



The
United
Reformed
Church

Section O: The United Reformed Church The ministerial disciplinary process

Notes for an individual involved in a complaint against a minister or church related community worker (CRCW).

This is an advisory document made available by Mission Council's ministerial incapacity and discipline (MIND) advisory group. It has no formal authority but is intended to help you to understand the processes the Church follows. Although these notes relate to both ministers and CRCWs, for brevity references are to ministers only. All such references should be understood to include CRCWs.

The disciplinary process was approved by General Assembly in 1997 in order to provide the Church with a means of resolving issues affecting the conduct of ministers of the United Reformed Church which could not be resolved by any other means. Subsequently church related community workers have been brought within the scope of the process.

The minister's/CRCW's conduct is to be judged applying the standard of proof of 'balance of probabilities' against the promises made at ordination/commissioning.

A flowchart has been prepared which charts the progress of a disciplinary case from start to finish. This can be found on the Church's website www.urc.org.uk.

You intend to make, or have been involved in the making of, a complaint against a minister of the United Reformed Church. This has been reported to the moderator of the synod or possibly an officer of the synod's pastoral committee and the purpose of this document is to explain what will happen now.

If the complaint relates to a situation where you believe the minister to have committed a crime you should report this to the police.

Process

When a complaint is made to the Church the moderator of the synod will look at the complaint and speak to the minister involved.

It may be that there has been a misunderstanding which can be resolved, or that you and the minister have disagreed over an issue not covered by our formal disciplinary procedures. If either of these is the case, the moderator will attempt to explain and reconcile.

However, if it appears that the complaint falls within the area of the Church's discipline of its ministers and church related community workers, the Moderator will set in motion a detailed and comprehensive disciplinary process. The Moderator will decide if the complaint should be looked into, will inform the minister accordingly and, if the allegations made are sufficiently serious, immediately suspend that minister from all duties. The Moderator will call in a group called 'the mandated group' specially set up under the disciplinary process to investigate the allegations and from this point it is this group which is responsible for dealing with the complaint.

This group will almost certainly wish to interview you and hear your story in person. If they decide that there is no case to answer the process ends there.

If on the other hand the matter has to be pursued, the minister will be suspended. Suspension does not imply guilt. It is intended to protect all the parties involved in a case and the minister involved will continue to receive a stipend and to live in Church provided accommodation where such is already the case. The mandated group will continue with its investigation and may wish to interview you again.

Eventually the case will come before a body of five people called the Assembly commission before whom the mandated group will present the case against the minister. The Assembly commission is responsible for hearing all the evidence from both the mandated group and the minister, who will also be present, and it will then reach its decision on the minister's future. It is possible that you will be asked to attend the Hearing and give evidence.

When the commission reaches its decision it has three choices.

- It may find that the minister is not in breach of discipline
- It may find that the minister is in breach of discipline and issue a formal warning whilst still retaining the minister on the roll of ministers
- It may find that the minister is in breach of discipline and remove that minister from the roll of ministers. This will deprive the minister of status and could involve loss of home and income as well.

Whatever the decision may be, there is a right of appeal from the Assembly commission to a further body known as the appeals commission. Either the minister or the presenting group (but no-one else) may use this right. This means that after the Assembly commission has made its decision there is a period of time before that decision can be made public, to allow for the possibility of an appeal.

The appeals commission does not rehear the evidence so it would not normally need to contact you.

Confidentiality

The whole process is covered by strict confidentiality. The minister is told who has made a complaint but this information is given to no-one outside the process. For example, the local congregation(s) served by the minister is/are told that a complaint has been made, but they are not told the nature of the complaint nor the name of the person or persons complaining.

None of the bodies acting officially within the disciplinary process are allowed to discuss the matter outside their respective groups.

The duty of confidentiality lies upon all those concerned in a case. All members of the United Reformed Church are covered by this rule and those who are not church members are asked to abide by the same rule.

Defamation

An individual who believes that s/he has been defamed by a malicious statement made in the course of the disciplinary process could choose to sue the person making that statement.

Effective from November 2013