

# Appendix A

## **Affirmations at Ordination or Commissioning**

Do you confess anew your faith in one God, Father, Son and Holy Spirit?

A: *I do.*

Do you believe that the Word of God in the Old and New Testaments, discerned under the guidance of the Holy Spirit, is the supreme authority for the faith and conduct of all God's people?

A: *I do.*

Do you believe that Jesus Christ, who was born of Mary, lived our common life on earth, died upon the cross, and who was raised from the dead and reigns for evermore, is the gift of God's very self to the world? Do you believe that through him God's love, justice and mercy are revealed and forgiveness, reconciliation and eternal life are offered to all people? And will you faithfully proclaim this Gospel?

A: *By the grace of God this I believe and this I will proclaim.*

Do you believe that the Church is the people gathered by God's love to proclaim the reconciliation of the world to God through Jesus Christ?

A: *I do.*

Are zeal for the glory of God, love for the Lord Jesus Christ, obedience to the Holy Spirit and a desire for the salvation of the world, so far as you know your own heart, the chief motives which lead you to enter this ministry?

A: *They are*

Do you promise to live a holy life, and to maintain the truth of the gospel, whatever trouble or persecution may arise?

A: *Relying on the strength of Christ, I do.*

[Ministers of Word and Sacraments]

Do you promise to fulfil the duties of your charge faithfully, to lead the church in worship, to preach the Word and administer the Sacraments, to exercise pastoral care and oversight, to take your part in the councils of the Church, and to give leadership to the Church in its mission to the world?

A: *By the grace of God, I do.*

{Church Related Community Workers}

Do you promise to care for, to challenge and to pray for the community, to discern with others God's will for the well-being of the community? Do you promise to take your part in the councils of the Church and to enable the church to live out its calling to proclaim the love and mercy of God through working with others in both church and community for peace and justice in the world?

A: *By the grace of God, I do.*

[All ministers]

Do you promise as a minister [*or* Church Related Community Worker, as *applicable*] of the United Reformed Church to seek its well-being, purity and peace, to cherish love towards all other churches and to endeavour always to build up the one, holy, catholic and apostolic Church?

*A: By the grace of God, I do.*

Will you undertake to exercise your ministry in accordance with the Statement concerning the Nature, Faith and Order of the United Reformed Church?

*A: I will, and all these things I profess and promise in the power of the Holy Spirit.*

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The Affirmations above are made at ordination or commissioning in accordance with Article 21 of, and Schedule C to, the Basis of Union in the case of ministers of Word and Sacraments, and in accordance with Article 22 of, and Schedule F to, the Basis in the case of church related community workers. These Schedules also contain an alternative formulation of the ministerial affirmations, expressed in answers to three rather than eight questions but identical in substance to the above.

The Statement concerning the Nature, Faith and Order of the United Reformed Church is found in Schedule D to the Basis of Union.

## Appendix B

### **Ministers under other denominational jurisdictions**

1. If a person ordained outside the United Reformed Church to a role equivalent to that of a minister of Word and Sacrament, or admitted or commissioned to a role equivalent to that of a church related community worker, serves in a local ecumenical partnership to which the United Reformed Church is party or is inducted to any ministry within the United Reformed Church or recognised as eligible for call to such a ministry, then the conduct of such a person is a legitimate concern of the United Reformed Church. However, if that person, rather than transferring to the Roll of Ministers of the URC, remains a minister of the denomination in which he or she was ordained, admitted or commissioned, then disciplinary jurisdiction belongs to that denomination ('the home denomination').
2. Allegations against such a person which would, in the case of a minister of the United Reformed Church, lead to the calling together of the SSPD may be reported to the Moderator of the Synod of the province or nation where the person serves. The Moderator is to transmit that report to the officer of the home denomination competent to initiate proceedings under that denomination's disciplinary procedure. The Moderator may recommend to that officer that the person concerned should be suspended from ministry pending investigation of the allegations.
3. If, after receiving safeguarding advice, the Moderator is aware that the allegations raise safeguarding concerns, this must be communicated to the competent officer of the minister's home denomination. It must be agreed whether the Moderator, the officer of the home denomination, or both, will report the matter to the LADO or other public authority.
4. The Moderator is to transmit to the Ministries Committee of the General Assembly a report of the steps taken in such a case.

## Appendix C

### Oversight

It is important for the purpose of the Disciplinary Process to be able to ascertain under which council's oversight a minister falls. The rules in this Appendix are to be followed for disciplinary purposes.

1. The General Secretary, any Deputy General Secretaries who are ministers, all Moderators of Synods, and any other minister appointed by the General Assembly or under its authority to undertake a full-time task serving the whole United Reformed Church, fall under the General Assembly's oversight. For this purpose a task is to be considered full-time if the person undertaking it has no other ministry to which he/she is appointed by a synod or called by a local church.
2. Subject to rules 1 and 4, a minister falls under the oversight of the synod which has oversight of the local church of which he / she is a member.
3. If a minister is not a member of any local church, the synod under whose oversight he / she last fell for disciplinary purposes shall continue to have such oversight unless the Moderator of that synod, after consulting the other members of the SSPD, agrees with the Moderator of the synod of the province or nation where the minister concerned resides (before a case concerning that minister is referred to an Investigation Team) to transfer oversight for disciplinary purposes to the latter synod.
4. If a minister is a member of more than one local church and those churches fall under the oversight of different synods, any Synod Moderator to whose notice a disciplinary allegation comes is to report the position to the Clerk of Assembly, stating his / her own views on appropriate disciplinary jurisdiction and (if known) the views of the Moderator of the other synod concerned. The Clerk of Assembly is to advise the Moderator of the General Assembly, who is to rule conclusively under which synod's jurisdiction the allegation is to be considered.
5. For the purposes of this Appendix, a single-congregation local ecumenical partnership to which the United Reformed Church is party shall be considered a local church, and a minister called and inducted to pastoral charge of any local church shall be considered a member of that church irrespective of actual entry on the membership roll.
6. The council with oversight is to be identified according to the factual situation existing on the date when an allegation against the minister concerned first came to the notice of the ARD or of any Synod Moderator. Once a council with oversight has been identified, the jurisdiction of the Moderator and SSPD (or ARD and ASPD) flowing from that identification will remain in being until the allegations have been disposed of, notwithstanding any subsequent change in the minister's role, residence or local church membership.

## Appendix D

### **Moderators' recorded warnings**

1. If a concern which comes to the notice of a Synod Moderator or the Assembly Representative for Discipline (ARD) is not considered by that person to amount to an allegation of misconduct within the meaning of paragraph two of the Framework, the Moderator or ARD may speak to the minister concerned, giving such advice and pastoral support as seems appropriate. This is not to be considered a disciplinary step, and no central record will normally be made unless a safeguarding concern is involved.
2. Such advice may, however, include a warning that repeated allegations in the same field may have to be treated as disciplinary.
3. The issue of such a warning is to be recorded locally (that is, in a form to which only the Moderator or ARD and any successor or deputy to that person will have access). Should misconduct on the part of that minister later be alleged, of a nature to which the recorded warning is relevant, the Moderator or ARD may inform the Investigation Team that such a warning was issued, and of the reasons for it. The mere giving of such factual information will not disqualify a Moderator or ARD from exercising his / her role on the SSPD / ASPD.
4. No formal procedure is required before the issue of a Moderator's warning, nor need it be preceded by any proof or admission of guilt. This means that the facts on which the warning was issued remain unproven at the time when they are reported to the Investigation Team. It lies in the Team's discretion whether or not to make the existence of a Moderator's warning part of its case, and if it does so the accused minister will be free to dispute either the alleged facts underlying the warning or to present his/her own view of their seriousness.

## Appendix E

### Double jeopardy

1. A minister may not be subjected to the Disciplinary Process a second time in respect of allegations which were previously made against him or her, if those allegations were disposed of by an agreed caution or were passed to the Hearing Stage (whatever the outcome in that Stage). If the SSPD or any Commission is satisfied that all allegations referred to it are excluded from consideration by this paragraph, it is to terminate the Process and any associated suspension forthwith.
2. This does not prevent the fact of such a caution or of an earlier written warning forming part of the report or submissions of an Investigation Team. It also does not prevent fresh allegations being made and considered to the effect that a minister gave false evidence in the course of earlier proceedings.
3. If allegations were made against a minister but did not pass beyond the Investigation Stage because the Investigation Team or the SSPD was not satisfied of a *prima facie* case or that formal disciplinary sanctions would be warranted, the same allegations may only be considered again within the Process if new evidence is offered and the SSPD is called together on the renewed allegations within six years of the termination of the earlier proceedings.
4. References in this Appendix to an agreed caution, the Hearing Stage and the SSPD apply respectively to a caution, the Commission Stage and the Synod Moderator in proceedings brought under an earlier version of the Disciplinary Process.

## Appendix F

### **Composition of the Synod Standing Panel for Discipline**

1. The Synod Standing Panel for Discipline ('SSPD') comprises:
  - a) the Moderator of the synod and
  - b) two members of the United Reformed Church appointed by the synod, one of whom must be an elder.
2. The appointment of the two members should for preference be made by resolution of the synod in plenary session, though in case of urgency it can be made by the Synod Executive or other body charged with the business of the synod between meetings.
3. It is not necessary for the appointed members of the SSPD to be members of the synod. It is desirable, but not essential, for one member of the SSPD to have a legal qualification or comparable experience. Paragraph 8.8 of the Framework restricts simultaneous appointments of one person to different roles in connection with the Process.
4. The appointed members serve on the SSPD for renewable terms of five years.
5. If an appointed member dies, resigns or ceases to be a member of the United Reformed Church before the end of the term of office, a fresh appointment for a fresh term of five years is to be made at the next plenary session of the synod, or (in cases of urgency when a replacement under paragraph 8 is not possible) by the Synod Executive or other body charged with the business of the synod between meetings. However if the SSPD is convened to consider an actual case and the term of office of a member (including the Moderator) ends by expiry before the case is disposed of under paragraph 5.3 of the Framework or an agreed caution administered under paragraph 5.4, the member concerned may continue to serve on the SSPD (in respect of that case only) pending such final disposal. A SSPD member in this situation must inform the Clerk of the Synod within seven days of his / her term of office ending whether he / she is willing to continue to serve on the SSPD in this way.
6. The Clerk of the Synod is to notify the General Secretary of the names and addresses of the members of the SSPD for the time being, and of the death or resignation of a member. If either appointed position on the Panel is left vacant for more than one month the General Secretary must call upon the Moderator of the Synod to take steps towards a prompt appointment. If an appointed position is left vacant for three months, or if during a vacancy disciplinary allegations are made which necessitate the SSPD being called together and a replacement under paragraph 8 is not possible, the appointment may be made by the Officers of General Assembly and shall take effect as though made by the synod.

7. No member of the SSPD is to serve in a case in which his / her relationship with the accused minister or a complainant could give rise to a reasonable suspicion of bias. However, such disqualification shall not follow merely by reason of a person knowing the accused minister or the complainant or by ministry or residence in the same province or nation. The Moderator, and any other member of the SSPD holding relevant Church responsibilities within the province or nation, may provide to an Investigation Team verifiable factual statements regarding the accused minister and his or her record of ministry, without being considered as taking part in the investigation. These must be provided in writing and copies supplied to the accused minister. If the Investigation Team requires expressions of opinion on such matters, it should if possible seek them from a source not connected with the SSPD. However if it appears to the Investigation Team essential that a member of the SSPD provide opinions or evidence in the case going beyond a written factual statement, that person shall not serve on the SSPD in connection with the case.
8. If, for a reason mentioned in the foregoing paragraph or because of prolonged absence or other incapacity, a member of the SSPD is unable to serve as such for a particular case, or to continue until the case passes out of the hands of the Panel, a replacement for that case shall be made as follows:
  - a) if the Moderator is generally prevented from acting as Moderator of the Synod (or if there is no Moderator) and arrangements are in place for another person to serve as Acting Moderator, that person shall also replace the Moderator on the SSPD.
  - b) if the Moderator is otherwise prevented from serving on the SSPD (or if there is no Moderator and no current arrangements for an Acting Moderator) a replacement shall be appointed by the Officers of General Assembly, being either a minister resident in the province or nation or the Moderator of another synod.
  - c) if a member of the SSPD other than the Moderator is prevented from serving on the SSPD, a replacement shall be appointed by the Synod Executive or other body charged with the business of the synod between meetings. The appointment must be notified immediately to the General Secretary.
9. Replacements made for an actual case under paragraph 8 shall continue to serve on the SSPD for that case notwithstanding the subsequent ending of a Moderator's inability to serve, induction of a new Moderator or election of new Panel members by the synod.
10. If the Moderator, or the person who should replace the Moderator under paragraph 8 above, fails to call together the SSPD as required by paragraph 3 of the Framework, either of the other members of the SSPD may notify the Assembly Representative for Discipline ('ARD') who, if satisfied that the SSPD ought to be called together, is to call upon the Moderator to do this. Should the Moderator not call together the SSPD within 48 hours of this requirement, the ARD is to arrange for a replacement to be appointed for the Moderator under paragraph 8(b) above and that replacement is to call together the SSPD.



11. Decisions of the SSPD may be made by a majority if consensus cannot be achieved.

## Appendix G

### The Disciplinary Process and Safeguarding

#### Introduction

1. The Disciplinary Process complements the Church's Safeguarding Policy. The Policy is wider in scope than the Process, covering all who play a part in Church life including employees and volunteers. It does not govern disciplinary steps concerning ministers or CRCWs, which are regulated only by this Process. But the Process is not a substitute for the sharing of concerns or information required by law or by good practice if a safeguarding issue arises; and disciplinary investigations may be suspended (as provided in Appendix L) if a criminal or statutory investigation arises out of safeguarding concerns.
2. Discipline and safeguarding complement each other in four principal ways:
  - a) information available to the Church's safeguarding professionals regarding particular individuals is shared, when requested, with those taking or assisting decisions in the Process;
  - b) information obtained during the Process is shared with, and recorded by, the Church's safeguarding professionals;
  - c) the Church's safeguarding professionals are involved as detailed below in the deliberations of the SSPD on a particular case;
  - d) general advice (not specific to particular individuals) is sought from the Church's safeguarding professionals, on the basis of their training and experience, at certain stages in the Process;
  - e) all those taking decisions in the Process are urged to act with special regard to the interests of children and adults at risk.

#### Transmission of requests, information and advice

3. Where the rules in this Appendix refer generally to 'safeguarding professionals', a term which includes Safeguarding Officers or Advisers whether appointed in the name of a synod or in that of the General Assembly. In some places they refer specifically to the Synod Safeguarding Officer (SSO), but this is subject to any provision in the Safeguarding Policy calling for the denominational Safeguarding Adviser to discharge a function instead of the SSO. The denominational Safeguarding Adviser also acts in place of the SSO when a minister is subject to direct Assembly oversight, or where a Synod currently has no Safeguarding Officer of its own, and references to the SSO should be understood accordingly. The Safeguarding Policy governs all sharing of information between safeguarding professionals.
4. Where the Disciplinary Process requires safeguarding information or advice to be given to a SSPD, it is to be given first to the Moderator and transmitted by the Moderator to the other members of the Panel with as little delay as possible. If the Moderator is for any reason not serving on the SSPD in a particular case the person who replaces the Moderator for the purposes of this Process under paragraph 8 of Appendix F ~~G~~ is to notify his / her contact details to safeguarding professionals, and all subsequent references to the Moderator in this Appendix are to be read as meaning that person.

5. If a case enters the Investigation Stage by the appointment of an Investigation Team, the Team is to designate one of its members as its point of contact with safeguarding professionals. That member is to notify his / her contact details to safeguarding professionals. Thereafter, where the Process requires safeguarding information or advice to be given to the Team, it is to be given first to that member and transmitted by that member to the other members of the Team with as little delay as possible.

### **The initial stage**

6. The Process begins when one or more allegations coming to the notice of a Synod Moderator are identified as allegations of misconduct as defined in paragraph 2 of the Framework. The SSPD is then convened (paragraph 3 of the Framework) and considers whether the allegations should be struck out as patently frivolous, malicious, vexatious or unrelated to the expectations. The SSPD (or in case of urgency the Moderator) also decides whether it is necessary to suspend the accused minister pending investigation. The SSO is to participate in the discussion on these questions by whatever communication method the SSPD adopts, seeing the same papers as the Panel members see, and having the chance to express a view before they come to any decision. Safeguarding professionals may offer any information or advice which appears, in the light of the allegations made, relevant to those decisions. Information regarding the accused minister which is not relevant in the light of the allegations made should not be sought or given at this stage, in order not to prejudice the Panel against the accused.

### **Deferment during investigation by external authorities**

7. If the SSO, in the discussion of a case with the police or other external statutory authorities, is advised that those authorities wish their initial investigation to proceed without the minister being aware of the situation, the SSO is to report this to the SSPD, which can defer suspension or reference to an Investigation Team until the external authorities are ready for the minister to be informed

### **Pastoral care and special provision**

8. Safeguarding professionals should be consulted by the Moderator when considering what arrangements should be made for pastoral care of children and adults at risk concerned in a disciplinary case (Framework paragraph 4), and by the SACD when making arrangements for a Hearing if such individuals are expected to attend.

### **Allegations unrelated to safeguarding**

9. If it appears to safeguarding professionals that none of the allegations made against a minister raise any issue of safeguarding within the scope of the Church's Policy, they may advise the SSPD accordingly. Subsequent requirements of the Framework to seek safeguarding advice need not then be followed, unless additional facts coming to light during the investigation suggest to the Panel or the Investigation Team that (a) the minister's behaviour could after all raise a safeguarding concern or (b) advice is needed on the treatment of a vulnerable complainant, witness or other person affected by the case.

## The Investigation Stage

10. After the appointment of an Investigation Team, the SSPD is to notify both the Team and the accused minister of any information or advice received from safeguarding professionals. The Team may at any time seek further advice from safeguarding professionals, but any advice included in the Team's report to the SSPD must also be copied to the accused minister.
11. The SSO is to participate (in the same sense as in paragraph 6 above) in the deliberations of the SSPD before it
  - a) lifts a suspension previously imposed (Paragraph 3 of the Framework);
  - b) terminates the Process after receiving an Investigation Team report that allegations are not susceptible of proof or do not merit formal sanctions (Paragraph 5.2); or
  - c) terminates the Process, overruling an Investigation Team's submission of a *prima facie* case (Paragraph 5.3).
12. If the SSPD gives permission for negotiation of an agreed caution (Paragraph 5.4), the Investigation Team must liaise with safeguarding professionals on the terms of such a caution. If the Team reports to the SSPD that agreement has been reached with the accused minister, it must also report the safeguarding advice received regarding the submitted terms.

## The Hearing Stage

13. Any safeguarding advice or information received by a SSPD (except advice given during negotiations for a possible caution which did not in fact result) is to be included in the material passed to an ACD at the beginning of the Hearing Stage.
14. An ACD must seek safeguarding advice before it lifts a suspension previously imposed (Paragraph 6.1).
15. If the Investigation Team seeks leave to abandon allegations during the Hearing Stage (Appendix P), then either it must seek safeguarding advice itself and report this in its submission to the ACD, or the Commission must itself seek such advice before deciding on the application.
16. If safeguarding arguments are to form part of the case presented by an Investigation Team at the Hearing, the Team may call a safeguarding professional as witness. Witnesses on safeguarding issues may also be called by the accused minister, or by the Commission under Framework Paragraph 6.4. If the payment of fees is involved, regard is to be had to Framework Paragraph 8.7.
17. The denominational Safeguarding Adviser, or an alternative safeguarding professional who has not otherwise been involved in the case is to be invited to attend an Assembly Commission or Appeal Commission Hearing to advise on the same basis as the representative of the denominational Legal Advisers. This does not apply when safeguarding professionals have advised that none of the allegations made against a minister raise any issue of safeguarding within the scope of the Church's Policy.

## Appendix H

### **The Assembly Representative for Discipline and the Assembly Standing Panel for Discipline**

1. The Assembly Representative for Discipline ('ARD') discharges the functions in the Disciplinary Process normally assigned to the Moderator of a synod, in cases where the accused minister is treated under Appendix C as falling under the Assembly's direct oversight
2. The General Assembly appoints the ARD for a period of five years and may renew the appointment. The ARD must be a member of the United Reformed Church but may not be a person who would, under Appendix C, be treated as falling under the Assembly's direct oversight.
3. The Assembly Standing Panel for Discipline ('ASPD') comprises:
  - a) the ARD, and
  - b) two members of the United Reformed Church appointed by the General Assembly, one of whom must be an elder and the other a minister.It is desirable, but not essential, for one member of the ASPD to have a legal qualification or comparable experience.
4. The appointment of the ARD and of the other two members should for preference be made by the Assembly in plenary session or by the Assembly Executive, but in case of urgency may be made by the Officers of General Assembly.
5. It is not necessary for the members of the ASPD to be members of General Assembly. Paragraph 8.8 of the Framework restricts simultaneous appointments of one person to different roles in connection with the Process.
6. The appointed members serve on the ASPD, for renewable terms of five years.
7. If the ARD or an appointed member of the ASPD dies, resigns or ceases to be a member of the United Reformed Church before the end of the term of office, a fresh appointment for a fresh term of five years is to be made at the next session of the Assembly Executive, or in cases of urgency by the Officers of General Assembly. However, if the ASPD is convened to consider an actual case and the term of office of a member (including the ARD) ends by expiry before the case is disposed of under paragraph 5.3 of the Framework or an agreed caution administered under paragraph 5.4, the member concerned may continue to serve on the ASPD (in respect of that case only) pending such final disposal. An ARD member in this situation must inform the Clerk of the General Assembly within seven days of his/her term of office ending whether he is willing to continue to serve on the ASPD in this way.
8. No member of the ASPD is to serve in a case in which his / her relationship with the accused minister or a complainant could give rise to a reasonable suspicion of bias. However, such disqualification shall not follow merely by

reason of a person knowing the accused minister or the complainant or by residence in the same province or nation. A member of the ASPD holding relevant Church responsibilities may provide to an Investigation Team verifiable factual statements regarding the accused minister and his or her record of ministry, without being considered as taking part in the investigation. These must be provided in writing and copies supplied to the accused minister. If the Investigation Team requires expressions of opinion on such matters, it should if possible seek them from a source not connected with the ASPD. However if it appears to the Investigation Team essential that a member of the ASPD provide opinions or evidence in the case going beyond a written factual statement, that person shall not serve on the ASPD in connection with the case.

9. If, for a reason mentioned in the foregoing paragraph or because of prolonged absence or other incapacity, any member of the ASPD (including the ARD) is unable to serve as such for a particular case, or to continue until the case passes out of the hands of the Panel, a replacement for that case shall be appointed by the Officers of General Assembly. The replacement must be a minister or Church Related Community Worker if both the continuing members of the ASPD are Elders, and *vice versa*.
10. If the ARD fails to call together the ASPD as required by paragraph 3 of the Framework, either of the other members of the ASPD may notify the General Secretary or the Moderator of the Assembly. That person, if satisfied that the ASPD ought to be called together, is to call upon the ARD to do this. Should the ARD not call together the ASPD within 48 hours of this requirement, the Officers of Assembly are to appoint a replacement for the ARD under paragraph 9 above and that replacement is to call together the ASPD.
11. If an Officer of the General Assembly is the accused minister, the complainant or an essential witness in the case, decisions required to be made by the Officers of Assembly shall be made without that person.
12. Decisions of the ASPD may be made by a majority if consensus cannot be achieved.

## Appendix J

### Rules and consequences of suspension for a minister

1. Schedule E to the Basis of Union provides that:

“Acting in due exercise of their functions as contained in the Structure of the United Reformed Church, the councils of the Church have authority in certain circumstances (without prejudice to a minister’s conditions under the Plan for Partnership in Ministerial Remuneration) to suspend a minister which involves a temporary ban on the exercise of ministry by the minister concerned but not his / her removal from the Roll of Ministers.

A minister under suspension, whether in pastoral charge or not, shall not present him/herself as a minister and shall not preside at communion. The minister shall refrain from all activity which may lead others to believe that he / she is acting as a minister of religion. Suspension also means that the minister may not exercise the rights of membership of any council of the Church. Suspension does not remove any of the rights accorded by the process of determining the matter which had led to the suspension.”

2. In the above extract ‘minister’ means minister of Word and Sacraments. But an identical provision in respect of Church related community workers appears in Schedule F to the Basis.
3. Any decision to suspend a minister must be communicated immediately by the Moderator making the decision, any member of the SSPD making the decision, or the SACD if the decision is made by a Commission. It must be accompanied by a brief statement of reasons. Suspension takes effect immediately upon notification by any method. If the decision is initially communicated orally, a note is to be made of the time of the communication, and written confirmation signed by the person notifying the suspension must be delivered to the minister as soon as practical thereafter.
4. Any notification of suspension must warn the minister concerned of the relevant provision of Schedule E or Schedule F, as appropriate, to the Basis of Union, and that any violation of that provision may form the subject of a separate disciplinary allegation or be taken into account by the SSPD or a Commission in its disposal of the allegations already made. It must also state that suspension does not, in itself, imply any view about the correctness of any allegations; nor will it affect the minister’s remuneration or pension entitlement.
5. If a decision to terminate suspension is made by the SSPD or a Commission, it must be notified in writing as soon as practical, by a member of the SSPD or by the SACD as appropriate, and takes effect on such notification. Again, brief reasons must be given. If suspension terminates automatically under the provisions of this Process by virtue of any other event, written confirmation must be delivered to the minister as soon as practical after that event.

## Appendix K

### Investigation Teams and the Disciplinary Investigation Panel

1. The Disciplinary Investigation Panel comprises up to eighteen members of the United Reformed Church appointed by the General Assembly or, in its name, by Mission Council. The Assembly Nominations Committee, in proposing names for the Panel, is to have regard (a) to geographical distribution and ability to travel, in the light of the possibility that investigation may be necessary in any part of Great Britain or the Islands, (b) to the need for as many members of the Panel as possible to have skills or professional experience relevant to the task of Investigation Teams, and (c) to the desirability of a broad diversity. Paragraph 8.8 of the Framework restricts simultaneous appointments of one person to different roles in connection with the Process.
2. Two persons shall be designated Senior Member and Deputy Senior Member of the Panel, each for a term of seven years. When a term expires or one of these persons resigns or dies, the other is to be consulted by the Nominations Committee before it recommends renewal or an appointment to the vacant role. The Deputy Senior Member is to take the place of the Senior Member in respect of any function which the Senior Member cannot, because of absence or any other reason, discharge. A person ceasing to hold one of these roles will remain a member of the Panel.
3. In view of the need for continuity and familiarity with the investigative task, appointment to the Panel is without limit of time. However the Senior Member and Deputy Senior Member may jointly draw the attention of the Nominations Committee to any factor which appears to be preventing a Panel member from serving effectively on an Investigation Team. The Senior Member may, after consulting the General Secretary, draw the attention of the Nominations Committee to any factor which appears to be preventing the Deputy Senior Member from acting effectively as such, or *vice versa*. In any such case the Committee may, if it sees fit, nominate a replacement.
4. A disciplinary case is passed on to the Investigation Stage by a member of the SSPD, on its behalf, transmitting to the Senior Member of the Disciplinary Investigation Panel the allegations received (or of a written summary if they were originally made orally), any documents submitted in support of the allegations, the names of the complainant and details of any other sources of relevant information known to the SSPD at that time. The SSPD is also to state whether or not the accused minister has been suspended.
5. On receiving the material transmitted by the SSPD, the Senior Member is to appoint three willing members of the Panel to form an Investigation Team for that case, having regard to geographical proximity to the accused, complainant and likely witnesses as well as to appropriate skills and experience. No Panel member who is related to, belonging to the same local church as, or otherwise closely concerned with the accused minister or the complainant, has any pastoral or personal involvement with the case or is



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liable to be a witness, may be appointed to an Investigation Team for that case. Subject to these considerations, the Senior Member should also consider the desirability of all members of the Panel having regular involvement with disciplinary cases. The Senior Member may him- or herself serve on an Investigation Team when that appears appropriate.

## Appendix L

### The work of Investigation Teams

1. The material transmitted by the SSPD to the Senior Member of the Disciplinary Investigation Panel is to be passed on to the members of the Investigation Team as soon as they have accepted appointment. At the same time the accused minister is to be notified in writing by the SSPD of the nature of the allegations to be investigated.
2. The purpose of the Investigation Team's work in the Investigation Stage is set out in Paragraph 5.1 of the Framework. If the case is passed on to the Hearing Stage the Team's work continues but with the goal set out in Paragraph 6.2.
3. The Team may work as it thinks fit, having regard to the need for fairness, confidentiality and expedition. Tasks may be distributed between members of the Team but anything known to one member must be shared with others and all decisions must be made collaboratively. The Team may make decisions by a majority if consensus cannot be achieved.
4. The Team may interview the complainant (if any) and / or the accused minister or both during the Investigation Stage. The accused minister must be interviewed by the Team before any Hearing if this has not been done earlier. Supplementary interviews are in order when necessitated by fresh information. If the Team proposes to base any questions to the accused minister on the contents of one or more documents, copies of those documents must be supplied to the accused minister sufficiently in advance of the interview for the minister to consider them.
5. No interview with any person outside the Team, whether taking place in person, by electronic means or by telephone, may take place unless at least two members of the Team are present; the person being interviewed must also be offered the opportunity to have a friend (or, in the case of the accused minister, a colleague or Trade Union representative) present. A note of any interview is to be taken at the time or made immediately afterward, and a copy supplied to the person interviewed for comment.
6. If the Team becomes aware that criminal charges (or any other statutory investigation) are pending against an accused minister which cover the same facts as, or are otherwise relevant to, the disciplinary allegations, it shall suspend its work (subject to paragraph 7) until the outcome of the criminal prosecution or statutory investigation is known, save for monitoring any court proceedings and securing a certificate of conviction or acquittal when they conclude, or a concluding report from any other investigating body. Suspension of an investigation for this reason is to be reported to the SSPD if it happens during the Investigation Stage, or to the SACD if it happens during the Hearing Stage.

7. Criminal charges are considered pending from the time when a minister is arrested or remanded on such a charge or receives a summons from a court of criminal jurisdiction, or if the Team reasonably believes that the minister is a suspect in an investigation by the police or comparable public authority from which criminal charges or charges under another statutory procedure may follow. They remain pending during the currency of any appeal against conviction, though not in the event of an appeal against sentence only. Charges in Northern Ireland or abroad have similar effect to those pending in Great Britain or the Islands. A statutory investigation is considered pending from the time when the allegations about a minister are passed to a statutory authority (whether its functions are adjudicatory or investigative), until all statutory authorities have concluded their work or indicated that the Church's disciplinary process can proceed. However, the SSPD or Commission under whose authority the case is proceeding may authorise earlier resumption of the investigation or other steps under this Process if it is satisfied (a) that such steps would not unreasonably prejudice the statutory or criminal proceedings, and (b) that delaying in the Disciplinary Process until the conclusion of such proceedings would itself be prejudicial to the complainant, the accused minister or the Church.
8. The Team may at any time recommend to the SSPD or Commission under whose authority the case is proceeding that the accused minister be suspended or that any current suspension be lifted.
9. The report submitted by the Team to the SSPD at the close of the Investigation Stage will be in accordance with either Paragraph 5.2 or 5.3 of the Framework. A report in accordance with Paragraph 5.3 may include a recommendation for negotiation of an agreed caution, and the Team's initial position on what this caution should contain. If, after receiving safeguarding advice, the SSPD refers a report under Paragraph 5.2 back for reconsideration, the Team is to consider any comments made by the SSPD and any safeguarding advice available to it, before resubmitting the report.
10. If a case proceeds to the Hearing Stage, the Team is to notify the SACD when its further investigations are complete and the case against the minister is ready for hearing.

## Appendix M

### Cautions

1. An agreed caution is a possible outcome of the Investigation Stage in the circumstances set out in Paragraph 5.4 of the Framework. It may be recommended by the Investigation Team in its report to the SSPD, or proposed by the SSPD of its own motion after considering the report. Accused ministers cannot themselves initiate consideration of a caution as a procedural step, though an Investigation Team can pursue a minister's proposal if it thinks fit.
2. On the part of the accused, there are three elements involved in disposing of disciplinary allegations by a caution: he / she must admit the facts to which it relates, must satisfy the Investigation Team and SSPD of an appropriate level of remorse, and must undertake to observe the precautionary steps set out in the caution to obviate or minimise the risk of such conduct ever being repeated. The term 'negotiation' in the Disciplinary Process refers to a 'without prejudice' discussion (in the sense of paragraph 9 below) between the Investigation Team and the accused, designed to make clear whether these elements are present, and if so to agree the wording of the written caution to be proposed to the SSPD.
3. Before opening the possibility of a caution to formal negotiation, and again before settling the final form of any caution, the SSPD is to consider safeguarding advice. The SSPD must not allow negotiation of a caution if it considers at least one of the allegations so serious, for any reason, that a caution could not be an appropriate outcome if it were admitted or proved.
4. If the SSPD allows negotiation of a caution, it is to decide whether it will take the lead in proposing a caution text, seeking the agreement of the accused minister and the Investigation Team, or whether the Investigation Team is to take the lead, seeking the agreement of the accused minister and the SSPD.
5. Negotiation is then to proceed accordingly, with a view to drafting a written text which expresses the extent of the accused minister's admission of the allegations made (or such as the SSPD considers necessary to be disposed of before the Process can be ended) and the steps to be taken or conditions to be observed to remedy any harm and ensure the admitted misconduct is not repeated. Time limits may be attached in the caution text to these steps or conditions. The text should also express some degree of remorse, although this should be in the minister's own words and not the subject of negotiation.
6. If the issue of misconduct resolved by an agreed caution is repeated, or if the steps or conditions agreed as part of the caution are not taken or observed, this may amount to a fresh case of misconduct and the text of the caution may be taken into account in the investigation and disposal of fresh allegations. The text is to include a statement that the accused minister understands this.

7. The SSPD must set a time limit for agreement to be reached on a satisfactory caution text, but may extend the limit on the application of either party in exceptional circumstances. If satisfied it will not be possible to reach agreement on a caution in appropriate terms within that time limit, it must end the negotiation and pass the case on to the Hearing Stage.
8. But if, after receiving safeguarding advice on the final terms, the SSPD is satisfied that the agreed text of a caution can properly end the case, it is to deliver the caution formally. For this purpose it is to require the accused minister's personal attendance before at least two members of the Panel, one of whom will read the caution aloud before it is signed in duplicate by the minister and the Panel members present. The minister may be accompanied by a companion of his / her choice, but that companion will not be invited to address the Panel.
9. Negotiation of a caution and all proposed texts and amendments thereto are without prejudice to the further steps in the Disciplinary Process, should these take place. Accordingly, if the SSPD ends the negotiation and passes the case on to the Hearing Stage, correspondence entered into (subsequent to the Team's report) in connection with the proposal and attempted negotiation of a caution is not to be passed on to the ACD and will not be admissible at the Hearing Stage or at the Appeal Stage. Beyond the fact that a caution was proposed but not, in the event, given, no reference to the negotiations or any concession made in them is to be made by the Investigation Team during the Hearing or Appeal Stages (and any reference contrary to this paragraph is to be disregarded by the Commission), unless the accused minister first makes such a reference and the Commission holds the interests of justice to require a reply by the Investigation Team.

## Appendix N

### **Assembly Commissions for Discipline and the Commission Panel**

1. The Commission Panel comprises up to thirty members of the United Reformed Church appointed by the General Assembly or, in its name, by the Assembly Executive. The Assembly Nominations Committee, in proposing names for the Panel, is to have regard (a) to the need for a variety of skills and specialisations including in the theological, psychiatric, counselling, forensic and safeguarding fields, experience of judicial or other legal work, ecclesiastical oversight and the conduct of meetings, (b) to the desirability of a broad diversity and (c) to the need for both ministers or church related community workers (CRCWs) and elders or laypeople to serve on Commissions as indicated below.
2. Paragraph 8.8 of the Framework restricts simultaneous appointments of one person to different roles in connection with the Process.
3. Two members of the Commission Panel shall be designated Convenor and Deputy Convenor of the Panel, each for a term of seven years. When a term expires or is about to expire, or when one of these persons resigns or dies, the other is to be consulted by the Nominations Committee before it recommends an appointment to the vacant role. Both are to advise the Committee on the need for additional appointments to the Panel and the areas of expertise required. The Deputy Convenor is to take the place of the Convenor in respect of any function which the Convenor cannot, because of absence or any other reason, discharge. A person ceasing to hold one of these roles will remain a member of the Panel.
4. In view of the need for continuity and familiarity with the adjudicative task, appointment to the Panel is without limit of time. However the Convenor and Deputy Convenor may jointly draw the attention of the Nominations Committee to any factor which appears to be preventing a Panel member from acting effectively as such. The Convenor may, after consulting the General Secretary, draw the attention of the Nominations Committee to any factor which appears to be preventing the Deputy Convenor from acting effectively as such, or *vice versa*. In any such case the Committee may, if it sees fit, nominate a replacement.
5. The General Assembly, or the Assembly Executive in its name, shall appoint a Secretary of Assembly Commissions ('SACD') for such term as it may decide. A proposal for this appointment shall be made by the Nominations Committee, taking account of Paragraph 8.8 of the Framework.
6. A disciplinary case is passed on to the Hearing Stage by a member of the SSPD, on its behalf, transmitting to the SACD the Investigation Team's report, any answer made by the accused minister, any documents submitted in support of the report or answer, and a written statement of the SSPD's finding that there is a disciplinary case to answer. The SSPD is also to state whether or not the accused minister is currently suspended.

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7. On receiving the material transmitted by the SSPD, the SACD is to notify the Convenor and Deputy Convenor of the Commission Panel, who are to appoint three willing members of the Panel to form an ACD for that case. The three appointees are to include at least one minister and one elder or lay person; and at least one man and one woman. If the accused is a CRCW, the requirement for a minister on the Commission may be satisfied by the appointment of a CRCW from the Panel. Appointments are to have regard to the nature of the case and the skills, specialisation and cultural understanding of the members of the Commission Panel.
8. No Panel member who is related to, belonging to the same local church as, or otherwise closely concerned with the accused minister or the complainant, has any pastoral or personal involvement with the case or is liable to be a witness, may be appointed to an ACD for that case. The Convenor and Deputy Convenor may themselves serve on Commissions when that appears appropriate.
9. If a member of the Commission dies or otherwise becomes unable to act in the case at any time before commencement of the Hearing, the Convenor and Deputy Convenor of the Commission Panel shall make a fresh appointment. If the incapacity supervenes after commencement of the Hearing, the remaining members of the Commission must terminate the Hearing and recommence it from the beginning after a fresh appointment has been made.

## Appendix O

### Hearing Stage Timetable

1. As soon as the initial appointees to the ACD have accepted appointment, the SACD is to notify their names to the accused minister, indicating any office in the Church, specialisation or experience which acted as a factor in their appointment to the Commission Panel or for the current case.
2. Within fourteen days of being notified of the name of any Commission member, the accused minister may object in writing to that name on the grounds stated in paragraph 8 of Appendix N or alleging some other reason why it would not be appropriate for the member concerned to hear the case. If an objection is made to one member of the ACD, the other two members are to consider and rule on the objection. If they disagree, the objection is to be upheld. If an objection is made to more than one such member, the Convenor and Deputy Convenor of the Commission Panel are to consider and rule on the objections. (If either of them is a member of the Commission, the General Secretary is to appoint a replacement from the Commission Panel for this task only.) If they disagree, the objection is to be upheld. If an objection is upheld, a fresh appointment is to be made. The name of the new member of the ACD is to be notified to the accused minister.
3. After the period for objections has expired, the members of the Commission shall agree amongst themselves for one member to serve as Convenor of the Commission. At the same time the SACD is to send to the ACD members the material transmitted by the SSPD and seek an indication from them of possible dates for the Hearing of the case. The SACD shall then select and notify a date from that range (not less than thirty-five days from the date of notification) on which a suitable venue will be available. The accused minister and the Investigation Team are to be consulted regarding a convenient date, with particular reference to the availability of any witnesses, but neither side shall be permitted to exclude any date absolutely. The availability of a representative of the professional legal advisers to the denomination shall also be taken into account.
4. The Investigation Team is to report at intervals to the SACD on progress with its further investigation. Not less than twenty-eight days before the Hearing it must make a final report accompanied by any further statements or supporting documents to which it proposes to refer (the 'case material'). The SACD must serve copies of such documents on the accused minister. Within fourteen days after such service, the accused minister must send to the SACD any further statements or supporting documents to which he or she proposes to refer, and the SACD must copy these to the Investigation Team.
5. The ACD may at any time postpone or adjourn the Hearing, whether of its own motion or on the application of either party, but always having regard to the need to conclude the Process as expeditiously as possible. The Hearing date may also be brought forward if both parties agree. Notice of any



amended Hearing date, time and place shall be served on the parties by the SACD

6. Both the accused minister and the Investigation Team must comply with time limits and directions under paragraphs 4 and 5, and material filed out of time will not be admissible.
7. At least fourteen days before the Hearing, the Investigation Team must notify the SACD which of its members will be presenting the Team's case at the Hearing, or whether another person is to act as its representative. By the same date, the accused minister must notify the SACD whether he or she wishes to be accompanied or represented by another person at the Hearing, and indicate the name and any relevant qualifications of that person. (The accused minister may be accompanied by one person or represented by one person; but not both. To be 'accompanied' means that the other person may sit with the accused minister and that they may consult privately, though not so as to delay the Hearing unduly; but the other person may not address the Commission or examine witnesses. To be 'represented' means that the other person will put the minister's or the Team's case and examine witnesses on the minister's or Team's behalf; in that event the minister may be heard only as a witness.) The SACD must copy any such notification, received from one party, to the other party. A person to be called as a witness in the case may not also accompany or represent the minister or represent the Team. No member of the Team, other than the member, if any, designated to present its case, may address the Commission or examine witnesses.
8. If the Investigation Team reports to the SACD a suspension of its work under paragraph 6 of Appendix L because of criminal charges or another statutory investigation pending against the accused minister, no direction under paragraph 5 of this Appendix may be given whilst the charges remain pending, and any direction already given shall lapse. Any date already set for the Hearing shall be vacated, and any Hearing already commenced shall be adjourned. The Hearing Stage shall resume when the outcome of the prosecution or investigation is known. The Investigation Team shall obtain and deliver to the SACD a certificate of the accused minister's conviction or acquittal or (if available) an official statement of the outcome of such other statutory investigation.
9. In the event that a DAppC quashes the decision of an ACD and directs rehearing before a fresh Commission, the SDAppC is to transmit the DAppC's decision to the SACD and notify the Convenor and Deputy Convenor of the Commission Panel. The procedure in Appendix N is to be followed in appointing the fresh Commission, and paragraphs 1 and 2 of this Appendix are to be followed to allow for objections to its members. Except insofar as the Appeals Commission may have directed otherwise, all the documents submitted to the previous ACD are then to be transmitted to the new Commission, a fresh Hearing date is to be determined and the case is to be re-heard.

## Appendix P

### **Abandonment of allegations during the Hearing Stage**

1. At any time between a case entering the Hearing Stage and the commencement of a Hearing, the Investigation Team may notify the SACD in writing, with a copy to the accused minister, that it considers it will not be possible to establish any of the allegations against the minister on the balance of probabilities, and therefore wishes to be discharged from proceeding with the case. The notification must indicate whether the Team has reached this decision by a majority or unanimously.
2. On receiving such notification the ACD must decide whether or not to require the Process to continue to a Hearing. Unless the Investigation Team indicates that it has taken safeguarding advice before making the notification, the Commission must itself seek such advice before taking this decision.
3. If a Hearing takes place the person representing the Investigation Team is to explain the Team's decision and (if that decision was reached by a majority) the reason for the disagreement. It shall be for the Team (or a majority thereof) to decide whether to bring forward evidence so as to give the Commission the option of reaching a different conclusion. If the Team offers evidence the accused minister shall have the usual opportunity to present his or her defence and the Hearing shall proceed to one of the usual outcomes. If the Team offers no evidence, the accused minister may make a short statement after which the Commission must make a declaration under Paragraph 6.5 of the Framework.
4. If the ACD decides not to require a Hearing, it must make a declaration under Paragraph 6.5 of the Framework, which shall have the same effect as if made following a Hearing.

## Appendix Q

### Admission of allegations

1. At any time after the appointment of an ACD, the accused minister may notify the SACD in writing of a desire to admit some or all of the allegations under investigation and to submit to the imposition of a sanction. This 'admission notification' must make clear whether all the allegations passed into the Hearing Stage are admitted, or which allegations (if any) are denied. In respect of the admitted allegations, the notification must contain any points in mitigation which the accused minister would wish to bring to the ACD's attention.
2. A copy of the admission notification must be delivered to the Investigation Team, which must serve a response on the accused minister and the SACD within fourteen days thereafter.
3. If some allegations are denied by the minister and the Team believes that these are too serious to be passed over without full investigation, it may require in its response that the Investigation Stage continue. In that event no further steps are to be taken on the minister's application, which is not to be reported to the members of the Commission.
4. If some allegations are denied but the Team believes the goals of the Disciplinary Process will be adequately served by admission of the other allegations and an appropriate sanction, or if all allegations passed into the Hearing Stage are admitted, the Team must either indicate that it is content for the ACD to pass to the imposition of a sanction without a full Hearing, or outline in its submission the reasons why it believes a full Hearing remains desirable. In either event, the Team's response must also include any considerations it wishes to advance to the Commission regarding an appropriate sanction for the allegations admitted.
5. On receipt of a response under paragraph four above from the Investigation Team, the SACD is to pass the admission notification and the Team's response to the members of the Commission. The Commission, either by a physical meeting or by some other method of communication, is to decide whether to accede to the minister's desire as notified, and if so, whether to direct deletion from the Roll or the issue of a written warning or to impose no sanction.

The SACD is to notify both parties in writing of the Commission's decision. If the Commission does not accede to the minister's desire expressed in the admission notification, the Investigation Stage is to continue to the conclusion of the Hearing. If the Commission accedes to the minister's desire, it may attach Directions to a written warning or recommendations in the event of deletion, and the same consequences are to follow as if those sanctions were imposed at the close of a Hearing.

## Appendix R

### Disciplinary Hearings

1. The Hearing is to take place in private, only the following being present:
  - a) the members of the ACD
  - b) the SACD
  - c) a representative of the professional legal advisers to the denomination
  - d) a safeguarding professional invited by the Commission to advise it
  - e) the accused minister
  - f) any person accompanying or representing the minister
  - g) the members of the Investigation Team
  - h) any person representing the Investigation Team
  - i) witnesses whilst giving oral evidence (a Commission witness may attend throughout)
  - j) stenographic or technical staff required in connection with the verbatim record.

If the SACD is unable to attend, the Commission may invite another person to advise on the rules of this Process and to make a summary minute of the proceedings.

2. Subject to any contrary direction by the Commission, the order of proceedings at the Hearing shall be as follows:
  - k) opening submission on behalf of the Investigation Team
  - l) witnesses called by the Investigation Team, who shall be examined on the Team's behalf and may (subject to paragraph 3) be cross-examined by the accused minister and by members of the Commission
  - m) opening submission on behalf of the accused minister
  - n) witnesses called by the accused minister, who shall be examined on the minister's behalf and may be cross-examined on behalf of the Investigation Team and by members of the Commission (this may include an oral statement by the minister, on which cross-examination may take place)
  - o) witnesses called by the Commission, who shall be examined by members of the Commission and may be cross-examined on behalf of the Investigation Team and then the minister; and
  - p) brief concluding submissions on behalf of the Investigation Team and the accused minister in that order.

The Commission shall then adjourn, to indicate its findings, any sanction and a statement of reasons at a later date.

3. Where it considers that the safeguarding of a witness who is a child or an adult at risk requires this, a Commission may approve an alternative cross-examination procedure which does not entail direct confrontation of the witness by the accused; but only if satisfied that the alternative procedure

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offers an equally fair opportunity for the witness's evidence to be tested in the accused's interest.

4. A summary minute of the proceedings shall be taken by the SACD as well as, if possible, a verbatim record. These together constitute the record to be transmitted in the event of any appeal.
5. All members of the Commission must be present when the Commission is considering its findings, any sanction and the statement of reasons. No other person may be present. The Commission's decisions may be reached by a majority if consensus cannot be achieved.
6. Video and audio recordings, written statements, and other evidence which is not in the form of oral testimony at the Hearing, shall be admissible only to the extent that the Commission may allow. A party wishing to offer such evidence must inform the SACD and the other party in advance of the Hearing, at the same time as submitting its final documents.
7. Facts not in dispute between the parties may be the subject of an agreed written statement, which may be submitted at any time up to the opening submissions on behalf of the Investigation Team.

## Appendix S

### Part I - Written warnings

1. A written warning is a formal indication issued by an ACD to a minister, against whom disciplinary allegations have been found to be proven, that continuance or repetition of any of the matters to which those allegations related might be considered by a future Commission to be a cause for deletion from the Roll. It may include directions imposing restrictions on the ministry or general conduct of the minister concerned, or requiring remedial action to be taken or therapy or counselling sought.
2. An ACD acts in the name of the General Assembly, and its directions accompanying a written warning are binding on the Synod having oversight of the minister concerned, the officers of that Synod including its Moderator, the councils of the local church where the minister serves and the minister him- or herself. In the case of a minister serving under the direct oversight of the General Assembly, directions are binding on all officers and committees of the Assembly. Should the minister's sphere of ministry (or place of residence, in the event of the minister retiring or leaving the service of the Church) change whilst directions are still in force, it is the responsibility of the Moderator of the Synod previously having oversight of the minister (or in the case of ministers under Assembly oversight, the General Secretary) to ensure that the councils or committees responsible for the new sphere of ministry are informed of the directions and of their obligation to monitor their observance as soon as possible and certainly before the minister begins the new sphere of ministry.
3. Wilful disobedience to directions on the part of any minister is potentially a breach of the expectations set out in Paragraph 1 of the Framework. The fact that a written warning was given to a minister (with or without directions) is to be reported to the ACD hearing fresh allegations against that minister, and taken into account if a sanction is to be imposed.
4. An ACD giving directions accompanying a written warning must indicate whether they are to have effect indefinitely or for a limited period (which may not exceed five years). Directions having effect indefinitely may be withdrawn or varied, on the minister's application, by the Ministries Committee of the General Assembly, after consulting the Moderator of the Synod having oversight of the minister at that time (or in the case of ministers under Assembly oversight, the General Secretary) and taking safeguarding advice. Such an application may not be made within five years of the directions being given, nor more than once in every subsequent five year period.

## Part II – Deletion from the Roll

5. Schedules E and F to the Basis of Union state that:

“A person whose name has been deleted from the Roll of Ministers of the United Reformed Church and who remains a member of the United Reformed Church has the privilege and responsibilities of that membership, but not those of a minister of Word and Sacraments, and should refrain from all activity which may lead others to believe that he or she is acting as a minister of religion. However, should that person be re-instated to the Roll of Ministers, he/she would, on being called to a pastorate, need to be inducted to that pastorate, but not ordained, since ordination is not repeatable.”

“A person whose name has been deleted from the Roll of Church Related Community Workers (‘CRCWs’) and who remains a member of the United Reformed Church has the privileges and responsibilities of that membership, but not those of a CRCW, and should refrain from all activity which may lead others to believe that he/she is acting as a CRCW. However, should that person be re-instated to the Roll of CRCWs he/she would on being called to a post approved by the United Reformed Church need to be inducted to that post, but not commissioned, since commissioning is not repeatable.”

6. Deletion from the Roll ends the tenure of any office which a minister may hold in a local church or under any council of the Church. Any contract, whether written, oral or implied, that may exist between the minister and the United Reformed Church or any council or local church thereof in relation to his or her ministry terminates when deletion takes effect.
7. An ACD which directs a minister to be deleted from the Roll may (and normally should) include in its written statement of reasons recommendations as to restrictions which it considers ought to be placed upon any activities involving the former minister, with the object of assisting councils of the Church, their officers and any outside organisations for or with whom the former minister might work. Such recommendations will be of an advisory nature, do not form part of the decision, and cannot therefore form the subject matter of any appeal.
8. A person deleted from the Roll may apply for readmittance to the Roll under the procedure approved by the General Assembly from time to time.

## Appendix T

### Written reasons for a Commission decision

1. An ACD, whether it directs the deletion of a minister's name from the Roll, gives a written warning, imposes no sanction or declares that none of the allegations against the minister have been proved, must give a written statement of reasons for reaching its decision.
2. The written statement must include:
  - a) an indication of those elements of the decision which were unanimous and those (if any) which were reached by a majority
  - b) a summary of any allegations found to be proved against the minister
  - c) a summary of the factors leading the Commission to direct deletion, to impose a written warning or to impose no sanction
  - d) a summary of the advice (if any) given to the Commission by any Assessor
  - e) the substance of any written warning to be given and any Directions to accompany it, with the period for which they are to remain in force

The statement may, but need not,

- f) comment in detail on all or any of the matters of evidence laid before the Commission
  - g) make recommendations concerning the future activity of any accused person whose name is deleted from the Roll (see further Appendix S)
  - h) make recommendations for avoiding the repetition of any allegations which were found not to be proven on the balance of probabilities.
3. The statement of reasons is to be distributed by the SACD to the accused minister and the Investigation Team, indicating the last day on which notice of any appeal must be lodged.
4. The SACD must also notify the Moderator of the Synod having oversight of the minister (or, in the case of direct oversight by the General Assembly, the ARD) that the Commission's decision in the case was to delete, to acquit, to issue a warning or to impose no sanction, but that it remains subject to possible appeal. Copies of the notification are to be sent to the Secretary of the General Assembly's Ministries Committee and to the Assembly's Safeguarding and Press Officers.
5. If the General Assembly or the Assembly Executive meets whilst a Commission decision remains subject to appeal, the Secretary of the Ministries Committee shall report (without naming the minister concerned) that a decision has been reached, subject to appeal, in a disciplinary case.
6. If the time for appeal expires with no appeal having been lodged, the Commission's statement of reasons is to be distributed by the SACD to the persons who received notification under Paragraph 4.



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7. It will be the responsibility of the Moderator of Synod, or the ARD as the case may be, to ensure that the fact of any deletion from the Roll, the Directions if any accompanying a written warning, any lifting of a suspension or any recommendations made under paragraphs 2(g) or 2(h) above, are sufficiently communicated to those within the Church who need to be aware of them. The SACD is to give notice directly to any outside organisation with or for whom a former minister is known to work of any recommendations under paragraph 2(g) relevant to that organisation. The SACD is to remind all recipients of the sensitive nature of the distributed information and the need for care and discretion in how it is used.
8. At the first meeting of either the General Assembly or the Assembly Executive after the time for appeal expires with no appeal having been lodged, the Secretary of the Ministries Committee shall report that a decision has become final in a disciplinary case, whether any allegations were found to be proved, and what sanction if any was imposed. The minister concerned is not to be named except in the event of a deletion from the Roll.
9. These provisions are additional to the more general rules on disseminating information from the Process to be found in Appendix Y.

## Appendix U

### Appeal Stage Timetable and Procedure

1. The General Assembly, or the Assembly Executive in its name, shall appoint a Secretary of Disciplinary Appeal Commissions ('SDAppC') for such term as it may decide. A proposal for this appointment shall be made by the Nominations Committee. Paragraph 8.8 of the Framework restricts simultaneous appointments of one person to different roles in connection with the Process.
2. Notice of any appeal, with a statement of the appeal grounds, must be lodged by the party appealing ('the appellant'), within the time allowed by Paragraph 7.1 of the Framework, with the SACD. The SACD is thereupon to transmit to the SDAppC the notice and grounds, the record of the Hearing and the body of papers laid before the ACD together with the written statement of that Commission's reasons for its decision. The SACD is also to serve a copy of the notice of appeal and grounds upon the other party ('the respondent').
3. If it appears to the SDAppC that the grounds advanced for any appeal do not fall within those allowable under Paragraph 7.2 of the Framework, he or she may (on one occasion only) indicate this to the appellant and allow up to seven additional days for the lodging of amended grounds. The appellant is free to maintain the original grounds unaltered and to argue before the DAppC that they do fall within Paragraph 7.2.
4. The respondent must, within twenty-one days from service of the copy notice of appeal, deliver to the SDAppC an answer, containing his/her or its comments on the grounds of appeal. A copy of the answer is to be served on the appellant by the SDAppC.
5. Neither party may rely at the appeal hearing on matters not raised in the appellant's statement or the respondent's answer, unless the DAppC gives leave for them to do so.
6. As soon as the members of the DAppC have accepted appointment under Appendix V, the SDAppC is to notify their names to the accused minister, indicating any office in the Church, specialisation or experience which acted as a factor in their appointment. Within fourteen days of receiving such notification, the accused minister may object in writing to any of the members of the DAppC on the grounds stated in Paragraph 7 of Appendix V or alleging some other reason why it would not be appropriate for the member concerned to hear the appeal. If an objection is made to one member of the Commission, the other two members are to consider and rule on the objection. The objection is to be upheld if either of those members considers that it should be. If an objection is made to more than one such member, the Officers of Assembly are to consider and rule on the objections. An objection is to be upheld if a majority of the Officers

thinks that it should be or if the Officers are evenly divided. If an objection is upheld, a fresh appointment is to be made to the DAppC in place of the member objected to.

7. After the period for objections has expired, the SDApPC must pass the notice and grounds of appeal, any answer and the material transmitted by the SACD to each member of the DAppC.
8. Within fourteen days of the notification under Paragraph 6 (or of the notification of any new appointment made as the result of a successful objection), the Investigation Team must notify the SDApPC which of its members will be presenting the Team's case at the appeal hearing, or whether another person is to act as its representative. Within the same period, the accused minister must notify the SDApPC whether he or she wishes to be accompanied or represented by another person at that hearing, and indicate the name and any relevant qualifications of that person. If either party is seeking to call witnesses at the appeal hearing, statements must be submitted during the same period, indicating the evidence which it is proposed that each witness should give. The SDApPC must copy any such notification or witness statement received from one party to the other party.
9. When the period of fourteen days from the notification under paragraph 6 has expired, the SDApPC must seek an indication from the members of the DAppC of possible dates for the hearing of the appeal, and shall then select and notify a date from that range on which a suitable venue will be available. The accused minister and the Investigation Team are to be consulted regarding a convenient date, but neither side shall be permitted to exclude any date absolutely. The availability of a representative of the professional legal advisers to the denomination shall also be taken into account. After the members of the DAppC have considered the grounds of appeal, the respondent's answer and any witness statements, the Commission must indicate through the SDApPC whether or not the proposed witnesses should attend the hearing in readiness to be called. The Commission's decision to invite (or not to invite) a witness to attend in readiness will not finally determine any decision under paragraph 12(b) whether or not to hear that witness.
10. An appeal lodged by either party may be withdrawn by that party, in whole or in part, by notification to the SDApPC in writing. The SDApPC must send a copy to the other party. A partial appeal means the withdrawal of certain grounds of appeal, with the effect that the appeal proceeds on the remaining grounds only. Withdrawal of an appeal in its entirety has the consequence that the decision of the ACD becomes final (unless an appeal by the other party is still pending).
11. The appeal hearing is to take place in private, only the following being present:
  - a) the members of the DAppC
  - b) the SDApPC

- c) a representative of the professional legal advisers to the denomination
- d) a safeguarding professional invited by the Commission to advise it
- e) the accused minister
- f) any person accompanying or representing the minister
- g) the members of the Investigation Team
- h) any person representing the Investigation Team
- i) witnesses whilst giving oral evidence
- j) stenographic or technical staff required in connection with the verbatim record.

If the SDApC is unable to attend, the Commission may invite another person to advise on the rules of this Process and to make a summary minute of the proceedings.

12. Subject to any contrary direction by the DAppC, the proceedings at the appeal hearing shall be in the following order:
- k) If there is a question whether the grounds of appeal fall within those allowable under Paragraph 7.2 of the Framework, both parties shall address that question first and the Commission shall give a preliminary decision on that issue. If the Commission holds that the grounds of appeal do not fall within the Paragraph, the appeal must be dismissed.
  - l) If either party seeks to offer fresh evidence, both parties shall be heard on the case for admitting such evidence in the light of Paragraph 7.4 of the Framework and whether, if admitted, this should be considered by the DAppC or referred to a fresh ACD. If the DAppC directs a hearing before a fresh ACD, the appeal proceedings shall terminate. If the DAppC resolves to hear fresh evidence itself, it shall proceed in accordance with Paragraph 2 of Appendix R, save that the appellant is to make opening submissions, call witnesses first and make concluding submissions first.
  - m) If the grounds of appeal are allowable and there is to be no reception of fresh evidence, submissions shall be made in relation to the grounds of appeal and the respondent's answer.

On each question the appellant's submissions shall precede those of the respondent. If both parties have appealed, the Investigation Team shall make its submissions first.

13. The Commission shall then adjourn, to indicate its decision with reasons at a later date.
14. A summary minute of the proceedings shall be taken by the SDApC as well as, if possible, a verbatim record by staff attending for that purpose.
15. All members of the Commission must be present and no other person may be present when it considers its decision. which may be reached by a majority if consensus cannot be achieved.

## Appendix V

### Composition of a Disciplinary Appeal Commission

1. An Appeal Commissions List is to be drawn up and maintained by the Officers of Assembly, containing up to 21 names in three categories as follows:
  - a) Members of the United Reformed Church who are, or have been, (i) judges of a court or tribunal, (ii) qualified as barristers, advocates or solicitors in Great Britain or the Islands or (iii) persons having served for at least three years as justices of the peace;
  - b) Members of the United Reformed Church who have served on at least two Assembly Commissions (or on Appeal Commissions in or before the year 2020) in disciplinary cases;
  - c) Present and former Moderators and Clerks of the General Assembly, and former General Secretaries.
2. The Officers must endeavour to ensure that at least 4 names on the list at any time are from category a) above, and at least one name at any time from category c). Subject to that requirement, they must also endeavour to maintain balances of gender and between ministers and others, having regard to the balance required on each Appeal Commission by paragraph six below. The name of the current General Secretary may not be added to the List. Paragraph 8.8 of the Framework restricts simultaneous appointments of one person to different roles in connection with the Process.
3. Before adding a person's name to the List, the Officers must ascertain that the person is willing; which, in the case of persons in categories b) and c), must include willingness to undergo such training for the role as is arranged by the Ministerial Incapacity and Discipline Advisory Group. The same training is to be offered to persons in category a).
4. Before adding names in category b) the Officers must also consult with the Convenor or Deputy Convenor (or both) of the Commission Panel. Any person on the Commission Panel shall cease to be on that Panel when added to the Appeal Commissions List.
5. Addition to the List is without limit of time. However the General Secretary may draw the attention of the other Officers of Assembly to any factor which appears to be preventing a person on the List from acting effectively as a member of Appeal Commissions. In any such case the Officers may, if they see fit, replace that person's name on the List by another.
6. On receiving notice of an appeal the SDAppC is to consult with the Officers of the General Assembly regarding the appointment of a Disciplinary Appeal Commission (DAppC). The Commission is to be appointed by the Officers, acting jointly, from persons on the Appeal Commissions List as follows:

- d) A Convenor from category (a) in paragraph one above, and
- e) Two other members from any category.

Every DAppC is to include at least one minister and one elder or lay person; and at least one man and one woman. Appointments are to have regard to the nature of the case and to any skills, specialisation or cultural understanding it may require.

- 7. No person who is related to, belonging to the same local church as, or otherwise closely concerned with the accused minister or the complainant or has any pastoral or personal involvement with the case may be appointed to the DAppC.
- 8. If a member of the DAppC dies or otherwise becomes unable to act in the case at any time before the appeal is heard, the Officers of Assembly shall make a fresh appointment. If the incapacity supervenes after commencement of the appeal hearing, the remaining members of the Commission must terminate the hearing and recommence from the beginning after a fresh appointment has been made.

## Appendix W

### **Transfer of Disciplinary cases into the Incapacity Procedure**

1. If the body with current judicial responsibility for a minister's case (whether the Synod or Assembly Standing Panel, an ACD or an Appeals Commission) ('the responsible forum') believes at any time, on the basis of credible evidence before it, that (i) medical and/or psychiatric illness, (ii) psychological disorder and/or (iii) addiction ('incapacity factors') may have contributed to, and may possibly excuse, the minister's suspected breach of expectations, it may in its discretion (subject to paragraph 9) direct that the case be transferred to the Incapacity Procedure.
2. It must direct such a transfer (subject to paragraph 9) if it believes, on the basis of credible evidence before it, that any such factor may render the minister incapable of exercising, or continuing to exercise, ministry even if the minister is guilty of no such breach; or that any such factor may prevent the minister from answering disciplinary allegations.
3. If an Investigation Team has begun to investigate the case, it must be given the opportunity to make representations before such a direction is given.
4. If such a direction is given, it must be accompanied by reasons.
5. Copies of the direction and the reasons must be served on the minister and any Investigation Team, and are also to be sent by the Moderator of Synod, ARD, SACD or SDAppC (depending on the forum giving the direction) to the Secretary of the Standing Panel under the Incapacity Procedure, together with any other papers in the case which the responsible forum directs to be sent.
6. On receipt of this material by the Secretary of the Standing Panel, the case (and authority over any current or future suspension of the minister) passes into the Incapacity Procedure and the Disciplinary Process comes to an end (subject to paragraph 7(b) below).

### **Transfer of Disciplinary cases from the Incapacity Procedure**

7. If the Review Commission considering the case of a minister under the Incapacity Procedure directs a transfer of the case to the Disciplinary Process, then:
  - a. if the case has not previously been considered within the Disciplinary Process, the Review Commission's direction and its reasons (together with any reasons given for dismissal of an appeal against that direction) shall be treated as a disciplinary allegation within paragraph 3 of the Framework, and proceeded upon accordingly.

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- b. if the case had previously been transferred to the Incapacity Procedure by direction of a responsible forum within the Disciplinary Process, the case shall resume within the Process at the point at which the direction for transfer was made and shall fall within the responsibility of the same forum.
8. Any findings made within the Incapacity Procedure and communicated with the Review Commission's direction for transfer may be challenged by either party within the Disciplinary Process on the basis of its own evidence, but may otherwise be treated as having evidentiary value.
9. No direction may be given to transfer a case once referred from the Incapacity Procedure back into that procedure.



## Appendix X

### Non-co-operation and resignation

1. It is expected that an accused minister will co-operate with an investigation taking place under this Process to the extent of making him or herself available for interview by the Investigation Team when reasonably requested, and not otherwise impeding the Team's work.
2. The minister must also not attempt to influence any complainant or potential witness through contact prior to any Hearing. It is preferable that any contact with potential witnesses which is necessary for the preparation of the minister's defence should take place through a neutral intermediary. If the SSPD (or, after reference to an ACD, the SACD in consultation with the Commission members) believes there is a serious danger of such interference or that safeguarding grounds exist to prohibit any direct contact with a given person, they may issue a written direction to the minister to that effect; in which case contact may only take place through a neutral intermediary.
3. If proposals for an agreed caution are opened to negotiation the accused minister may indicate that he or she is not prepared to take that route and would prefer the case to pass directly to the Hearing Stage. However if the minister enters into negotiation for a caution, it is expected that this will be done in good faith and that proposals by the SSPD or the Investigation Team will be responded to without delay.
4. If a case proceeds to the Hearing Stage it is expected that the minister will facilitate the setting of a Hearing date by replying promptly to communications from the SACD and not objecting to dates without good cause. Once a date is set for the Hearing, it is expected that the minister will attend, though it is the minister's decision whether or not to give evidence on which cross-examination can take place. If a minister fails to confirm an intention to attend the Hearing, when invited by the SACD, or having indicated an intention to attend fails (without satisfying the Commission of good cause) to do so, the Hearing may proceed in the minister's absence.
5. It is expected that all those who attend a Hearing will behave in an orderly manner and follow the directions of the Commission presiding. Any person whose conduct, after a warning, continues to disrupt the Hearing may be asked by the Commission to leave permanently or for a stated period. If this is the minister then the Hearing may proceed in his or her absence.
6. Paragraphs three and four above apply equally with necessary modifications to an appeal hearing.
7. A failure on the part of an accused minister to co-operate with the Process in any of the respects set out in paragraphs one, three, four or five above

or to observe the restrictions imposed by a suspension as set out in the Basis of Union and Appendix J may, in an extreme case, amount to a contempt for the authority of the Church sufficient to found a fresh disciplinary allegation. If the Investigation Team takes this view it may include such conduct during the Investigation Stage in its report to the SSPD. Fresh allegations concerning conduct during the Hearing or Appeal Stage must be made in the same way as disciplinary allegations on an unrelated charge. Alternatively, without making an accused minister's conduct the subject of fresh allegations, the Investigation Team may refer to that conduct during its final submissions at the Hearing or appeal hearing, and the Commission may take it into account in any decision made regarding a sanction.

8. In deciding whether allegations are proved, the Commission may decide what significance (if any) to attach to the decision of an accused minister, or of any person invited to attend the Hearing as a witness, not to attend or not to give evidence. The Investigation Team must inform the Commission, if so required, whether any person not present as a witness was so invited.
9. If a disciplinary case enters the Investigation Stage, an accused minister may not be invited to resign before the case is disposed of, although the minister's attention may be drawn to the possibility of admitting allegations under the rules in Appendix Q. Should an accused minister nevertheless declare that he or she has resigned from the pastoral charge or other office formerly held, or completely from the ministry of Word and Sacraments or of a Church Related Community Worker, or from membership in the United Reformed Church, the Process is to continue. The expectations set out in this Appendix and the consequences of failure to co-operate will also continue. Rights of the accused minister to receive copies of documents or notice of stages in the Process, or to attend any Hearing, will lapse if the minister has rendered it impossible for the Church to contact him or her.

## Appendix Y

### Confidentiality, dissemination of information, and retention of records

#### Part I - Principles

1. In principle, the Disciplinary Process is a confidential process, respecting the privacy of complainants, witnesses and the accused minister. If allegations against a minister are not proven, it is not for the Church to publicise the fact that they were ever made. Even if a minister agrees to a caution or receives a written warning, it is not helpful to his or her continuing ministry to publish generally the fact of a past error. In the interests of the Church and of all concerned, including themselves, accused ministers are expected to maintain confidentiality regarding the existence and progress of a disciplinary case whose details are not in the public domain. Complainants and witnesses are asked to do the same.
2. However, there are exceptions to the general principle of confidentiality, since:
  - a) It is necessary to share information during the Process with those who operate it, who exercise oversight of an accused minister or who need to be aware of any suspension;
  - b) allegations may have to be disclosed as required by law or in order to prevent harm to others;
  - c) recommendations made by a Commission must reach those to whom they are addressed;
  - d) compliance with the terms of any agreed caution or any directions accompanying a written warning (with or without accompanying directions) must be appropriately monitored;
  - e) if a minister's name is deleted from the Roll public notice needs to be given that that person no longer acts, speaks or ministers with the endorsement of the United Reformed Church by virtue of ordination, commissioning or call; and
  - f) if disciplinary allegations become public knowledge through causes outside the Church's control, it may be necessary to counter erroneous assertions or assumptions.

Those exceptions are reflected in the rules set out in this Appendix.

#### Part II – Disclosures required by law or to prevent harm

Information may be shared with a court or any public authority which is legally entitled to demand it, or to which there is a legal duty to report allegations. Even where there is no absolute legal duty, information may be shared with appropriate public authorities when this is required by the Church's safeguarding policy or by a need to prevent foreseeable harm to any person.

#### Part III – Response to media interest

Enquiries by the media into any case pending under this Process are to be referred to the Press Officer, who is to respond with tact and discretion after consulting the General Secretary or a deputy whenever practicable, having

regard to the interests of the Church, the minister and all others involved in the case, and taking care in particular not to make any statement which appears to prejudge the outcome of a case still pending. The Press Officer is to seek the authority of the Panel or Commission currently responsible for the case before revealing specific allegations, the stage reached in the case or the identity of any complainant.

If the Press Officer believes it will be necessary, under this provision, to release into the public domain information not previously given to the local churches served by an accused minister, he or she is to communicate that information to the Church Secretaries of those churches at the same time as (or, if possible, before) making the information public. Each notified Church Secretary is, under guidance from the Press Officer or from the Moderator of the Synod, to share the information with other members of the Elders' Meeting, who will together decide whether and when to inform the church's wider membership.

#### **Part IV – Sharing of information within and following the Process**

Notification of developments in the Process is to be given, as indicated by Tables two and three, by the officer indicated in Table one. If a notification is given verbally it must be confirmed in writing, It must contain a warning regarding the sensitive nature of the information imparted and the need to exercise care and discretion as to how it is used. If electronic software is available which enables information to be shared in a written form to which only those entitled under these rules will have access, that software is to be used. The Church's professional safeguarding staff, whether appointed in the name of a synod or of the General Assembly, are considered entitled for this purpose.

Except where otherwise indicated by asterisks (\*), no details of the allegations against a minister are to be given. Where an asterisk (\*) appears against a code, the notification is to state any allegations admitted or found proven by a Commission. Reasons for any decision are not to be given, save as provided for in Appendix T, beyond stating that it is authorised by the Ministerial Disciplinary Process.

The officers responsible for giving the notifications required by this Part are as follows:

**Table one**

a suspension imposed before the SSPD or ASPD is called together	the Moderator or ARD imposing it
any decision of a SSPD or ASPD	the Moderator or ARD serving on that Panel, unless another member of the Panel agrees to give the notification
any decision of an ACD	the SACD
any decision of an DAppC	the SDAppC

The codes used in Table three indicate that the forms of notification indicated

in Table two against those code(s) should take place:

**Table two**

<b>Code</b>	<b>Forms of notification</b>
AM ('accused minister')	the accused minister is informed of the development
CH ('Church House')	the General Secretary, the Secretary for Ministries and the General Assembly's Press and Safeguarding Officers are informed of the development.
CS ('Clerk of Synod')	the Clerk of the Synod of which the accused minister is Moderator is informed of the development.
EC ('ecumenical')	(a) the council of any local ecumenical partnership where the minister serves, and (b) an appropriate officer of each other denomination sharing oversight of the partnership, are informed of the development
GA ('General Assembly')	the next meeting of the General Assembly following the development (or, if sooner, the next meeting of the Assembly Executive) is informed that a disciplinary case against a minister has completed the Hearing Stage or the Appeal Stage, as the case may be. If a decision remains subject to appeal the report shall so state. If a decision is not so subject, it shall state what sanction, if any, was imposed, but shall only name a minister in the case of a deletion from the Roll.
HC ('home church')	the Elders' Meeting of any local church of which the minister is a member <u>not</u> in pastoral charge is informed of the development. (Save when a minister is deleted from the Roll, such notification is to take place if - but only if - the Panel or Commission responsible for the development, after considering safeguarding advice, so decides.)
MO ('monitoring')	the terms of an agreed caution or the directions accompanying a written warning are notified to councils, committees or officers at any level within the Church, or of any organisation outside the Church, which the Panel imposing the caution or the Commission imposing the warning directs to be so notified on the ground that they are in a position to monitor compliance with those terms or directions.
MS ('Moderator of Synod')	the Moderator of the Synod of the province or nation where the minister lives is informed of the development
OA ('Officers of Assembly')	the Officers of the General Assembly are informed of the development
OO ('outside organisation')	an appropriate committee or officer of any institution or community, other than a church, in which the minister exercises a ministry as such, or of any organisation outside the Church in which the minister has any involvement that could give the organisation a reasonable and proper expectation of being made

	aware of disciplinary steps, is informed of the development.
PD ('public domain')	the Press Officer publishes the name of a minister deleted from the roll and the date of that deletion a) on the denominational website for six months, and b) if so instructed by the General Secretary, also in a statement to the media. If the minister was under the oversight of a synod whose Moderator so decides, similar publication may also take place by the synod.
PE ('pastorate elders')	the serving elders of any local church or churches where the accused minister is in pastoral charge are informed of the development, usually through the Church Secretary of each church. The notifier must also determine, in consultation with the elders, the most appropriate way of notifying each church's membership
RE ('recommendations')	advisory recommendations made by a Commission under paragraph 6.6 of the Framework are communicated to those to whom they are addressed

**Table three**

<b>Development</b>	<b>Codes</b>
A minister under the oversight of a synod is suspended, or that suspension is lifted	EC HC MS (at the Hearing or Appeal stage) AM OO PE CH
A minister under direct oversight of the General Assembly is suspended, or that suspension is lifted	MS (CS if the accused is the Moderator) HC AM OA CH
Allegations against a minister are struck out as patently frivolous, vexatious or unrelated to the expectations	CH Any person who was notified of a suspension
Allegations against a minister under the oversight of a synod are passed to the Investigation Stage without suspension	AM CH

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Allegations against a minister under the oversight of the General Assembly are passed to the Investigation Stage without suspension	MS (CS if the accused is the Moderator) AM OA CH
Allegations against a minister under the oversight of a synod are passed to the Hearing Stage or enter the Appeal Stage	AM CH
Allegations against a minister under the oversight of the General Assembly are passed to the Hearing Stage or enter the Appeal Stage	MS (CS if the accused is the Moderator) AM OA CH
A minister under the oversight of a synod receives an agreed caution (see also lifting of suspension)	MO CH *
A minister under the oversight of the General Assembly receives an agreed caution (see also lifting of suspension)	MS* (CS* if the accused is the Moderator) MO OA * CH *
A minister under the oversight of a synod receives a written warning (see also lifting of suspension)	MO CH *
A minister under the oversight of the General Assembly receives a written warning (see also lifting of suspension)	MS* (CS* if the accused is the Moderator) GA MO OA * CH *
A minister under the oversight of a synod is deleted from the Roll	EC GA HC MS OO PE PD RE CH *
A minister under the oversight of the General Assembly is deleted from the Roll	MS* (CS* if the accused is the Moderator) GA HC OA * PD RE CH *

<p>The Process against a minister under the oversight of a synod is terminated without sanctions being imposed (see also lifting of suspension)</p>	<p>EC GA (at the Hearing or Appeal stage) HC MS AM OO PE RE CH</p>
<p>The Process against a minister under the oversight of the General Assembly is terminated without sanctions being imposed (see also lifting of suspension)</p>	<p>MS (CS if the accused is the Moderator) GA (at the Hearing or Appeal stage) HC AM OA RE CH</p>

## Part V – Permanent records, MO continuity and review of the Process

1. A full set of papers relating to concluded cases, whether allegations were found proven or not, is to be retained in the custody of the SACD. For this purpose Moderators of Synods or the ARD are to forward to the SACD copies of papers relating to cases discontinued at the Investigation Stage or resolved by an agreed caution, and the SDAppC is to return to the SACD any papers relating to cases disposed of at the Appeal Stage.
2. ‘Papers’ in this context may include recordings. It may also include documents held in electronic form, which are to be preserved separately through appropriate electronic media. Any hard copy material is to be kept securely in a safe or locked cabinet in the offices of the General Secretariat to which only the SACD, the Secretary of the Ministries Committee and the General Secretary have access. These officers shall also have exclusive access to the secure electronic media. An index to this material may be compiled by the SACD and kept securely in his or her custody.
3. All other copies of papers generated during the Process and still existing at its conclusion in the hands of any council or officer of the Church are to be destroyed or deleted, except for material placed in the confidential files regarding individual ministers kept by the Ministries Committee or by Moderators of Synods, and for terms of cautions, directions accompanying written warnings, and Commission recommendations.
4. This does not preclude copies of the material held securely by the SACD being made available for the purposes of any subsequent Process, for



example cases generated by allegations against the same minister or by the same complainant.

5. Within one month of the conclusion of any case, summary reports to assist the General Assembly's Advisory Group on Ministerial Incapacity and Discipline ('MIND') or any group or committee succeeding to its functions in keeping this Process under review, are to be prepared and transmitted to the SACD (a) by the Investigation Team and (b) by the Panel or Commission which last dealt with the case. The SACD is to pass these reports on to the Secretary of MIND, having ensured that no mention appears in them of the names of the accused minister, complainant, witnesses or any local church, and no other information which could lead to identification of the individuals involved.
6. If a minister subject to an agreed caution or to directions accompanying a written warning undertakes a different sphere of ministry which entails transfer to the oversight of a different synod, or from the oversight of a synod to the direct oversight of Assembly or *vice versa*, it is the duty of the Moderator and Clerk of the synod relinquishing oversight (or of the General Secretary, if the minister is passing from Assembly to synod oversight) to transmit to the corresponding officers of the council assuming oversight the text of the caution or the monitoring notification which they received and any information in their possession about the minister's compliance (or otherwise) with the caution's terms or the directions.

**[Appendix Z, transitional provisions for cases pending under the former Process in July 2022, is not yet prepared, and will be brought to a later meeting of the Assembly Executive for approval.]**