into the Commission Stage (i.e. the stage in the proceedings during which the Mandated Group carries out its investigation and the formal Hearing takes place before the Assembly Commission), neither the Moderator nor the Synod is involved in the Disciplinary Process and therefore they may know little more than you about the progress of the Process. Having said this, you should not hesitate to consult the Moderator at any stage since, even if s/he may not be able to give you a precise progress report, s/he should certainly be able to answer any specific questions which you might have on matters of procedure. [!ÉÁÉ@Á[^•} qÁ} [, Á@Á• , ^!ÉÁÉ@Á q!Á find out for you.

22. It sometimes seems as if working through the Process takes too long. However, it is carried out as quickly as is possible, remembering that there are different stages to be worked through and time must be allowed for each of these. Also the parties must be allowed reasonable time to prepare their cases. Again, this is to protect the mi} ã c! qÁ rights. If the minister is subject to a criminal investigation the length of time required to work through the Process is out of the hands of the Church, because of the need to adjourn the proceedings pending the outcome of the criminal issue. The upshot is that, despite the best efforts of everyone involved, a case might well take many months . even more than a year - to resolve.

The above guidance is no substitute for the careful study of the Basis of Union,
(Schedule E for the ministers and Schedule F for CRCWs)
and the Disciplinary Process.