

29. Complaints and Discipline: Amendments to Part 11 of Standing Orders

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1. The Conference of 2024 received the report of the Part 11 review group (“the Report”) and directed the Law and Polity committee to amend Standing Orders to give effect to the following recommendations (in summary):
 - 1.1. Recommendation 1: the definition of “complaint” should be amended to exclude certain matters from its scope, as suggested in Appendix C;
 - 1.2. Recommendation 3: local complaints officers should become local resolution officers, with consequential amendments;
 - 1.3. Recommendation 8: the Church should adopt a simplified three tier model for addressing complaints which better aligns with safeguarding practices;
 - 1.4. Recommendation 12: the rights of appeal for complaints should be aligned to ensure proportionality, including altering the rights of appeal for certain complaints;
 - 1.5. Recommendation 13: the term “suspension” should only be used where a person is suspended from the exercise of all functions relating to the Church or the exercise of office within the Church. Restrictions on the exercise of functions or office should be differently described;
 - 1.6. Recommendation 15: the requirement for the Safeguarding Committee to act as a local complaints officer should be removed;
 - 1.7. Recommendation 16: Standing Orders should enable complaints and safeguarding processes to take place in parallel.
2. The draft amendments in the Appendix to this report are brought to the Conference pursuant to the directions given to the committee by the Conference of 2024. In carrying out its drafting work, the committee has become conscious of a number of points of detail which were not fully explored in the Report and is grateful to Mr David Orford for a number of conversations which have led to a greater understanding on the part of the committee of the intentions underlying some of the recommendations. The committee has attempted to give effect to the spirit of the recommendations while proposing some variations, as explained below.
3. The committee has also benefited from engagement with the Implementation Group, which has been dealing with other aspects of implementation and a report from which appears elsewhere in the Agenda.
4. In addition the committee proposes amendments to introduce gender-neutral language throughout Part 11 and has taken the opportunity to tidy up some minor points.
5. Conversations are still continuing in some respects but the committee took the view that the better course would be to include this version of the amended Standing Orders in volume 2 of the Agenda rather than to delay circulation of the draft in case further amendments are required. If there are any further amendments, they will be put before the Conference on the Order Paper. In this connection, the committee is particularly conscious that some revision of parts of the Standing Orders relating to safeguarding is being undertaken and it may be that that leads to some amendments to this draft.
6. In what follows the committee draws the attention of the Conference to the salient points arising in relation to each recommendation.

Recommendation 1: definition of “complaint”

7. SO 1101(2) has been revised to reflect what was said in Appendix C about complaints which ought not to fall within the definition of “complaint” for the purposes of Part 11 in the light of some discussion of the rationale. The committee is of the view that the proposed exclusion of “complaints about the conduct or behaviour of employees of the Church” needs some expansion. We understand that the rationale is that such complaints are better dealt with, and ought to be dealt with, as employment matters under the terms of the employment contract. We therefore think that the exclusion should be limited to cases in which the conduct complained of related to conduct or behaviour connected with the employment in circumstances where the complainant would be able to invoke any grievance or discipline procedure. It is not clear to the committee that that would always be the case. We also think that the exclusion should

be extended to cover the possibility of complaints against persons stationed as chaplains or in an employment not in the direct control of the Church.

Recommendation 3: local resolution officers

8. The committee was informed that a decision had been taken to use the term “district resolution officers” rather than “local resolution officers”. The draft proceeds on that basis and the relevant provisions are primarily in SO 1110 and SO 1121. There is in general no requirement that Superintendents should become district resolution officers, but SO 1110 does make provision for the Superintendent to be the district resolution officer in a particular case if there is no appointed district resolution officer available to perform that function. This provision is included to ensure that there will always be a district resolution officer even if the District is having difficulty in making the necessary appointments or the appointed district resolution officers are unable for any reason to act in the particular case. Experience may show that such a default provision is not required but at this very early stage the committee thought it preferable to include one.
9. This section of the Report includes a proposal that a complaint against a member who is not an office holder should only be capable of being dealt with at Tier 1, on the ground that it is disproportionate to take such complaints beyond an attempt at reconciliation and resolution. The committee has reflected this proposal in SO 1120A but has included exceptions to cover the case where (i) the respondent is a former office holder and the complaint relates to conduct while the respondent held the office, (ii) the complaint is an abuse complaint, an employment complaint or a criminal complaint, any of which may involve special considerations, and (iii) the Connexional Complaints Support Manager considers that the conduct alleged is so serious that the complaint should be allocated to Tier 2. We take the view that, particularly while the Church is becoming familiar with the new system, a degree of flexibility is desirable to ensure that the complainant does not receive the impression that serious matters of conduct are regarded as unimportant.
10. The Report also recommends that complaints against a member who is not an office holder should only carry a right of appeal to the District Chair. The committee has found this recommendation difficult, since *ex hypothesi* the complaint has been dealt with under Tier 1, which makes no provision for the imposition of sanctions, so it is not clear what is being appealed against. The flow chart in Appendix 4 of the Report envisages that it is only the complainant who would have a right of appeal to the District Chair and it may be that the intention was to provide a right of appeal to a complainant who is dissatisfied with the outcome of the Tier 1 procedure, but the flow chart then goes on to provide that if the appeal is upheld the Chair will determine findings. This does not seem consistent with the recommendation that Tier 1 should not be a fact-finding process. We understand from Mr Orford that the review group was proceeding on the basis that the Chair could remove the status of membership, but:
 - 10.1 That understanding was mistaken, given the terms of clause 10 of the Deed of Union, which refers to the power of a competent church court to remove a person from membership upon finding a charge proved in disciplinary proceedings;
 - 10.2 If this approach were to be taken, it would be necessary to introduce an investigatory and fact-finding mechanism into Tier 1 at the appeal stage and probably to amend clause 10 of the Deed of Union.
11. The committee has therefore taken a somewhat different approach. Under the draft Standing Orders, if reconciliation or resolution cannot be achieved in relation to such a complaint, the district resolution officer, although not the complainant, may request the Connexional Complaints Support Manager to exercise the power of reallocating the complaint to Tier 2. If the conduct alleged is sufficiently serious to warrant removal of the status of member if proved, the Connexional Complaints Support Manager might wish to take that course so that an investigation could take place and, if appropriate, charges could be brought. The committee recognises the resource implications and therefore proposes that a discipline committee dealing with such a case might have three members only and that any further appeals should be excluded. We should add that the members of the committee with experience in dealing with complaints and discipline cases take the view that it is very rare indeed for a matter involving a member who is not, and was not at the material time, an office holder to come to a discipline committee, so that in practice the resource implications are very limited.

Recommendation 8: three-tier model

12. The three tiers are outlined in SO 1101A, which includes a description of the Tier 2 procedure which reflects the emphasis in the Report on investigation rather than reconciliation, although reconciliation or resolution by an alternative procedure are both still possible outcomes. SO 1127(3) makes specific provision for working closely with those engaged in safeguarding and minimising repeated interviews.
13. The draft makes provision for the Connexional Complaints Support Manager to select whether a Tier 2 investigation should be carried out by a complaints team chair, a complaints team, a Methodist Church specialist case worker or an external person or organisation, as recommended in the Report. It also includes the option of another person or body as part of an alternative resolution procedure. The committee understands that there are at present no specialist case workers and no use is made of external persons or organisations, but the intention was that those possibilities should be included in case they became of use in the future. In those circumstances, the draft deals briefly only with the appropriate procedure, in SO 1124A.
14. As the committee now understands the flow chart in Appendix 4, the proposal was that the person or body given the task of carrying out the Tier 2 investigation should recommend an outcome to the Connexional Complaints Support Manager, including that a charge should be brought, but that the final decision whether or not a charge should be brought rested with the Connexional Complaints Support Manager, who would then draft the charge, which would be subject to independent review. Only after the charge had been agreed would a Connexional Advocate be appointed as Presenting Officer. This would be a significant change from the present system, under which a complaints team decides whether or not a charge should be brought and the charge is then drafted by the person who will have the responsibility of presenting it. The committee understands the importance of consistency of outcome, but, apart from that, did not see in the Report the rationale for the change.
15. It is the committee's view that as a matter of polity it would be preferable for the significant decision of whether or not a charge should be brought to be taken by a complaints team, which will necessarily be composed of three Methodist members, but subject to an express requirement of consultation with the Connexional Complaints Support Manager. SO 1124 provides for such an approach. The committee has also taken the view that it would be preferable for the Presenting Officer to continue to draft the charge, although again in consultation with the Connexional Complaints Support Manager. SO 1130 provides for this approach. It also introduces a new express power for the Presenting Officer to explore with the respondent or the respondent's representative whether the respondent would be willing, in effect, to admit a charge in a particular form, thus reducing the scope of the discipline committee's task. This was not raised by the Report, but appears to us to be within its spirit.
16. A difficult area under the present system is the case where a complaint is met by a counter-complaint. The draft provides in SO 1120A that where a new complaint seems to relate to the same facts and circumstances as form the subject matter of an existing complaint, the case records of both complaints should be noted accordingly and the Connexional Complaints Support Manager should consider the desirability of their being dealt with together. Again this point was not raised by the Report, but appears to us to be within its spirit.
17. Another difficult area which was raised by the Report is the area of anonymous complaints. SO 1120A also makes provision for anonymous complaints to be received and recorded and makes available the Connexional Complaints Support Manager's powers of allocation, but recognises the difficulty of engaging in a Tier 1 process of reconciliation or resolution where the complainant is unknown and the further difficulty for the respondent in mounting an effective defence in a Tier 2 investigation against an anonymous complainant. We agree with the Report's assessment that it is highly unlikely that any investigation would commence solely on the basis of an anonymous report. A further issue, however, is that if the person against whom the anonymous complaint is recorded is unaware of that fact, that person may lose the opportunity of rebutting it at a time when events are likely to be comparatively recent and evidence is more likely to be available. The draft therefore requires the Connexional Complaints Support Manager to consider whether the respondent ought to be informed of the complaint with a view to a response being made by the respondent and recorded.
18. The committee is aware that the question of anonymous complaints is a very sensitive matter from the safeguarding point of view and further discussions are likely to take place about this subject.

Recommendation 12: rights of appeal

19. We have already considered in paragraphs 10 and 11 above the issue of rights of appeal where the complaint is about the conduct of a member who does not hold office.
20. The other recommended change is the introduction of a right of appeal to the President for “a member” who feels that the Connexional Complaints Support Manager wrongly refused to record the complaint as a complaint under Part 11 or that the complaint was inappropriately managed under the Tier 2 procedure. We understand that the Report does not always use the term “member” to mean lay person as opposed to minister and that the intention was not to give a right of appeal to members which was not available to ministers. These rights of appeal are to be found in SO 1120A. It is not clear from the Report why such an appeal was to be open to complainants only if it concerned the recording of a matter as a complaint for the purposes of Part 11 and the draft proposes that the right of appeal is given to both the complainant and the respondent.

Recommendation 13: suspension

21. SO1105 has been amended to reflect this recommendation. The Report envisaged that at this stage at least, Standing Orders might provide for a distinction between suspension and the imposition of restrictions on the exercise of functions or of an office and further discussions might take place elsewhere. The committee has followed this approach.
22. The committee has also included amendments to incorporate the recommendation that any breach of suspension or a restriction should trigger a review and might also constitute a matter for a separate complaint. Experience suggests that if a complaint has already reached the stage of being referred for the preparation of a charge, there might be advantages if the issue of the alleged breach could be dealt with by the discipline committee hearing the charge, rather than by starting from the beginning of a new process. The draft provides for that and also for the possibility of referring the breach to the person or body already dealing with the Tier 2 procedure if the complaint has not reached the stage of a charge. We understand from Mr Orford that this does not conflict with the intention behind the Report.
23. The committee recognises that if this approach is adopted in Part 11, it may be appropriate to reconsider the terms of the power to suspend in Standing Order 013 and possibly the terms of the power to give directions as to the exercise of office in Standing Order 013C. This is a matter for the future and of course, as respects Standing Order 013C, would need to be carried on in consultation with those responsible for safeguarding matters.

Recommendation 15: Safeguarding Committee acting as local complaints officer

24. This requirement has been removed.

Recommendation 16: complaints and safeguarding processes in parallel

25. As noted in paragraph 12 above, specific provision is made for this in SO1127. It may well be that further provisions can be included if this proves insufficient, but at present the committee is uncertain what more might be required.

Consequential amendments

26. Work is being done to identify any consequential amendments which would be required if the Conference were to make the amendments set out in the Appendix. Any such amendments will be brought on the Order Paper.

*****RESOLUTIONS**

29/1. The Conference received the report.

29/2. The Conference amended the Standing Orders in Part 11 as set out in the Appendix to the Report.

APPENDIX

Section 110 General

1100 Principles. (1) The need of the Methodist Church for a complaints and discipline process stems from the imperfect nature of human beings. The Church is a fallible community and its members on occasion behave in ways which are damaging to themselves and others and which undermine the credibility of the Church's witness. A complaints and discipline process is one of the means by which the Church recognises that all human beings are made in the image of God and are entitled to be treated as such, and by which it maintains its witness to the new life to which we are called through Christ.

(2) Through the complaints and discipline process members of the Methodist Church are accountable to the Church in matters of faith and behaviour. The Church seeks to enable healing and reconciliation to take place through that accountability whenever possible. The Church also responds to the call through Christ for justice, openness and honesty, and to the need for each of us to accept responsibility for our own acts.

(3) The complaints and discipline process therefore seeks to embody the following principles:

- (i) the initiation of complaints should not be limited to members of the Church;
- (ii) there should be no difference of principle between ordained and lay people in the way in which complaints against them are dealt with;
- (iii) the possibility of reconciliation **or an alternative form of early resolution** should be explored carefully in every case in which that is appropriate;
- (iv) help and support should be offered both to the person making the complaint and to the person complained against at every stage during the process;
- (v) the process should be fair;
- (vi) the person or body making the decision at each stage should be competent to do so;
- (vii) there should be a means of correcting any errors which may be made;
- (viii) there should be a means of ensuring compliance with any decision;
- (ix) there should be appropriate requirements relating to confidentiality and record-keeping.

1101 Interpretation. (1) In this Section and in other provisions of these Standing Orders relating to complaints and discipline:

- (i) 'complaint' means, **subject to the provisions of clause (2) below**, a statement (whether or not in writing) by any person to a member of the Church (whether ordained or lay):
 - (a) objecting to the words, acts or omissions of another member of or person holding office in the Church and requesting that action be taken as a consequence, ~~but subject to clause (2) below~~; or
 - (b) asserting that the respondent has a conviction or has received a simple or conditional police caution which, whether or not previously known, would be a bar to appointment to office under Standing Order 010(2)(ii);
- (ii) 'complainant' means the person making the complaint;
- (iii) 'recipient' means the person to whom the complainant first makes the complaint;
- (iv) 'respondent' means the person against whom the complaint is made and (if applicable) any other person so referred to in Standing Order 1130(8);
- (v) ~~'local complaints'~~ **'district resolution officer'** means the person who has the functions given by Standing Order 1110 in relation to that complaint;
- (vi) ~~'relevant Connexional'~~ **'Complaints Support Manager-Team member'** means the Secretary of the Conference or the member of the Connexional Team to whom the Secretary has delegated responsibility for discipline matters in relation to the Church generally;
- (vii) 'complaints team' means a team convened from the connexional Complaints Panel established under Standing Order 1112;
- (viiA) 'complaints team chair' means a member of the connexional Complaints Panel appointed under Standing Order 1112(2A);**
- (viii) 'charge' means a complaint falling within Standing Order 1130(3) in respect of which a complaints team has decided a discipline charge should be formulated and heard by a church court;
- (ix) 'parties', in relation to an appeal, means the parties as defined by Standing Order 1140(1).
- (x) 'Tier 1 procedure', 'Tier 2 procedure' and 'Tier 3 procedure' mean the procedures set out**

in Standing Order 1121, Standing Orders 1122 to 1127, and Sections 113 and 114 below respectively.

(2) A statement is not a complaint within clause (1)(i)(a) above if:

- (i) the respondent's standing in relation to the Church could not reasonably be regarded as of any significance in connection with the words, acts or omissions complained of;
- (ii) **the complaint concerns:**
 - (a) **the conduct or behaviour of an employee of the Church or a presbyter, deacon or probationer stationed as a chaplain or in an employment not in the direct control of the Church and:**
 - (A) **the complaint relates to conduct or behaviour in that capacity; and**
 - (B) **it is being or could be dealt with by a disciplinary or grievance process under the employee's contract of employment which the complainant is able to use;**
 - (b) **the application by the respondent of Church policies or procedures in respect of which there is an appeals process by which the subject matter of the complaint could be addressed;**
 - (c) **the words, acts or omissions of the respondent as a member of a Church committee, panel, task group or other similar body who has supported or concurred in a decision or the outcome of the work of that body;**
 - (d) **the exercise by the respondent of an official role where an existing body has statutory oversight or professional accountability and relates to that professional function and not to membership of the Church.**

1101A Procedures Under This Part and Alternative Procedures. (1) **This Part sets out the following three procedural tiers:**

- (i) **Tier 1: early resolution. The Tier 1 procedure is directed towards achieving reconciliation or other resolution. Investigation of the facts relating to the substance of the complaint is limited to investigating the facts required to determine whether the Tier 1 procedure is the appropriate procedure and whether other steps outside the Part 11 process should be taken;**
- (ii) **Tier 2: investigation. The Tier 2 procedure is directed towards investigating and obtaining evidence relating to the substance of the complaint and towards making recommendations for or deciding upon further action to be taken, including reallocation of the complaint to the Tier 1 procedure. The outcome of the Tier 2 procedure may alternatively be a decision that the Tier 3 procedure should be followed.**
- (iii) **Tier 3: formal hearing. The Tier 3 procedure is directed towards the formal determination by a church court of charges brought by the Church against the respondent. The church court has power to impose sanctions on the respondent.**

(2) **References in this Part to alternative procedures are references to the procedures specified in Standing Order 1123(6) or to any other alternative procedure which the Connexional Complaints Support Manager decides should be adopted in the particular case.**

1101B Time Limit. (1) **Subject to clause (2) below, a complaint must be made within twelve months of the conduct which forms the subject matter of the complaint, or of the most recent words, act or omission if the complaint relates to a course of conduct.**

(2) **In exceptional circumstances, the time limit for making a complaint may be extended by the Connexional Complaints Support Manager, who must consult or take advice as appears appropriate in the particular case.**

1102 General Matters. (1) The principle of fairness set out in Standing Order 1100(3)(v) above means that all persons exercising functions in relation to complaints and discipline must at all times have regard to the further principles that a respondent should:

- (i) have an adequate opportunity of responding to the complaint, meeting any charge and dealing with the evidence;
- (ii) be treated fairly by any **complaints team chair or** complaints team dealing with the complaint;
and
- (iii) receive a fair hearing from any church court which is to decide whether any charge is established.

(2) (a) Subject to sub-clause (b)(ii) and (iii) below, but notwithstanding anything contained elsewhere in these Standing Orders no person may **act as a complaints team chair**, form part of a complaints team or sit as a member of any church court deciding a discipline charge or appeal if that person:

- (i) is or has been a complainant or respondent in relation to that complaint or any connected complaint;
 - (ii) has **acted as a complaints team chair**, formed part of a complaints team or been a member of any other inquiry which has considered that complaint or any connected complaint;
 - (iii) has sat on any church court at an earlier hearing of any other charge arising from that complaint or any connected complaint;
 - (iv) has any personal interest in the outcome;
 - (v) has received in confidence information relevant to the complaint;
 - (vi) has sat on a Pastoral Committee under Standing Order 013 concerning the complainant or respondent; or
 - (vii) because of a close friendship or relationship with the complainant or respondent or otherwise might or might reasonably be supposed to be open to partiality or embarrassment in carrying out the responsibilities of **a complaints team chair**, a member of the complaints team or sitting on the church court.
- (b) (i) If, because of the operation of sub-clause (a) above or otherwise, any church court would have fewer than three members for the hearing of a case, the President or the Vice-President on ~~his or her~~ **of the President** must appoint additional members for the purpose of the hearing to bring the court to a membership of at least three.
- (ii) If but for this provision full compliance with Standing Order 1131(3) to (5) and sub-clause (a) above would make it impossible to convene a court of at least three members the President or Vice-President shall nevertheless exercise ~~his or her~~ **the** powers **given** under head (i) of this sub-clause, fulfilling the requirement of clause (1)(iii) above by the appointment of a person or persons not on the connexional Panel or by such other means as, in ~~his or her~~ **the** absolute discretion **of the President or the Vice-President, may be judged, he or she** judges necessary and sufficient and having regard as far as possible to the requirements of Standing Order 1131(3) to (5) and sub-clause (a) above.
- (iii) If but for this provision full compliance with sub-clause (a) above would make it impossible to appoint a complaints team of three members the President or the Vice-President on ~~his or her~~ **the President's** behalf must make such appointments as may be necessary to establish a team of three members **including a complaints team chair**, fulfilling the requirement of clause (1)(iii) above by the appointment of a person or persons not on the connexional Complaints Panel.

(c) Provided that a court has three members, or, in the case of a committee of the Conference constituted under Standing Order 1145(2) below, 11 members, no proceeding or decision of the court will be invalid because it consists, in any particular case, of fewer members than is specified in these Standing Orders.

(d) No person under 18 years of age may **act as a complaints team chair**, form part of a complaints team or sit as a member of a church court deciding a discipline charge or appeal.

(e) No person may **act as a complaints team chair**, form part of a complaints team or sit as a member of a church court (except the Conference) who is not a member of the Methodist Church.

(3) Except as otherwise specifically provided in these Standing Orders every **complaints team chair**, **every** complaints team and every church court hearing a discipline charge or appeal has power to regulate ~~its own~~ **the** procedure **to be followed** in the light of the principles set out in Standing Order 1100 and clause (1) above and having regard to guidelines approved from time to time by the Committee on Methodist Law and Polity appointed under Standing Order 211.

(4) Except where otherwise expressly provided or where all those affected agree, all time limits specified in this Part must be strictly observed. Where a provision specifies a time before which a hearing must not begin, that period may not be abridged except with the consent of all those affected. All persons with responsibility for taking steps under this Part for which no time limit is specified must take those steps as soon as is reasonably practicable in all the circumstances of the case.

(5) Where provision is made in this Part for an appeal to be brought to a person falling within Standing Order 290(3), the appeal will normally be dealt with on the basis of written materials without a hearing. The person determining the appeal must give written reasons for ~~his or her~~ **the** decision. No further appeal lies against that decision.

(6) Any person or body acting under this Part must have regard at all times to the provisions of any

relevant code of practice and any relevant guidance issued in the name of the Committee on Methodist Law and Polity appointed under Standing Order 211. The ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ must keep a list of codes of practice and guidance falling within this clause.

(7) Any person or body acting under this Part in relation to a complaint or charge raising issues of sexual or racial harassment or abuse, or abuse of a person with a disability, must consider, *in consultation with the Connexional Complaints Support Manager*, whether it is appropriate to obtain specialist advice in order to deal fairly with the matter. The Secretary of the Conference may direct that the expenses of obtaining such advice shall be reimbursed from the Methodist Church Fund. (This provision is without prejudice to Standing Order 376(6).)

(8) A complaint based on the existence of a conviction or police caution which would be a bar to office under Standing Order 010(2)(ii) and a complaint made in performance of the duty imposed by Standing Order 985(3) must not be dealt with by way of resolution, whether informal or formal, or reconciliation.

(9) *(a) If at any stage in the discharge by the Connexional Complaints Support Manager of the responsibilities of that office in relation to a particular complaint or charge* ~~investigation of a complaint or the pursuit of a charge~~ issues emerge which raise safeguarding concerns, whether the concerns are as set out in clauses (7) and (8) above or of a more general nature, and whether ~~or not~~ the concern relates to the complainant or the respondent *or any other person*, then the ~~person or body then dealing with the complaint or charge~~ **Connexional Complaints Support Manager** must immediately refer the matter of concern for consideration by the safeguarding officer (as defined in Standing Order 230(3)(ii)), who may offer advice or refer the matter to the Safeguarding Committee for its advice and recommendations.

(b) If at any stage in the discharge by a complaints team chair or a complaints team of the relevant functions under this Part or in the pursuit of a charge issues of the nature set out in sub-clause (a) above emerge of which the Connexional Complaints Support Manager is unaware, then the person or body then dealing with the complaint or charge must immediately inform the Connexional Complaints Support Manager, who must follow the requirements of sub-clause (a). ~~The relevant Connexional Team member must be informed of the referral.~~

(10) The Safeguarding Committee, on a referral to it of any matter under clause (9) above ~~or in the fulfilment of its functions under Standing Order 230, and without prejudice to those functions~~, may investigate any such matter as if it were a local complaints **district resolution** officer with all the powers and responsibilities of such an officer but following its own procedures as set out in Standing Orders.

(11) Where clause (9) above applies, the **Connexional Complaints Support Manager, in consultation with any other** ~~person or body making the referral~~ *then dealing with the complaint or charge*, shall determine, having received the advice of the safeguarding officer or the Safeguarding Committee on the point, as the case may be, whether the investigation of the complaint or the pursuit of the charge can continue while the matter is under consideration or investigation by the safeguarding officer or the committee or whether the investigation or pursuit must cease for the time being. In the latter case, the time limits contained in this Part shall, to the extent necessary, be suspended.

1103 Special Cases. (1) If:

- (i) the recipient of a complaint is a district Chair;
- (ii) the complaint is made in writing; and
- (iii) the complainant requests that the complaint should be dealt with under the provisions of Standing Order 040

the complaint must be ~~treated as a complaint~~ **dealt with** under that Standing Order and not under this Part unless clause (2) below applies. If a Chair takes steps under Standing Order 040 on ~~his or her~~ **the Chair's** own initiative the provisions of that Standing Order shall similarly apply.

(2) ~~If the relevant local complaints officer has already referred the complaint to the connexional Complaints Panel~~ **complaint has already been notified to the Connexional Complaints Support Manager** by the time a request of the kind referred to in clause (1) above is received, this Part applies and no steps shall be taken under Standing Order 040 except after a further referral to a Chair.

(3) If charges or appeals arising out of the same or similar facts or connected with the same subject matter are pending against two or more persons before more than one church court, the courts concerned may, subject to Standing Order 1102(1) and (2) above, sit jointly to hear some or all of the evidence or reports and of the arguments, and may consult together. Each court must reach its own decisions separately on the evidence relevant to the charge or appeal before it.

(4) If a complaint is made by or against, or a charge is brought against, a person under the age of 18, the provisions of this Part apply, but ~~he or she~~ **such a person** has the right at all times to be accompanied by

an adult of his or her choosing **chosen by that person**. Any person or body acting under this Part in relation to such a complaint or charge must have regard at all times to the age of the person concerned in giving effect to the requirements of Standing Order 1102(1) above.

(5) If a complaint is made by or against, or a charge is brought against, a person with a disability, the provisions of this Part apply, but ~~he or she~~ **such a person** shall have the right at all times to such assistance as may reasonably be required to enable ~~him or her~~ **that person** to participate effectively in the relevant processes. Any person or body acting under this Part in relation to such a complaint or charge must have regard at all times to the disability of the person concerned in giving effect to the requirements of Standing Order 1102(1) above.

(6) No action may be taken on a complaint against a person carrying out the responsibilities of a ~~local complaints~~ **district resolution officer, a complaints team chair** or a member of a complaints team, or a person falling within Standing Order 290(3) or sitting as a member of any church court, in respect of the performance of those responsibilities, or against the Secretary of the Conference, **the Connexional Complaints Support Manager** or **any other** member of the Connexional Team in respect of acts or omissions in the performance of the duties of ~~his or her~~ **that person's** office or employment relating to complaints or discipline, unless:

- (i) the complaint is made on the ground that the person concerned acted in bad faith or that ~~his or her~~ **the relevant** conduct constituted sexual or racial harassment or abuse, or abuse of a person with a disability; and
- (ii) the Secretary of the Conference or, in the case of a complaint against the Secretary, the President or a person appointed for the purpose by the President, after making such inquiries of the person proposing to make the complaint and the person against whom the complaint is proposed to be made as ~~he or she~~ **the relevant person** may think fit, has agreed in writing that the complaint may be made.

(7) If a complaint is made against the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~, whether or not the complaint relates to the performance of ~~his or her~~ **that person's** duties, the Secretary of the Conference must appoint another member of the Connexional Team to perform the functions of the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ in the particular case, unless the complaint cannot proceed without the agreement in writing of the Secretary of the Conference in accordance with clause (6) above and that agreement is not given.

1104 Record-keeping, Confidentiality and Related Matters. (1) The records specified in heads (iA) to (iv) below shall be deposited with the Secretary of the Conference for safe custody, shall be retained by the Secretary for the period specified in the relevant head or, where any of clauses (1A) to (3B) below applies, for the longer period there provided for, and shall then be destroyed:

- (i) **each record of a formal disposition of a complaint by a district resolution officer, for two years;**
- (iA) each record of a decision of a **complaints team chair or a** complaints team to ~~summarily~~ dismiss **summarily** a complaint under Standing Order 1123(7) or to deal with a complaint under an alternative procedure set out in Standing Order 1123(6), for two years;
- (iB) each record of a decision of a **complaints team chair or a** complaints team to dismiss a complaint under SO 1124(10), for two years;
- (iC) each record of a decision of a **complaints team chair or a** complaints team to follow a course of action under Standing Order 1124(11), for five years;
- (iD) each record of a decision on an appeal under Standing Order 1126(1), for two years;
- (iE) each record of a decision on an appeal under Standing Order 1126(3), for five years;
- (ii) copies of all reports prepared at the conclusion of inquiries held under Standing Order 111(2A), for ten years;
- (iii) all records of hearings before discipline committees, appeal committees and other connexional courts under this Part or Section 03 or Section 04, for ten years;
- (iv) all records relating to the resignation, discontinuance or discipline of ministers and probationers and those in training for the presbyterate or the diaconate, for ten years.

(1A) The Secretary of the Conference shall have the authority to retain records for a longer period than that specified in clause (1) if ~~he or she~~ **the Secretary** considers that to be in the best interests of the Church. All parties to the record that is to be retained for an extended period under this clause shall, so far as reasonably possible, be informed of the decision.

(2) If any records deposited with the Secretary under clause (1) above contain an allegation of a criminal offence, or relate to a safeguarding concern, that record shall be retained for fifty years.

(2A) Clauses (1) and (2) above shall be applied as closely as possible to all records deposited with the Secretary under previous Standing Orders relating to complaints and discipline.

(3) *[revoked]*

(3A) Any record that a minister or probationer resigned, was discontinued or was removed from Full Connexion, or of the reason for any such action, shall be retained until the death of that minister or probationer.

(3B) Any record that a local preacher or member of the Church lost the status of a local preacher or ceased to be a member, or of the reason for any such loss or cessation, shall be retained until the death of that local preacher or member.

(4) Both the complainant and the respondent are entitled upon request to a copy of any record to which clause (1) or (2A) above applies, but must treat any document supplied following such a request as confidential.

(4A) The nature and extent of the record to be retained by the Secretary of the Conference under clause (1) above shall be in accordance with guidance adopted by the Conference.

(5) The Secretary of the Conference must permit the ~~relevant Connexional~~ **Complaints Support Manager** ~~Team member~~ to have access to the records kept pursuant to this Standing Order for the purpose of carrying out a search required to be made under Standing Order 1153(1).

(6) Any person who:

- (i) Is or has been a member of any church court, complaints team or team convened from a former district Complaints Panel; or
- (ii) is or has been a local complaints officer, **a district resolution officer or a complaints team chair**; or
- (iii) has acted as a district Complaints Officer or appropriate responsible person under previous Standing Orders relating to complaints and discipline

and in that capacity has dealt with a charge or complaint under this Part or such previous provisions must observe at all times the confidentiality of those proceedings. This does not prevent the communication of material in the course of any discipline process whether relating to the particular complaint or to any other complaint involving either the complainant or the respondent.

(7) The complainant and the respondent and any person who has brought a complaint under previous Standing Orders relating to complaints and discipline or ~~had~~ **has been the subject of** such a complaint ~~made against him or her~~ must observe at all times the confidentiality of those proceedings. The provisions of Standing Order 1157 apply if there is any breach of this obligation.

(8) Subject to clauses (9) ~~and (10)~~ below, the Chair of the District and the Superintendent of the Circuit in which a respondent resides for the purposes of the stations (if a minister or probationer) or is a member or office-holder (if a lay person) must be informed of the decision made at each stage of the complaints and discipline process by the person responsible under this Part for recording the decision, whether or not ~~he or she~~ **that Chair or Superintendent** would otherwise be entitled to be so informed under any provision of this Part.

(9) Clause (8) above does not apply in respect of a ~~decision by a local complaints officer not to refer a complaint to the connexional Complaints Panel~~ **complaint which is dealt with under the Tier 1 procedure alone** if the relevant Chair or (as the case may be) the relevant Superintendent is not aware that a complaint has been made.

(10) *[revoked]*

(11) Any person retaining a record or copy of a record under the provisions of this Part must within 90 days of the date of the document send it to the Secretary of the Conference for safe custody in accordance with clause (1) with all the relevant records relating to the complaint in question. Any person holding records under the provisions of this Part must destroy any duplicate records or other documentation, including correspondence, once the records have been passed to the Secretary of the Conference.

(12) For the purposes of this Standing Order "record" does not include the Journal as defined in clause 36 of the Deed of Union or any document included within Standing Order 125(2).

1105 Suspension and restriction. (1) When a ~~local complaints officer has referred a complaint~~ **has been allocated to the Tier 2 procedure** ~~to the connexional Complaints Panel~~ under Standing Order 1121(5), the responsible person as defined in clause (2) below has power to suspend the respondent from all ~~or any of his or her~~ **the respondent's** functions as a presbyter, deacon, local preacher, member, probationer or student or from the exercise of any or every office in the Church, **to impose restrictions in**

connection with the exercise by the respondent of those functions or any office held and to lift or vary any such suspension **or restriction**.

(1A) In this Standing Order “restriction” means a requirement that the respondent must not exercise some function or functions as a presbyter, deacon, local preacher, member, probationer or student or must not exercise that function or those functions in specified ways or must not exercise an office in specified ways. A restriction may be imposed after discussion and with the agreement of the respondent or without agreement.

(2) The responsible person means:

- (i) in the case of a complaint which might form the subject matter of a ministerial charge under Standing Order 1130, the Chair or other person to whom that Standing Order requires a copy of any charge to be sent; and
- (ii) in any other case, the Superintendent.

(3) Where criminal charges are pending against a person within the scope of clause (1) above of such a kind that in the event of conviction that person's standing in relation to the Church might require to be reviewed or where a formal investigation is taking place which might lead to the preferring of such charges, but (in either case) no complaint has yet been referred to the ~~connexional Complaints Panel~~ **notified to the Connexional Complaints Support Manager**, the person who would be the responsible person if a complaint had been made has powers similar to those given by that clause.

(4) Where a person exercises the powers given by clause (1) or clause (3) above and the Deed of Union and Standing Orders contain no provision for securing the continued performance of some or all of the functions to which the suspension **or restriction** relates, ~~he or she~~ **that person** must also make interim arrangements for such continued exercise, in consultation with those affected as far as is reasonably possible in the circumstances. For that purpose the person so acting may appoint another person to exercise any of the relevant functions, other than those expressly given by the Deed of Union to the office-holder concerned, until the suspension **or restriction** is lifted or such interim arrangements otherwise cease to be necessary.

(5) The powers given under this Standing Order are additional and without prejudice to any power of suspension which may arise or have arisen under Standing Order 013. A suspension **or restriction** validly in force under any of these provisions may continue notwithstanding the termination of a suspension **or restriction** imposed under another provision.

(6) The power given by clause (1) above and any suspension **or restriction** in force under it continues until:

- (i) ~~a complaints team~~ **competent person or body** has declined to refer the complaint to a connexional Presenting Officer for the preparation of a charge (whether or not ~~the team~~ **that person or body** decides to take any form of alternative action) and, if relevant:
 - (a) the time for bringing an appeal under Standing Order 1126(1) has expired and no appeal has been brought; or
 - (b) the appeal under that Standing Order has been dismissed; or
 - (ii) a competent church court has dismissed the charge, either at first instance or on appeal, and leave to appeal against that dismissal has been refused or the time for appeal has expired without any appeal being brought; or
 - (iii) any judgment reached has taken effect.
- (7) The power given by clause (3) above and any suspension **or restriction** in force under it ceases if:
- (i) the person concerned is prosecuted and acquitted or is notified that criminal charges will not be preferred or proceeded with; or
 - (ii) after the person has been convicted, a decision is taken in accordance with the provisions of this Part not to proceed with any charge.

If the person is convicted but paragraph (ii) does not apply, any suspension **or restriction** then in force continues after conviction as if imposed under clause (1) above and the provisions of that clause and clause (6) above apply accordingly.

(8) (a) A person suspended, **or on whom a restriction or restrictions have been imposed**, under the provisions of this Standing Order may at any time while ~~he or she remains~~ **subject to a restriction** appeal in accordance with the provisions of this clause to a person falling within Standing Order 290(3), appointed by the President or the Vice-President on ~~his or her~~ **of the President**, who may uphold, lift or vary the suspension **or restriction**.

(b) An appeal must be brought by notice in writing to the Secretary of the Conference stating the grounds on which the appeal is brought.

(c) The Secretary must give notice of an appeal to the person who imposed the suspension **or**

restriction, who must be given an opportunity to respond to the grounds of appeal. The person appealing must then be given an opportunity to reply.

(d) No appeal may be brought within three months after the determination of a previous appeal and the grounds of appeal may not include any grounds relating to the merits of any complaint or of any criminal charges which are pending or which might be preferred and which are the reason for a suspension **or restriction** under clause (3) above.

(9) When a person within the scope of Standing Order 801(1) is suspended **or subject to a restriction** under clause (1) or (3) above, the Circuit or other body responsible for provision of the stipend must continue to provide that stipend and pay all expense allowances which are of a continuing nature (except those for expenses which cease during suspension **or the period of restriction**) until:

- (i) the suspension **or restriction** ceases; or
- (ii) the expiration of the quarter during which the initial hearing of any charge occurs; or
- (iii) the expiration of the quarter during which a ~~complaints team~~ **competent person or body** decides not to bring a charge

whichever is the earlier. The person suspended **or subject to a restriction** is entitled to continue residing in the manse for the same period.

(10) When such a person is or may be suspended or **subject to a restriction** and a charge has been brought by a ~~complaints team~~ **competent person or body**, the discipline committee conducting the initial hearing must direct what payment, if any, by way of stipend or allowances is to be made, and what accommodation, if any, is to be provided, during any period of suspension **or restriction** which may occur after the period covered by clause (9) above. All payments so directed are to be made out of the Methodist Church Fund under Standing Order 376(5), and any Circuit or other body making or providing for any payment or providing any accommodation under clause (9) above or this clause may also apply for a discretionary payment from the fund under Standing Order 376(6), including for reimbursement of the costs of supplying ministry in place of the ~~suspended~~ minister or probationer **who is suspended or subject to a restriction**.

(11) Whenever the power given under clause (1) above is exercised in relation to a minister or a probationer in a Circuit appointment, the person exercising the power and all those thereafter involved in the complaints and discipline process must at all times have regard to the immediate and likely future effects of the suspension **or restriction** on the affected Local Church or Churches and Circuit while the process continues. The person exercising the power should ensure that appropriate steps are taken to provide interim pastoral care and to monitor the situation and revise the interim arrangements as necessary, in particular if the suspension **or period of restriction** becomes lengthy.

(12) The responsible person must consider any alleged breach of suspension or a restriction by the respondent and decide whether the suspension should continue or, as the case may be, whether any restriction or further restriction should be imposed or any existing restriction should be varied or lifted. The responsible person may also notify the Connexional Complaints Support Manager of the allegation of breach and request the Connexional Complaints Support Manager:

- (i) **to treat the notification as a notification of a complaint under Standing Order 1120A(2) below;**
- (ii) **to allocate to the person or body dealing with the existing complaint under the Tier 2 procedure the additional responsibility of dealing with the subject matter of the notification as part of the investigation being undertaken;**
- (iii) **if the original complaint has been passed to the Connexional Advocate for the preparation of a charge, to pass the notification to the Connexional Advocate for consideration of whether the subject matter of the notification should be treated as further evidence relevant to the charge or charges or proposed charge or charges or whether a further charge should be brought in the light of that material. If the reporting officer, acting under Standing Order 1131, has already chosen the chair of the discipline committee which will hear the charge or charges, no further charge resulting from the notification may be brought without the agreement of the chair.**

(13) If a Connexional Advocate to whom a notification has been passed under clause (12)(iii) above decides that the subject matter of the notification should not be treated as further evidence and no further charge should be brought, or if the chair of the relevant discipline committee does not agree to the bringing of a further charge, the Connexional Complaints Support Manager must treat the notification as set out in clause (12)(i) above.

Section 111 Appointments

1110 Local Complaints-District Resolution Officers. (1) *Each District must appoint annually, by the procedure determined by the district Policy Committee, one or more persons to act as district resolution officers for the purposes of this Part in relation to any complaint to which clauses (3) to (8) do not apply.*

(1A) If no person so appointed is able to fulfil the functions of the district resolution officer in relation to a particular complaint falling within clause (1) above, then, unless one of clauses (3) to (8) below applies, and subject to clause (8A), the local complaints district resolution officer in relation to any that complaint is the Superintendent of the Circuit in which the respondent:

- (i) resides for the purposes of the stations, if ~~he or she~~ **the respondent** is a minister or probationer; or
- (ii) is a member or office-holder, in any other case.

~~(2) The Superintendent may delegate his or her functions as the local complaints officer to another person who resides for the purposes of the stations or is a member in the same Circuit by an agreement in writing approved by the Circuit Meeting. The Superintendent must inform the relevant Connexional Team member and the Chair of the District of any such delegation.~~

(3) Where the complaint is against the President, a Chair or a minister or probationer in connexional appointment (whether full-time or part-time), or against a lay connexional officer (including, for the purposes of this Standing Order, a lay member of the Connexional Team) in respect of conduct in the discharge of his or her **the respondent's** office, the ~~local complaints officer is~~ **functions of the district resolution officer shall be performed by** the Secretary of the Conference (or the President in the case of a complaint against the Secretary). The Secretary or the President may delegate his or her ~~those~~ functions as the local complaints officer to a former President or Vice-President or such other member of the Church as ~~he or she~~ **the Secretary or the President** deems appropriate. For the purposes of this clause 'connexional appointment' includes an appointment under Standing Order 312(1) or (2) if made by or on behalf of the Conference.

(4) Where the complaint is:

- (i) against a Superintendent, or
- (ii) against any other minister or probationer not falling within clause (3) above and is of conduct of a nature sufficiently serious to warrant consideration whether a charge or charges should be brought the ~~local complaints~~ **district resolution** officer is the Chair of the District in which the respondent resides for the purposes of the stations, unless clause (6) applies.

(5) Where the complaint is against a ministerial student, the **functions of the district resolution officer shall be performed by** ~~local complaints officer is~~ the oversight tutor appointed with overall responsibility for the training institution to which the student has been allocated under Standing Order 722.

(6) Where the complaint is against a minister or probationer who is appointed or permitted to serve or reside outside the home Districts and who either:

- (i) is not a member of a Synod under the Conference or under the Irish or another autonomous Conference nor subject to the discipline of another church; or
- (ii) is complained against in relation to matters alleged to have arisen in the home Districts; or
- (iii) is not, and is not expected to be, the subject of a complaint entertained by a competent church court or other appropriate body outside the home Districts, or in respect of whom such a court or body has referred the case to the Church or has declined to reach a decision as to whether the matters complained of are established or as to the action to be taken or both

~~the local complaints officer is~~ **functions of the district resolution officer shall be performed by** the Secretary of the Conference.

(7) Where the complaint is against a person whose membership is not in one of the home Districts or who is an office-holder who is not a member of the Methodist Church, the ~~local complaints officer is~~ **functions of the district resolution officer shall be performed by** the Superintendent **a district resolution officer from the District** of **which** the Circuit including the Local Church which ~~he or she~~ **the person concerned** most frequently attends or with which **that person** has the closest involvement **forms part** ~~or the person to whom the Superintendent has delegated his or her functions under clause (2) above.~~

(8) Where the complainant has requested the relevant Connexional **Complaints Support Manager** ~~Team member~~ to nominate an alternative ~~local complaints~~ **district resolution** officer in accordance with the provisions of Standing Order 1120(5) and such a nomination is made, the person so nominated is the ~~local complaints~~ **district resolution** officer in relation to the relevant complaint.

(8A) Unless the local complaints officer has referred the complaint to the connexional Complaints Panel, the relevant **complaint has already been allocated to the Tier 2 procedure, the Connexional Complaints Support Manager** Team member may at any time, at the request of the local complaints officer **a person constituted as the district resolution officer by clause (1A) above** or otherwise in order better to give effect to the principles set out in Standing Order 1100, nominate an alternative local complaints **district resolution** officer to act thereafter in place of the original or any previous alternative local complaints **district resolution** officer, and if such a nomination is made, the person so nominated is thereafter the local complaints **district resolution** officer in relation to the relevant complaint.

(9) The duties and responsibilities of a local complaints **district resolution** officer are those set out in Standing Order 1121.

1111 District Reconciliation Group and Complaints Support Group. (1) Each Synod must appoint annually:

- (iii) a Reconciliation Group of at least two people with skills appropriate for discharging the functions of the Reconciliation Group under the provisions of this Part; and
- (iv) a Complaints Support Group of at least 10 persons with pastoral skills (including in particular sensitivity to harassment and abuse issues) and with understanding of Methodist procedures. One member of the Support Group is to be appointed as convener and one as deputy convener. The deputy convener may exercise any power or fulfil any duty conferred on the convener by any Standing Order.

(2) Each Synod may make its appointments under clause (1) above in co-operation with the Synod of another District or other Districts, so that the total number of persons appointed by the Districts in question taken together is not less than the requisite number.

(3) If a casual vacancy occurs in the office of convener or deputy convener of a Complaints Support Group the vacancy is to be filled by the Chair of the District (or, where appointments under clause (1)(ii) above are made in co-operation by more than one District, by any of the Chairs of those Districts) until a Synod is able to make the necessary appointment. The person appointed by the Chair must satisfy the requirements set out in that clause.

(4) The functions of the district Reconciliation Group are:

- (i) to provide a resource within the relevant District offering assistance (including assistance by way of the provision of information) in achieving reconciliation between persons in dispute; and
- (ii) to respond to requests for assistance from that resource made in accordance with these Standing Orders and in such additional circumstances as the relevant District may decide.

The manner in which a district Reconciliation Group is to discharge its functions is to be decided by the relevant District, which may appoint such officers of the group, including a convener or conveners, as it thinks fit.

(5) The duties and responsibilities of the convener and members of the district Complaints Support Group are those set out in Standing Orders 1123 and 760(5).

(6) The Synod must encourage all persons appointed as members of the Complaints Support Group to participate in training relevant to the appointment.

(7) Conversations between members of a district Complaints Support Group acting in that capacity and a complainant or respondent are confidential, but confidentiality does not extend to admissions or to the disclosure of material evidence.

(8) References in this Part to the 'relevant' district Reconciliation Group or Complaints Support Group are references to that group in the home District in which the respondent resides for the purposes of the stations or is a member or office-holder. If there is no such District, the recipient may ask the relevant Connexional **Complaints Support Manager** to nominate a home District the groups in which will become the relevant groups for the purposes of this Section. If the recipient has not made such a request and the complaint is passed on to the local complaints **district resolution** officer, ~~he or she~~ **that officer** must do so. The relevant Connexional **Complaints Support Manager** Team member must make a nomination if so requested and in doing so must have regard in particular to where the respondent is carrying out the duties of any office in the Church or is living.

1112 Connexional Complaints Panel, Complaints Team Chairs and Connexional Advocates. (1) The Conference must appoint annually a panel of persons, to be known as the connexional Complaints Panel, from which members may from time to time be chosen to serve on complaints teams. All members

of the panel must be members of the Methodist Church.

(2) In appointing the panel, the Conference must have regard to the need for expertise amongst its members in law, accountancy, harassment and disability issues, marriage guidance, medicine and theology. The Conference must also seek to ensure that there is a geographical spread of panel members, for which purpose Districts are encouraged to make nominations to the panel.

(2A) The panel shall include an appropriate number of persons selected for their qualifications or experience to act as complaints team chairs and identified as such in the resolution for their appointment.

(3) The Conference must also appoint an appropriate number of persons, to be known as Connexional Advocates, with the skills necessary to act as connexional Presenting Officers in relation to discipline charges brought under the provisions of this Part and, when not so acting, as the representative for a respondent in relation to a discipline charge at the respondent's request. All Connexional Advocates must be members of the Methodist Church and aged 18 or over.

1113 Connexional Reconciliation Group. (1) The Conference must appoint annually a panel of persons, to be known as the connexional Reconciliation Group, from which members may from time to time be chosen to carry out the duties and responsibilities set out in Standing Order 1155. All members of the panel must be members of the Methodist Church.

(2) With the exception of persons falling within Standing Order 290(3), no person may be appointed a member of the connexional Reconciliation Group who holds an office or is a member of a group (other than a district Reconciliation Group) or panel appointed under this Section or under Standing Order 290.

(3) One member of the panel must be appointed as the convener and at least one as a deputy convener of the panel. The deputy convener may exercise any power or fulfil any duty conferred on the convener by any Standing Order.

1114 Connexional Complaints Officers. The Conference must further appoint a connexional Complaints Officer and at least one deputy, whose duties and responsibilities are to offer advice and assistance, upon request, to **the Connexional Complaints Support Manager, local complaints district resolution officers, complaints team chairs**, members of complaints teams and Connexional Advocates in the performance of their duties and responsibilities under this Part.

Section 112 Complaints procedure

1120 Initiation of Complaints. (1) The provisions of this Standing Order apply when a complainant makes a complaint to a recipient.

(2) Unless one of clauses (4), (7) or (8) below or Standing Order 1102(8) applies, the recipient (whether or not ~~he or she~~ **the recipient** is also the local complaints officer ~~a district resolution officer or a person performing the functions of the district resolution officer in the particular case~~) is encouraged to try to resolve the complaint informally if possible and for that purpose will usually seek a reply from the respondent. If ~~he or she~~ **the recipient** cannot deal with the complaint to the satisfaction of the complainant, it must be referred to ~~the local complaints~~ **a district resolution officer appointed under Standing Order 1110(1) or, where that clause does not apply, such other person as, under that Standing Order, is the district resolution officer or is responsible for performing the functions of the district resolution officer in the particular case** if that is a person other than the recipient.

(3) When trying or considering whether to try to resolve the complaint in accordance with clause (2) above, the recipient, if ~~he or she~~ **is not the local complaints relevant district resolution officer**, may consult ~~that~~ **such an** officer about what steps to take. In any event ~~he or she~~ **the recipient** may consult the district Reconciliation Group.

(4) If a recipient receives a complaint involving allegations of sexual, homophobic or racial harassment or abuse, or of the harassment or abuse of a person with a disability (in this Part called 'an abuse complaint') or allegations of matters which in the opinion of the recipient amount or might amount to a criminal offence (in this Part called 'a criminal complaint'), ~~he or she~~ **the recipient** must inform the relevant Connexional **Complaints Support Manager** ~~Team member~~ before taking any other step.

(5) Unless clause (6) below applies **and without prejudice to the Connexional Complaints Support Manager's responsibilities under Standing Order 1120A below**, in a case falling within clause (4) above, the relevant Connexional **Complaints Support Manager** ~~Team member~~ must consult the complainant and may then:

- (i) nominate a person other than the person who would otherwise be the ~~local complaints~~ **district resolution** officer to carry out the functions of the ~~local complaints~~ **district resolution** officer in the particular case; or
- (ii) treat the matter as having been ~~referred directly to the connexional Complaints Panel~~ **allocated to the Tier 2 procedure** in accordance with Standing Order 1121(5), in which event also the ~~local complaints~~ **district resolution** officer shall cease to perform ~~his or her~~ functions as such in connection with that case.

The ~~relevant~~ Connexional **Complaints Support Manager Team member** must inform the recipient and the complainant of ~~his or her~~ **the** decision and if ~~he or she does not exercise~~ the power given by paragraph (ii) above **is not exercised**, clause (2) above will apply, whether or not an alternative ~~local complaints~~ **district resolution** officer has been nominated. Before exercising ~~his or her~~ **the** power under paragraph (ii), the ~~relevant~~ Connexional **Complaints Support Manager Team member** must usually seek a reply from the respondent.

(6) This clause applies in the case of a criminal complaint if:

- (i) the ~~relevant~~ Connexional **Complaints Support Manager Team member**, after taking any necessary legal advice, shares the view of the recipient that the matters alleged amount or might amount to a criminal offence; and
- (ii) the matters in question appear not yet to have been reported to the police or, although they have been reported, it is not reasonably possible to seek a reply from the respondent without prejudicing a police inquiry.

In such circumstances the ~~relevant~~ Connexional **Complaints Support Manager Team member** must treat the complaint as having been allocated to the Tier 2 procedure ~~referred directly to the connexional Complaints Panel~~.

(7) (a) If:

- (i) a recipient receives a complaint against a local lay-pastor appointed under Section 56A of Standing Orders, whether that person is employed or serves in a voluntary capacity, and
- (ii) that complaint relates to that person's conduct as a local lay- pastor **and clause 1101(2)(ii)(a) does not apply**,

all subsequent processes to be followed under this Part 11 shall be dealt with by the persons and bodies having the relevant responsibilities in relation to where the appointment is located irrespective of where the membership of the local lay-pastor is held.

(b) If a recipient receives a complaint against a lay person (including an employed local lay-pastor) employed under a contract of employment **and clause 1101(2)(ii)(a) does not apply** (in this Part called 'an employment complaint'), ~~he or she~~ **the recipient** must seek the advice of the relevant district Lay Employment Sub-committee (if the respondent is employed by a District, Circuit or Local Church) or a member of the Connexional Team responsible for employment matters under Standing Order 382(3) and (4) (in any other case) before taking any other step. The recipient must, with the approval of the relevant Chair or the Secretary of the Conference (if there is no relevant Chair or the Chair is the recipient) seek legal advice if ~~he or she~~ **the recipient** thinks it necessary. The recipient must act in accordance with the advice received. Any costs incurred in obtaining advice are to be borne by the Methodist Church Fund under Standing Order 376(5).

(7A) A recipient who receives a complaint concerning the condition of premises must, with the approval of the relevant Chair or the Secretary of the Conference (if there is no relevant Chair or the Chair is the recipient) seek the advice of a surveyor if ~~they~~ **recipient** thinks it necessary. The recipient must act in accordance with the advice received. Any costs incurred in obtaining advice are to be borne by the Methodist Church Fund under Standing Order 376(5).

(8) If the recipient, **not being the relevant district resolution officer**, receives a complaint alleging matters so serious that the interests of the church require that it be formally investigated ~~and he or she is not the local complaints officer~~, the recipient must pass the complaint to ~~that~~ **such an** officer. ~~He or she~~ **The recipient** may consult ~~the local complaints~~ **the relevant district resolution** officer on the question whether or not this clause applies.

(9) If the recipient receives a complaint against the relevant ~~local complaints~~ **district resolution** officer, whether or not the complaint relates to the performance of ~~his or her~~ **that officer's** duties as ~~a local complaints officer~~ **such**, the recipient must inform the ~~relevant~~ Connexional **Complaints Support Manager Team member** before taking any further steps. The ~~relevant~~ Connexional **Complaints Support Manager Team member** must then nominate another person to carry out the functions of the ~~local complaints~~ **district resolution** officer in the particular case, unless the complaint cannot proceed without the agreement in writing of the Secretary of the Conference or the President in accordance with Standing

Order 1103(6) and that agreement is not given.

(10) No formality is required for resolution under the provisions of this Standing Order and no record of any complaint so resolved is to be kept.

(11) The recipient is under no obligation to keep copies of documents or notes of conversations when acting under the provisions of this Standing Order, but if ~~he or she~~ **the recipient** does so and clause (10) does not apply, the documents and notes should be passed on to the person who will be responsible for dealing with the complaint after the recipient ceases to act as such.

(12) ~~Local complaints officers holding that office in a~~ **The Superintendent of each** Circuit ~~are~~ **is** encouraged to take appropriate steps to make ministers, lay employees, members and office-holders within the Circuit aware of the role and responsibilities of a recipient and a ~~local complaints~~ **district resolution** officer.

(13) No action may be taken on a complaint against a recipient for failing to comply with a provision of this Standing Order if the recipient was not aware of the relevant provision and acted reasonably in the circumstances of the case.

(14) Where a ~~local complaints~~ **the relevant district resolution** officer becomes aware that a complaint has been made but that the provisions of this Standing Order have not been complied with, ~~he or she~~ **that officer** must encourage the recipient thereafter to comply with those provisions as far as possible or, at his or her **the officer's** discretion, act thereafter as far as possible as if ~~he or she had been~~ the recipient.

1120A Formal Complaints: initial steps and allocation

(1) The provisions of this Standing Order apply when:

- (i) a recipient who is not a district resolution officer passes a complaint to the relevant district resolution officer; or**
- (ii) a recipient who is the relevant district resolution officer decides that the complaint cannot be resolved informally to the satisfaction of the complainant in accordance with Standing Order 1120(2).**

(2) The district resolution officer must:

- (i) note in writing the date on which the complaint was received or the decision made;**
- (ii) obtain a written statement of the complaint from the complainant if such a statement has not yet been made; and**
- (iii) notify the Connexional Complaints Support Manager that the complaint has been made. The notification must be accompanied by a copy of the complaint (if in writing), the note of the date, the statement and any other documentary material already obtained.**

(3) On receipt of a notification under clause (2) above, the Connexional Complaints Support Manager must:

- (i) consider whether the complaint is a complaint as defined for the purposes of this Part and if satisfied that it is, open a case record in respect of the complaint;**
- (ii) subject to clause (4) below, allocate the complaint to the Tier 1 procedure or the Tier 2 procedure.**

(4) A complaint against a respondent who, at the time the complaint is made, does not hold any office within the Church must be allocated to the Tier 1 procedure unless:

- (i) the complaint relates (in whole or in part) to words, acts or omissions of the respondent at a time when the respondent did hold an office within the Church;**
- (ii) the complaint is an abuse complaint, a criminal complaint or an employment complaint; or**
- (iii) in the view of the Connexional Complaints Support Manager the conduct alleged by the complaint is so serious that the Tier 1 procedure is inappropriate.**

In case (i) the complaint may and in cases (ii) and (iii) the complaint must be allocated to the Tier 2 procedure.

(5) The case record of any complaint must constitute a record of the initial allocation of the complaint and of all material subsequently produced or created in the course of following the provisions of this Part in relation to that complaint.

(6) The Connexional Complaints Support Manager must keep an allocation under clause (3) under review and may at any time allocate a complaint to which the Tier 1 procedure applies to the Tier 2 procedure or vice versa or to such alternative procedure as the Connexional Complaints Support Manager thinks fit. The Connexional Complaints Support Manager must also keep under review any decision as to the application of clause (4)(iii) above and may at any time alter that decision and, if appropriate, change the allocation of the complaint accordingly. If the Connexional Complaints

Support Manager becomes aware that the respondent to a complaint allocated to the Tier 1 procedure in accordance with clause (4) above has become the holder of an office within the Church, the Connexional Complaints Support Manager must consider whether the complaint should continue to be allocated to that procedure or should instead be allocated to the Tier 2 procedure.

(7) Any person or body engaged in dealing with a complaint under either the Tier 1 procedure or the Tier 2 procedure may at any time request the Connexional Complaints Support Manager to exercise the power given by clause (6) above.

(8) In allocating a complaint in accordance with clause (3) or clause (6) above the Connexional Complaints Support Manager must take into account the provisions of clause (1) of Standing Order 1101A as to the nature of the Tier 1 procedure and the Tier 2 procedure.

(9) If it appears to the Connexional Complaints Support Manager on receiving a notification under clause (3) above that the complaint relates, in whole or in part, to the same facts and circumstances as form the subject matter of a complaint previously notified or more than one such complaint, the Connexional Complaints Support Manager must add a note to that effect to the case record of both or all the complaints and in allocating the new complaint must take into account the desirability of both or all the complaints being considered together, reviewing the allocation of the previous complaint or complaints as necessary.

(10) Either the complainant or the respondent may appeal to the President against the decision of the Connexional Complaints Support Manager as to whether or not a notification received under clause (3) above is notification of a complaint as defined for the purposes of this Part or as to allocation under that clause or under clause (6). Any such appeal must be made by notice in writing sent to the Connexional Complaints Support Manager within 14 days of notification of the relevant decision to the complainant or respondent, as the case may require, setting out the reasons for appealing against that decision.

(11) On being informed of an appeal under clause (10) above, the President or the Vice-President on behalf of the President must examine the appropriateness of the decision taken and may substitute a different decision for the decision of the Connexional Complaints Support Manager.

(12)(a) The Connexional Complaints Support Manager may also receive from an anonymous person a statement which would constitute a complaint for the purposes of this Part if it were made by an identified complainant and may decide to treat the statement as a complaint notified under clause (2) above or to retain a case record of the complaint but to take no further action except as provided in sub-clause (d) below.

(b) In making the decision referred to in sub-clause (a) above, the Connexional Complaints Support Manager must have regard to the difficulty of seeking reconciliation or resolution through the Tier 1 process and the importance of enabling the respondent effectively to participate in an investigation under the Tier 2 process if the complainant wishes to remain anonymous.

(c) Any person or body to whom such a complaint is allocated under clause (3) or (4) above must apply the Tier 1 procedure or the Tier 2 procedure, as the case may require, as closely as possible in the circumstances of the case and in consultation with the Connexional Complaints Support Manager.

(d) If the Connexional Complaints Support Manager decides not to treat the complaint as a complaint notified under clause (2) above, the Connexional Complaints Support Manager must consider whether the respondent ought to be informed of the complaint and given the opportunity to make a response contemporaneously. If the respondent is so informed and makes a response, the response must be added to the case record.

1121 First Formal Complaint Stage The Tier 1 Procedure. (1) The provisions of this Standing Order apply when **a district resolution officer has notified the Connexional Complaints Support Manager of a complaint in accordance with clause (2) of Standing Order 1120A:**

~~(i) a recipient who is not a local complaints officer passes a complaint to the relevant local complaints officer; or~~

~~(ii) a recipient who is a local complaints officer decides that the complaint cannot be resolved informally to the satisfaction of the complainant in accordance with Standing Order 1120(2).~~

(2) The officer must follow the procedure set out in this Standing Order, which constitutes the Tier 1 procedure, unless and until notified by the Connexional Complaints Support Manager that the complaint has been allocated to the Tier 2 procedure or that it has been determined that the complaint is not a complaint for the purposes of this Part.

(2A) The officer must ~~When a local complaints officer receives a complaint passed on by a recipient or decides that the complaint cannot be resolved informally, he or she must:~~

~~(i) note in writing the date on which the complaint was received or the decision made;~~

~~(ii) obtain a written statement of the complaint from the complainant if such a statement has not yet been made; and~~

- (iii) consult the district Reconciliation Group in order to explore the possibility of resolving the complaint by a more formal means (whether or not the group has already been consulted in relation to the complaint), unless clause (11) below applies and the local complaints officer is advised not to do so. If the local complaints officer is not also the recipient, **the recipient should be involved** he or she should involve the recipient in the consultation if possible and appropriate.

(3) Where clause (2A)(iii) above applies, the local complaints officer must make every reasonable effort to resolve the complaint formally, subject to clauses (9) and (11) below. For this purpose, the local complaints officer must inform the respondent that the complaint has been made, if the respondent is not aware of that fact, and supply him or her **the respondent** with the written statement of complaint if he or she **the respondent** does not have it. Formal resolution means that the complainant and the respondent agree to a form of resolution and sign a written record of what is agreed.

(3A) The officer may at any time explore alternative methods of achieving reconciliation or a form of resolution not falling within clause (3) above.

(4) The complainant may at any time withdraw the complaint by notifying the local complaints officer in writing that he or she wishes **of a wish** to do so.

(5) **Subject to clause (5A) below, if** If the complaint cannot be resolved formally **or dealt with by an alternative method in accordance with clause (3A) above** and is not withdrawn, the local complaints officer may either:

- (i) ~~refer the complaint to the Connexional Complaints Panel~~ **request the Connexional Complaints Support Manager to exercise the power given by clause (6) of Standing Order 1120A;** or
- (ii) ~~decline so to refer the complaint~~ **to make such a request.**

If the local complaints officer declines to ~~refer the complaint~~ he or she **make such a request, the officer** must give the complainant the information necessary to enable the complainant to do so if he or she **the complainant** wishes. The complainant must make such a **request** within 21 days of receiving notice from the local complaints officer.

(5A) No request may be made to the Connexional Complaints Support Manager under clause (5) above if the complaint was allocated to the Tier 1 procedure in accordance with clause (4) of Standing Order 1120A.

(6) ~~A reference to the Connexional Complaints Panel~~ **request under clause (5) above must be** is made by notice of intention to refer the complaint given in writing to the relevant Connexional **Complaints Support Manager** Team member. The person referring the complaint **making the request** must send the written statement of complaint and any reply by the respondent either with the notice **request** or as soon as possible afterwards and may also send any other documents ~~he or she~~ **the person** believes are relevant.

(7) (a) Upon making a decision under clause (5) above, the local complaints officer must write a brief record of the steps taken to seek resolution and, if ~~he or she~~ **the officer** declines to ~~refer the complaint~~ **make a request to the Connexional Complaints Support Manager**, of the reasons for that decision.

(b) A copy of the record must be sent to the **Connexional Complaints Support Manager and the** complainant. **A copy must also be sent** and to the respondent, unless the respondent is unaware of the complaint. If the local complaints officer declines to ~~refer the complaint~~ he or she **make a request, the officer** should retain a copy of the record and other documents, in accordance with guidance adopted by the Council, for two years from the date of the decision. Thereafter the local complaints officer may retain a record of the outcome only, in accordance with guidance adopted by the Council, until five years after the decision.

~~(c) If the local complaints officer decides to refer the complaint to the panel then~~

- ~~(i) the record must be sent to the relevant Connexional Team member for transmission to the relevant complaints team;~~
- ~~(ii) a copy of the record must be deposited with the Secretary of the Conference, to be retained in accordance with Standing Order 1104(1); and~~
- ~~(iii) the local complaints officer must within 90 days of the date of referral under Standing Order 1121(5)(i) destroy any record or documentation retained.~~ **Upon receipt of a request under clause (5) above the Connexional Complaints Support Manager must decide what further steps, if any, should be taken in relation to the complaint.**

(8) If a complaint is formally resolved or withdrawn, the local complaints officer must record in writing the outcome of the complaint and annex the relevant written document and the written statement of complaint to the record **and must send a copy of the record to the Connexional Complaints Support Manager.** The local complaints officer ~~shall~~ **must** retain the record with relevant documents and statements for two

years from the date of resolution or withdrawal. The ~~local complaints~~ officer may after two years retain a record of the outcome only, in accordance with guidance approved by the Council, for a further three years. The record of the outcome may be consulted if a dispute arises as to the resolution or the withdrawal.

(9) Where the complaint is an abuse complaint or a criminal complaint and is not treated as having been ~~referred directly to the connexional Complaints Panel~~ **allocated to the Tier 2 procedure** in accordance with Standing Order 1120(5)(ii) or (6), the ~~local complaints~~ officer must inform the relevant Connexional **Complaints Support Manager** ~~Team member~~ of any steps proposed to be taken to seek formal resolution after consulting the district Reconciliation Group but before taking such steps. The relevant Connexional **Complaints Support Manager** ~~Team member~~ must then consult the complainant and ~~may treat the complaint as having been referred directly to the panel~~ **consider whether to exercise the power under clause (6) of Standing Order 1120A to allocate the complaint to the Tier 2 procedure** without those steps being taken.

(10) [not used]

(11) Where the complaint is an employment complaint, the ~~local complaints~~ officer must continue to take and to act upon advice when taking steps in relation to the complaint.

(12) Subject to the preceding provisions of this Standing Order and to the principles and general matters set out in Standing Orders 1100 and 1102, the ~~local complaints~~ officer may decide on ~~his or her own~~ **the** procedure for dealing with the complaint. In particular, the ~~local complaints~~ officer may meet either of or both the complainant and the respondent and if ~~he or she~~ **the officer** thinks fit may be accompanied in doing so by an observer. Any observer is bound by the same principles of confidentiality as is the ~~local complaints~~ officer. It is not part of the responsibility of the ~~local complaints~~ officer to reach a conclusion on the merits of a complaint or on any facts in issue, or to investigate the complaint except to the extent necessary properly to perform ~~his or her~~ **the** duties under this Standing Order.

(13) If a ~~local complaints~~ **district resolution** officer wishes to make a complaint in ~~his or her own right under this Part~~, the officer must inform the relevant Connexional **Complaints Support Manager** ~~Team member~~, who must then nominate another person to perform the functions of the ~~local complaints~~ **district resolution** officer in the particular case. That person is also to be treated as the recipient of the complaint.

(14) Where as a result of:

- (i) legal proceedings (criminal, civil, matrimonial or otherwise);
- (ii) a caution given by the police; or
- (iii) a matter of public knowledge

~~the local complaints~~ **a district resolution** officer considers that a person's standing in relation to the Church should be reviewed, but no complaint has been made, the ~~local complaints~~ officer must ~~refer the matter to the connexional Complaints Panel~~ **notify the Connexional Complaints Support Manager of the matter**. The matter must then be treated as if the ~~local complaints~~ officer had made a complaint against the person concerned and that complaint had been referred to the panel in accordance with clause (5) (i) above **notified the Connexional Complaints Support Manager under clause (2) of Standing Order 1120A**.

(15) Where a complaint made or passed to a ~~local complaints~~ **district resolution** officer has subsequently been withdrawn but the ~~local complaints~~ officer considers that, in the light of information including the matters raised in the complaint, the standing of the respondent in relation to the Church should be reviewed, ~~he or she~~ **the officer** may ~~refer the matter to the connexional Complaints Panel~~ **request the Connexional Complaints Support Manager to treat the complaint as falling within clause (4)(iii) of Standing Order 1120A, if the complaint was allocated to the Tier 1 procedure in accordance with that clause (4), and in any case to exercise the power in clause (6) of Standing Order 1120A and clause (14) above will apply**. Before referring a matter **making a request** under this clause, the ~~local complaints~~ officer must inform the complainant of ~~his or her~~ **the officer's** intention to do so and invite the complainant to make any objections in writing within a week of being so informed. If the complainant does object, the ~~local complaints~~ officer must take the objection into account and if ~~he or she~~ **the officer** decides nevertheless to refer the matter, a copy of the objection must be included with the papers sent to the relevant Connexional **Complaints Support Manager** ~~Team member~~, together with a statement by the ~~local complaints~~ officer of the reasons for referring the complaint which ~~he or she~~ **the officer** believed outweighed the complainant's objection.

(16) The ~~local complaints~~ officer must keep copies of documents and notes of conversations while acting in accordance with the provisions of this Standing Order. Such documents and notes, together with any documents or notes passed on by the recipient, should be retained with the record of any formal resolution. If no formal resolution is reached, they should be passed with the record to the ~~person who will be responsible for dealing with the complaint after the local complaints officer ceases to act~~ **Connexional**

Complaints Support Manager.

(17) ~~The local complaints~~ **A district resolution** officer may seek the advice of the connexional Complaints Officer **or the Connexional Complaints Support Manager** at any time in carrying out his or her responsibilities under this and the **two** preceding Standing Orders.

(18) As set out in clause (12) above, the Tier 1 procedure does not involve a fact-finding exercise and makes no provision for the imposition of sanctions. The complainant has no right of appeal against the outcome of the Tier 1 procedure where the complaint has been allocated to the Tier 1 procedure In accordance with clause (4) of Standing Order 1120A.

(19) The Tier 1 procedure must be completed within one month from the date on which the district resolution officer notified the Connexional Complaints Support Manager of the complaint under clause (2) of Standing Order 1120A or as soon thereafter as possible.

1122 Reference to the Connexional Complaints Panel The Tier 2 procedure: triage. (1) On receiving a complaint referred under the provisions of this Section **allocating a complaint to the Tier 2 procedure**, the relevant Connexional Team member **Complaints Support Manager** must, as soon as reasonably possible **select by which of the following persons or bodies the complaint is to be investigated:**

- ~~(i) except where Standing Order 1102(2)(b)(iii) applies, appoint a complaints team consisting of three members selected from the connexional Complaints Panel to consider the complaint;~~
- ~~(ii) designate one of the team members as the lead member;~~
- ~~(iii) provide all the members of the complaints team with the documents so far received in connection with the complaint;~~
- ~~(iv) inform the complainant and the respondent (unless the respondent is unaware that the complaint has been made) of the identity of the lead member and the other team members.~~
- (i) a complaints team chair selected from the connexional Complaints Panel acting alone;**
- (ii) a connexional complaints team consisting of three members selected from the connexional Complaints Panel, one of whom must be a complaints team chair;**
- (iii) a connexional case officer;**
- (iv) an external body;**
- (v) another person or body in accordance with an alternative procedure**

and make the appointments or take the other steps necessary to enable the investigation or alternative procedure to begin.

(2) ~~The person appointed as lead member~~ **A complaints team chair appointed under clause (1)(i) or (ii) above** must, whenever possible, have undergone relevant training in the last two years ~~and must additionally, if possible, have had experience under the present or a previous church complaints and discipline process.~~ ~~The~~ **Other** team members **appointed under clause (1)(ii) above** must be selected having regard to their skills in matters relevant to the particular complaint, the need for balance within the complaints team (including in particular any need which may arise in connection with issues of gender, race or disability or status within the Church) and the geographical location of all concerned.

(2A) A connexional case officer or external body appointed under clause 1(iii) or (iv) above may only be appointed if in the view of the Connexional Complaints Support Manager the necessary investigation requires particular skills or experience which can be provided better by a connexional case officer or external body than by a complaints team chair or a complaints team.

(3) ~~If a complaint is referred to a complaints team~~ **notified to the Connexional Complaints Support Manager** but the respondent is not aware that the complaint has been made, the relevant Connexional Team member **Complaints Support Manager** must inform him or her **the respondent** of that fact as soon as is possible thereafter without prejudicing a police inquiry. The relevant Connexional **Complaints Support Manager** Team member must then also inform the respondent of the identity of the ~~lead member and the other members of the complaints team~~ **person or body appointed under clause (1) above** and must inform the ~~lead member~~ **complaints team chair, connexional case worker, external body or other person or body, as the case may require,** that the respondent is now aware of the complaint.

1123 The Tier 2 Procedure: Initial Steps by Complaints Team Chair or Complaints Team. (1) **Where a complaints team chair is appointed under clause (1)(i) of Standing Order 1122 or a complaints team is appointed under clause (1)(ii) of that Standing Order,** ~~On receiving the documents relating to a complaint, the lead member~~ **complaints team chair** must:

- (i) inform the convener of the relevant district Complaints Support Group that the complaint has been made and has been referred to a **complaints team chair or a complaints team**, stating whether or not the respondent is aware of the complaint;

- (ii) note the date of receipt of the documents and make an initial assessment in accordance with the provisions of this Standing Order.

(2) On being informed that a complaint has been referred to a **complaints team chair or a** complaints team, the convener of the relevant district Complaints Support Group must offer two members of the group to the complainant as advisers and friends (but not representatives) during and after the complaints and discipline process. The convener must make a similar offer to the respondent unless the respondent is not aware that the complaint has been made. If there is more than one complainant or respondent in relation to the complaint, the offer must be made individually to each person concerned. The offer may be taken up at any time even if it is not initially accepted.

(3) If the respondent was not aware that the complaint had been made when the ~~lead member~~ **complaints team chair** received the documents, the ~~lead member~~ **complaints team chair** must notify the convener as soon as **possible when** ~~he or she is~~ informed by the relevant Connexional **Complaints Support Manager** ~~Team member~~ that the respondent is now aware of the complaint. The convener must then offer support to the respondent in accordance with clause (2) above.

(4) The ~~lead member~~ **complaints team chair** must also keep under review at all times while dealing with the complaint whether support should be offered to a Local Church or Churches or to the Circuit or to any other body. If the ~~lead member~~ **complaints team chair** decides that such support should be offered, ~~he or she~~ **the chair** must inform the convener of the relevant district Complaints Support Group, who must offer such support (to be given by at least two people) as may seem appropriate in the circumstances of the case.

(5) The initial assessment to be made by the ~~lead member~~ **complaints team chair** is an assessment of whether or not the complaint:

- (i) ought to be dealt with under an alternative procedure specified in clause below instead of under the complaints and discipline process; or
- (ii) ought to be summarily dismissed on a ground specified in clause (7) below.

No complaint ~~referred to the connexional Complaints Panel by a local complaints officer~~ **allocated to the Tier 2 procedure by the Connexional Complaints Support Manager by an exercise of the power given by clause (6) of Standing Order 1120A at the request of a district resolution officer** may be dismissed summarily. In other cases, no complaint may be dismissed summarily without consideration of whether or not any reconciliation between the complainant and the respondent is or might be possible.

(6) The following are alternative procedures for the purposes of clause (5) above:

- (i) requesting the appointment of a committee under Standing Order 388 or 544;
- (ii) referring the case to a Chair under Standing Order 040(4);
- (iii) where the respondent is a student minister or probationer, referring the case to a connexional Review Committee with a request to consider discontinuance under the provisions of Standing Order 030(2A);
- (iv) requesting the President to inquire into a relevant Circuit;
- (v) requesting the relevant employer to make use of any applicable disciplinary procedure in a contract of employment of a lay employee;
- (vi) requesting the complainant to make use of any grievance procedure available to the complainant and relevant to the subject matter of the complaint.

(7) The following are grounds for summary dismissal under clause (5) above:

- (i) that the complaint should not have been treated as a complaint within the definition contained in Standing Order 1101(1)(i) above;
- (ii) that the matters complained of are so trivial that further steps would be inappropriate;
- (iii) that the matters complained of occurred so long ago that, considering the nature of the complaint, further steps would be inappropriate;
- (iv) that the matters complained of have been considered previously and dealt with (whether under this Part or under any other existing or previous procedure) or found to fall under this clause or a previous clause in Standing Orders permitting a complaint to be disposed of in a summary manner;
- (v) that:
 - (a) there has been a breakdown in a relationship between the respondent and complainant which existed primarily outside the context of the Church and the complainant appears to be making the complaint as a result of hurt or anger connected with that breakdown; and
 - (b) the interests of the Church (taking into account in particular the risk of damage to the Church's mission and witness if no action is taken) do not appear to require further formal investigation of the complaint;

- (vi) that it cannot reasonably be contended that the reasons for which the Church has established its complaints and discipline process as set out in Standing Order 1100(1) and (2) mean that further formal investigation of the complaint is required (taking into account in particular the risk of damage to the Church's mission and witness if no action is taken).

(8) ~~(a) If the lead member~~ **complaints team chair has been appointed under clause (1)(i) of Standing Order 1122 and** is of the opinion, after making the initial assessment, that the complaint ought to be dealt with under paragraph (i) or (ii) of clause (5) above, **the chair must prepare a brief record of that decision and the reasons for it and send the record to the Connexional Complaints Support Manager for safe custody.**

(b) If the complaints team chair has been appointed under clause (1)(ii) of Standing Order 1122 and is of the opinion referred to in sub-clause (a) above, after making the initial assessment, ~~he or she~~ **the chair** must inform the other team members of that opinion and seek their views (whether by post, telephone or electronic communication). If the other members agree, the ~~lead member~~ **complaints team chair** must prepare a brief record of the complaints team's decision and the reasons for it and send the record to the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ on behalf of the Secretary of the Conference for safe custody.

(9) (a) On receiving a record prepared under clause (8) above, the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ must send a copy of the record to the complainant and to the respondent, unless the respondent remains unaware of the fact that the complaint has been made.

(b) Where the **complaints team chair or the** complaints team has decided that the complaint should be dealt with by an alternative procedure, the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ must also give the complainant and the respondent (if ~~he or she~~ is aware of the complaint) appropriate information about the alternative procedure and any steps to be taken by that person. The ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ must take any other steps required to initiate the alternative procedure.

(c) The ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ must also inform the complainant in writing of ~~his or her~~ **the complainant's** right of appeal and how it may be exercised.

(10) If, after making the initial assessment, the ~~lead member~~ **complaints team chair** is of the opinion that the complaint should be fully considered or if, **where a complaints team has been appointed,** the other team members do not both agree with the ~~lead member's~~ **the complaints team chair's** opinion that the complaint should be dealt with under clause (5) above after the initial assessment, the provisions of Standing Order 1124 apply.

(11) The ~~lead member's~~ **complaints team chair's** initial assessment and, if clause (8)(b) above applies, the decision of the other team members must be made within three weeks of the date on which the ~~lead member~~ **complaints team chair** receives the documents or as soon as possible thereafter.

(12) In taking the initial steps provided for by this Standing Order, the complaints team **chair or, as the case may be, the complaints team,** must not come to any conclusion on the facts or merits of the complaint except to the extent necessary to reach the decisions required.

(13) The complaints team **chair or, as the case may be, the complaints team** may seek the advice of the connexional Complaints Officer at any time in carrying out ~~its~~ **the** responsibilities under this and the following Standing Order.

1124 Tier 2: Full Consideration by Complaints Team Chair or Complaints Team. (1) As soon as possible after it becomes clear that the complaint is to be fully considered, the complaints team **chair must decide or, as the case may require, the complaints team** must agree what further steps are to be taken to investigate the complaint. They **chair or the complaints team** may subsequently **decide or** agree that additional steps must be taken or that certain steps are no longer required.

(2) (a) The steps to be taken must include at least one separate meeting with both the complainant and the respondent, attended by at least two members of the complaints team **if a complaints team has been appointed,** unless it is not reasonably practicable to hold such a meeting. If the respondent remains unaware of the complaint, the process must be halted until ~~he or she~~ **the respondent** can be informed.

(b) The complainant and the respondent have the right to be accompanied by a friend at any meeting with **the complaints team chair or** members of the complaints team and to be represented.

(3) The steps to be taken may include a meeting with any other person whom the complaints team **chair or the complaints team** believes it relevant to meet. The complaints team **chair or the complaints team** may also request any person to provide documents which the **chair or the** team believes it relevant to see.

(3A) The meetings referred to in clauses (2)(a) and (3) above may, if not physically face-to-face, be by any telephonic, video or other means which in the circumstances enables everyone involved to participate

orally or, where necessary, in sign language, and the words 'attended', 'accompanied' and 'represented' shall be construed accordingly.

(4) The steps to be taken may also include an investigation of the conduct of a person other than the respondent (including the complainant) if the complaints team **chair or the complaints team** believes that such an investigation is relevant.

(5) Notes must be taken of all meetings held by **the complaints team chair or** members of the complaints team and may be used as the basis of a statement which the person in question may be invited to sign, with any alterations or amendments which ~~he or she~~ **that person** may wish to make. A written statement must be obtained from both the complainant and the respondent, unless either of them refuses to give a statement.

(6) Both the complainant and the respondent must be informed that they might wish to obtain legal advice before signing a statement or producing documents requested by the complaints team **chair or the complaints team**. They must each be given a fair opportunity to comment on statements made or documents produced by the other.

(7) When the complaints team **chair or, as the case may require, the complaints team**, is satisfied that ~~it~~ **the chair or the team** has taken all necessary and proper steps, the **chair must consider or the** members must meet and consider (as far as necessary and subject to the provisions of clause (8) of Standing Order 1102) the following questions in the following order:

- (i) whether or not there is merit in the complaint, could the situation be helped by some form of reconciliation?
- (ii) if not, should the complaint be dismissed on one of the grounds specified in clause (10) below?
- (iii) if not, so that further action is required, which of the courses specified in clause (11) below should be followed?

(8) If the complaints team **chair or the complaints team** is of the opinion that a form of reconciliation agreed by the complainant and the respondent would help the situation, the **chair or** team must consider with them whether a form of reconciliation which the **chair or** team believes is suitable in all the circumstances can be agreed. A suitable form of reconciliation may, but need not, include any of the following:

- (i) an acceptance by the complainant and the respondent that the other person has honestly interpreted admitted facts differently;
- (ii) an admission of fault by any person;
- (iii) an acknowledgment by the complainant or the respondent of hurt inflicted on or loss suffered by the other;
- (iv) a commitment by the complainant or the respondent not to repeat conduct which has caused hurt or loss;
- (v) a commitment by the complainant or the respondent to take or not to take certain action;
- (vi) an offer of appropriate restitution by the respondent, where possible;
- (vii) an agreement by the complainant and the respondent to meet face to face;
- (viii) an agreement by the complainant and the respondent to participate in a formal act of forgiveness and reconciliation.

(9) If the complainant and the respondent agree to a form of reconciliation but thereafter:

- (i) either of them fails to act in the manner then agreed;
- (ii) either of them becomes aware for the first time of a material fact or material facts which:
 - (a) ~~he or she~~ **that person** did not know and could not reasonably be expected to have known before agreeing to the form of reconciliation; and
 - (b) might reasonably have affected ~~his or her~~ **that person's** decision whether or not to reach agreement; or
- (iii) either of them becomes aware for the first time of a procedural error in the course of the ~~complaints team's~~ consideration of the complaint which:
 - (a) might reasonably have affected the ~~complaints team's~~ decision that the agreed form of reconciliation was suitable; or
 - (b) might reasonably have affected ~~his or her~~ **that person's** decision whether or not to reach agreement

then the person aggrieved by the failure (where paragraph (i) applies) or becoming aware for the first time of the fact or error (where paragraph (ii) or (iii) applies) may apply for reconsideration of the complaint under Standing Order 1126 within three weeks of becoming aware of the relevant matter.

(10) If in the opinion of the complaints team **chair or the complaints team** the situation could not be helped

by a form of reconciliation or no suitable form of reconciliation is agreed, the ~~complaints~~ **chair or team** may decide to dismiss the complaint on either of the following grounds:

- (i) that after full consideration of the complaint the complaints team **chair or the complaints team, as the case may be**, has decided that any of the possible grounds for summary dismissal set out in clause (7) of Standing Order 1123, with any necessary modifications, applies;
- (ii) that there is no reasonable prospect of establishing that the conduct forming the substance of the complaint took place.

(11) If the complaints team **chair or the complaints team** decides that the complaint should not be dismissed, the courses open to ~~it~~ **the chair or team** are the following:

- (i) **subject to clause (11A) below**, to decide to refer the complaint to a Connexional Advocate for the preparation of a charge so that the matter can be dealt with by a discipline committee; or
- (ii) to decide that one of the alternative procedures specified in clause (6) of Standing Order 1123 should be followed;

or, if neither (i) or (ii) is adopted, one or more of the following:-

- (iii) to make a ruling on any point of dispute between the complainant and the respondent (including a point of dispute relating to the conduct of the complainant) as to:
 - (a) the interpretation of the 1976 Act, the Deed of Union, the Model Trusts or Standing Orders;
 - (b) the usage of the Church; or
 - (c) the responsibilities and obligations generally associated with a particular office within the Church;
- (iv) to issue advice to the complainant or the respondent relating to matters raised by the complaint or emerging from the complaints team **chair's or the complaints team's** consideration of the complaint (including advice about training, mentoring and supervision);
- (v) to give directions to the complainant or the respondent about how to conduct the relationship between them in the church context (including directions about how responsibilities are to be allocated for the time being or duties discharged).

(11A) A decision to refer a complaint to a Connexional Advocate for the preparation of a charge may only be made by a complaints team. If a complaints team chair is of the view that a complaint should be referred for the preparation of a charge, the Connexional Complaints Support Manager must appoint two further members from the Connexional Complaints Panel to consider, together with the complaints team chair and in the light of the investigation conducted so far, whether such a course should be followed.

(11B) (a) In deciding which of the courses set out in clause (11) above should be adopted, the complaints team chair or the complaints team, as the case may require, must consult with the Connexional Complaints Support Manager at such time or times as may be appropriate with a view to ensuring consistency in the outcome of complaints dealt with under the Tier 2 procedure.

(b) In deciding whether or not the complaint should be dealt with by a discipline committee, the complaints team must have regard to the definition of a charge contained in Standing Order 1130(3) below.

(c) If the respondent is a member who is not an office holder and was not an office holder on the occasion or at any time during the period when the conduct the subject matter of the complaint took place, the complaints team must also be satisfied before deciding that the complaint should be dealt with by a discipline committee that the conduct alleged is so serious that it is appropriate that it should be considered by a discipline committee in spite of the limited sanctions which are available.

(12) Any ruling made, directions given or advice issued by the complaints team **chair or the complaints team** must be formulated in consultation with the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ and the relevant District Chair and Superintendent. The complaints team **chair or the complaints team** may also direct that notice is given of the direction, ruling or advice to such persons or bodies and in such terms as the **chair or team** considers appropriate and helpful.

(13) If the complaints team **chair or the complaints team** decides that the complaint should be dealt with by a discipline committee, the **chair or team** may also, subject to the requirements of clause (14) below, decide that the conduct relating to the subject matter of the complaint of any other person should be considered by a discipline committee and refer that conduct to the same Connexional Advocate for the preparation of a charge. In such circumstances the complaints team **chair or the complaints team** may recommend that the charges should be heard together.

(14) If the complaints team **chair or the complaints team** is considering exercising the power given by clause (13) above, ~~it~~ **the chair or team** must:

- (i) give the person concerned written notice that that is the case, stating the reasons for which it ~~is considering the~~ exercising of the power **is being considered** and inviting him or her ~~that~~ **person** to make representations in response by a specified date;
- (ii) ensure that the person concerned has the documents and information necessary to enable him or her ~~that person~~ to understand the **chair's or the** team's reasons and has sufficient time to respond in all the circumstances of the case;
- (iii) take into account any response received from the person concerned in deciding whether or not to exercise the power.

(15) When the complaints team **chair or the complaints team** has decided how the complaint is to be dealt with, the ~~lead member~~ **complaints team chair** must prepare a report on the decision making process and of the ~~complaints team's~~ decision and the reasons for it and send the report to the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ on behalf of the Secretary of the Conference for safe custody. The ~~lead member~~ **complaints team chair** must retain a copy.

(16) (a) On receiving a report prepared under clause (15) above, the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ must send a copy of the report to the complainant and the respondent. He or she ~~The Connexional Complaints Support Manager~~ must also send a copy to the ~~local complaints~~ **district resolution** officer if the complaints team **chair or the complaints team** has made a ruling, issued advice or given directions.

(b) Where the complaints team **chair or the complaints team** has decided that the complaint should be dealt with by an alternative procedure, the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ must also give the complainant and the respondent appropriate information about the alternative procedure and any steps to be taken by that person. The ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ must also take any other steps required to initiate the alternative procedure.

(c) If the complainant or the respondent has a right of appeal against the complaints team **chair's or the complaints team's** decision under Standing Order 1126 below, the ~~relevant~~ Connexional **Complaints Support Manager** ~~Team member~~ must also inform the complainant in writing of that right and how it may be exercised.

(17) The complaints team **chair's or the complaints team's** full consideration of the complaint must be completed within ~~two~~ **three** months of the date on which the ~~lead member~~ **complaints team chair** receives the documents or as soon as possible thereafter.

(18) In taking the steps provided by this Standing Order, the complaints team **chair or the complaints team, as the case may require**, must not come to any conclusion on the facts or merits of the complaint except to the extent necessary to reach the decisions required.

1124A Tier 2 : Investigation by a Connexional Case Worker or an External Body. (1) Where a connexional case worker or an external body is appointed under clause (1)(iii) or (iv) of Standing Order 1122, the Connexional Complaints Support Worker must at the time of making the appointment identify in writing the reasons for such an appointment and the particular issues which the case worker or external body is to investigate.

(2) The connexional case worker or external body must determine, in consultation with the Connexional Complaints Support Manager, the procedure for the investigation, which must as far as possible give effect to the principles set out in Standing Order 1100.

(3) At the conclusion of the investigation the connexional case worker or external body, as the case may require, must prepare a report setting out:

- (i) whether or not further action is recommended;**
- (ii) if so, what that further action is;**
- (iii) in any case, the reasons for the conclusion reached.**

(4) The forms of further action which may be recommended by the connexional case worker or the external body are:

- (i) the appointment by the Connexional Complaints Support Manager of a complaints team to consider whether or not the complaint should be referred to a Connexional Advocate for the preparation of a charge;**
- (ii) the appointment by the Connexional Complaints Support Manager of a complaints team chair or a complaints team to consider whether or not one of the courses specified in clause (11)(i) to (vi) of Standing Order 1124 should be followed;**

- (iii) *the allocation of the complaint by the Connexional Complaints Support Manager to the Tier 1 procedure;*
- (iv) *reference of the complaint by the Connexional Support Manager to the Safeguarding Committee or to any other process, whether within or external to the Church.*

(5) The connexional case worker or external body may at any time during the process of the investigation recommend to the Connexional Complaints Support Manager that the investigation should cease and that one of the forms of further action specified in clause (4) above should be adopted. Any such recommendation must be made in writing and give the reasons for the recommendation.

(6) The connexional case worker or external body must consult with the Connexional Complaints Support Manager before making any recommendation under clause (4) or clause (5) above with a view to ensuring consistency in the outcome of complaints dealt with under the Tier 2 procedure.

(7) If the Connexional Complaints Support Manager accepts a recommendation under clause (4)(i), (ii) or (iii) above, the relevant complaints team, complaints team chair or district resolution officer must follow the provisions of Standing Order 1124 or 1122, as appropriate, as nearly as possible in the circumstances of the case.

(8) The Connexional Complaints Support Manager is not obliged to accept a recommendation under clause (4) or (5) above but if the Connexional Complaints Support Manager does not do so that decision must be recorded in writing in the case record together with the reasons for the decision and a statement of how the complaint is to be dealt with thereafter.

1125 Possible Criminal Offences. (1) This Standing Order applies in the case of a criminal complaint as defined in Standing Order 1120(4) which is referred to the connexional Complaints Panel **treated as allocated to Tier 2** under Standing Order 1120(6) on the ground that the matter has not been reported to the police.

(2) If in the view of the ~~relevant Connexional Team member~~ **Complaints Support Manager** the criminal offence to which the matters alleged amount or may amount is an offence mentioned in the First Schedule to the Children and Young Persons Act 1933 as currently in force or is one which is included in the Sexual Offences Act 2003 or Schedule 15 of the Criminal Justice Act 2003 and (in any such case) the offence if committed is against a person under 18 or a vulnerable adult, the ~~relevant Connexional~~ **Complaints Support Manager** ~~Team member~~ must report the matter to the police. If the matters alleged relate to a minister or office holder (paid or voluntary) working with children or young people a report of the matter must be made by the ~~relevant Connexional~~ **Complaints Support Manager** ~~Team member~~ to the Local Authority Designated Officer or, if no such officer or equivalent office or body is appointed, to the local children's services in addition to being reported to the police.

(2A) Clause (2) above shall have effect in relation to persons in any jurisdiction within the home Districts other than England and Wales as if, in any such jurisdiction in which any of the legislative provisions there mentioned does not have effect, there were substituted a reference to the legislation, if any, of similar substance in force in that jurisdiction from time to time.

(3) In any other case, the ~~relevant Connexional~~ **Complaints Support Manager** ~~Team member~~ may report the matter to the police.

(4) Before reporting a matter to the police under this Standing Order, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must inform ~~lead member~~ **any complaints team chair appointed under clause (1)(i) or (ii) of Standing Order 1122, any connexional case worker appointed under clause (1)(iii) of that Standing Order or any external body appointed under clause (1)(iv) of that Standing Order** of the complaints team and the complainant of his or her ~~the~~ intention to do so and, if clause (3) above applies, must invite the complainant to make any objections in writing within a week of being so informed. The ~~relevant Connexional~~ **Complaints Support Manager** ~~Team member~~ must then take any objections received into account in reaching a final decision whether or not to report the matter.

(5) (a) The ~~relevant Connexional~~ **Complaints Support Manager** ~~Team member~~ must inform the ~~lead member and the complainant~~ **any person or body informed as required by clause (4) above** of any report made under this Standing Order immediately upon making it.

(b) The ~~relevant Connexional~~ **Complaints Support Manager** ~~Team member~~ must inform the respondent of any report made under this Standing Order as soon as is reasonably possible without prejudicing any police inquiry.

(6) Where a report is made under this Standing Order but the complaints and discipline process has not

been halted under Standing Order 1124(2)(a), the ~~lead member~~ **complaints team chair** may decide that the ~~complaints team should suspend~~ any proceedings in connection with the complaint **should be suspended** to await the result of any such report and any criminal proceedings which may follow, but is not obliged to do so.

(7) If at any time a **complaints team chair or a** complaints team considering a complaint becomes aware that matters alleged in the complaint are under investigation by the police or form the subject matter of criminal proceedings, although no report has been made under this Standing Order and the complaints and discipline process has not been halted under Standing Order 1124(2)(a), the **chair or the team, as the case may be**, may decide to suspend any proceedings in connection with the complaint to await the outcome of the investigation and any criminal proceedings which may follow or of the criminal proceedings, but is not obliged to do so.

1126 Appeals and Reconsiderations. (1) The complainant has a right of appeal against a decision of a **complaints team chair or a** complaints team that the complaint should be dismissed, whether made summarily or after full consideration, unless clause (2) below applies.

(2) No appeal may be brought against a decision that a complaint should be dismissed if the complaint was referred to the ~~connexional Complaints Panel by the complainant rather than having been referred by the local complaints officer or being treated under Standing Order 1120(6) as having been referred directly to that panel~~ **allocated to Tier 2 following a request by the complainant under Standing Order 1121(5).**

(3) Both the complainant and the respondent have a right of appeal against a decision of a **complaints team chair or a** complaints team to make a ruling under Standing Order 1124(11)(iii).

(4)(a) An appeal must be brought by notice in writing to the Secretary of the Conference stating the grounds on which the appeal is brought. The person appealing must bring the appeal within two weeks after receiving notice of the decision.

(b) The Secretary must give notice of an appeal to the respondent or the complainant (as the case may require), who must then be given an opportunity to respond to the grounds of appeal. The person appealing must then be given an opportunity to reply.

(5)(a) The appeal will be considered by a person falling within Standing Order 290(3) appointed for the purpose by the President or the Vice-President on ~~his or her~~ **the President's** behalf.

(b) ~~He or she~~ **The person appointed** must consider the documentary material before the complaints team (including notes of any meeting between members of the complaints team and any other person) and the team's record of its decision and the reasons for it.

(c) ~~He or she~~ **The person** has power either to uphold the decision of the complaints team or to refer the complaint or any part of it back to that team or another team convened from the connexional Complaints Panel for further consideration and must give reasons for ~~his or her~~ **the decision reached.**

(6) The procedure set out in clauses (4) and (5) above applies equally to an application for reconsideration made under Standing Order 1124(9), except that the person deciding the appeal may not refer back for further consideration part only of a complaint.

(7) The decision of the complaints team **chair or the complaints team** when reconsideration has been directed under this Standing Order must be notified to the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** in the same manner as an original decision. ~~He or she~~ **The Connexional Complaints Support Manager** must then act as if receiving notice of an original decision, subject to clause (8) below.

(8) Only one appeal may be brought in respect of any complaint, except that if on reconsideration a complaints team **chair or a complaints team** makes a ruling on a different point in dispute which was not raised on a previous appeal, either the complainant or the respondent may bring a further appeal in respect of the new ruling.

1127 Supplemental provisions. (1) **The Connexional Complaints Support Manager must keep any complaints which have been allocated to the Tier 2 procedure under review at all times and in particular may at any time request a summary of the position currently reached from the person or body taking any investigative steps under the Tier 2 procedure or from any person or body engaged in an alternative procedure.**

(2) **The Connexional Complaints Support Manager may at any time change the selection made under Standing Order 1122(1), whether in the light of further information or otherwise, but must consult with any person or body then already taking steps in relation to the complaint.**

(3) **The Connexional Complaints Support Manager must at all times work closely with the**

Safeguarding Committee and in particular the safeguarding officer (as defined in Standing Order 230(3)(ii)) to ensure that where a complaint has given rise to or is connected with a safeguarding concern all necessary processes are carried out in parallel as far as possible and in a manner which avoids unnecessary duplication of investigative steps.

(4) (a) If the respondent to a complaint is a minister or probationer who is stationed in an appointment in respect of which a grievance procedure is available to the complainant and the complainant, whether at the request of a district resolution officer, a complaints team chair, a complaints team or otherwise, has used the grievance process, the complainant may, at the conclusion of the process, request the Connexional Complaints Support Manager to take further action on the ground that the outcome of the grievance procedure is that the matter is not capable of being resolved by a grievance procedure because the conduct alleged would have led to the initiation of a disciplinary procedure if the respondent had been a lay person employed under a contract of employment.

(b) The Connexional Complaints Support Manager must consider such a request in consultation with the connexional Complaints Officer and may then appoint a complaints team to take such further investigatory steps as it may think necessary, if any, and to decide how the complaint should then be dealt with. A complaints team appointed in such circumstances may decide, in the light of the material already gathered, that the matter should be referred to a Connexional Advocate for the preparation of a charge without further investigation.

(c) If the Connexional Complaints Support Manager decides not to appoint a complaints team in accordance with sub-clause (b) above, the Connexional Complaints Support Manager must record the decision, with reasons, in writing, and notify the complainant and the respondent accordingly.

(d) The provisions of Standing Order 1126(1) apply to such a decision as if it were a decision to dismiss a complaint.

(5) On the conclusion of any action taken under the Tier 2 procedure in relation to a complaint and any alternative processes which may have been undertaken in relation to that complaint, the Connexional Complaints Support Manager must review the matter and consider whether there are any lessons to be learned from that matter or that matter in conjunction with others.

Section 113 Charges: First Hearing

1130 Referrals to a Connexional Presenting Officer. (1) Upon receiving notice of a decision by a complaints team to refer the matter to a Connexional Advocate for the preparation of a charge, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must select an Advocate for the purpose who will act as the connexional Presenting Officer in relation to the charge, and must supply ~~him or her~~ **the Presenting Officer** with all the documentary material before the complaints team and with the record of the team's decision and its reasons.

(2) The Presenting Officer, **in consultation with the Connexional Complaints Support Manager**, must prepare such charge or charges as ~~he or she~~ **the Presenting Officer** thinks appropriate in the light of the material received.

(3) For the purposes of this Part, a charge is an allegation that the respondent:

- (i) has committed a serious breach of the discipline of the Church as contained in the 1976 Act, the Deed of Union, the Model Trusts or Standing Orders;
- (ii) has shown serious disregard of a resolution of the Conference or the usage of the Church as generally understood;
- (iii) has or might have seriously impaired the mission, witness or integrity of the Church by ~~his or her~~ words, acts or omissions (including words, acts or omissions in situations of confidentiality or pastoral care), having regard to ~~his or her~~ **the respondent's** office or standing in relation to the Church.

(4) A charge must state the nature of the allegation made by reference to the sub-paragraphs of clause (3) above and must summarise the particulars which it is contended will establish the allegation, giving sufficient detail for the respondent to understand the nature of the case ~~he or she~~ **to be met**.

(5) In preparing the charge or charges, the Presenting Officer:

- (i) must act in liaison with the ~~lead member~~ **chair** of the relevant complaints team;
- (ii) must have in mind the importance of ensuring that all conduct necessary to be examined comes before the discipline committee, using alternative charges where appropriate for that purpose; and
- (iii) may, if **the Presenting Officer** thinks fit, meet the complainant and any witnesses

whom *the Presenting Officer* may wish to call at the hearing.

(5A) The Presenting Officer may also send a copy of the draft charge or charges to the respondent or the respondent's representative, if any, for the purpose of ascertaining whether the respondent agrees that a draft charge is established or would be willing so to agree if the draft charge were amended, on the understanding that the issues before the discipline committee would then be limited to the question of penalty and any disputes of fact relevant to the question of penalty.

(6) (a) Once preparation of the charge or charges is complete, the Presenting Officer must send a copy to the ~~relevant Connexional Team Member~~ **Connexional Complaints Support Manager**.

(b) On receiving a copy of a charge or charges, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must notify the convener of the connexional Panel responsible for Discipline Committees that a charge or charges is or are to be brought and must send ~~him or her~~ **the convener** a copy. The **Connexional Complaints Support Manager** must also send a copy of the charge or charges to the complainant, the respondent and, except as provided in ~~paragraph~~ **sub-clause** (c) below, the Chair of the District containing the respondent's Circuit.

(c) The exceptions to ~~paragraph~~ **sub-clause** (b) above are:

- (i) where Standing Order 1110(3) applies, the copy must be sent to the Secretary of the Conference (or the President in the case of a charge against the Secretary);
- (ii) where Standing Order 1110(5) applies, the copy must be sent to the relevant oversight tutor;
- (iii) where Standing Order 1110(6) applies, the copy must be sent to the Secretary of the Conference.

(7) The connexional Presenting Officer may seek the advice of the connexional Complaints Officer at any time when carrying out ~~his or her~~ responsibilities under this Part.

(8) In this Standing Order and in the subsequent provisions of this Part, 'respondent' includes a person other than the original respondent whose conduct has been referred to a discipline committee under Standing Order 1124(13).

1131 Preparation for Hearing by a Connexional Discipline Committee. (1) Upon receiving notice that a charge is to be brought, the convener of the Panel responsible for connexional Discipline Committees becomes the reporting officer in relation to that charge.

(2) The reporting officer, acting with the Secretary of the Conference as necessary, must as soon as possible choose the members of the connexional discipline committee which is to hear the charge. The composition of the discipline committee must satisfy the requirements of clauses (3) to (7A) below.

(3) **Subject to the provisions of clause (7A)**, the discipline committee is to consist of five members. Except where Standing Order 1102(2)(b)(ii) or 1110(6) applies, the members of the committee are to be chosen from the connexional Panel. Where Standing Order 1110(6) applies, three members are to be chosen from that Panel and two are to be chosen by the Secretary of the Conference. Account must be taken of any known disqualifications under Standing Order 1102(2).

(4) The members chosen from the connexional Panel must include:

- (i) a person appointed under Standing Order 290(3), who will be the chair of the committee;
- (ii) (if not already appointed under that clause) an ex-President or ex-Vice- President.

The members must be chosen with regard to the need to achieve a fair ethnic and gender balance.

(5) The composition of the committee must reflect the status of the respondent, so that, subject to clause (6) below:

- (i) if the respondent is a presbyter, presbyteral probationer or presbyteral student, the committee must include three presbyters;
- (ii) if the respondent is a deacon, diaconal probationer or diaconal student, the committee must include three deacons;
- (iii) if the respondent is a local preacher, the committee must include three local preachers;
- (iv) if the respondent does not fall within any of the preceding heads, the committee must include three lay members.

(6) If in accordance with any provision of this Part the committee is hearing charges against more than one respondent and the respondents are of different status, the reporting officer must seek and follow the direction of the chair of the committee as to the membership of the Committee.

(7) No person may serve on a discipline committee who resides for the purposes of the stations in, or is a member in, the District in which the person charged resides or is a member or office-holder.

(7A) If the respondent is a lay member who is not an office holder and was not an office holder on

the occasion or at any time during the period when the conduct the subject matter of the complaint took place, the reporting officer may, with the agreement of the chair of the committee, appoint a committee complying with the requirements of clause (4) above but consisting of three members only, of whom two must be lay members.

(8) When the members of the discipline committee have been chosen, the reporting officer must inform the Presenting Officer, the complainant and the respondent of the membership of the committee and of their rights under clause (9) below.

(9) (a) If the Presenting Officer, the complainant or the respondent objects under Standing Order 1102(2) to any member of the committee, ~~he or she~~ **the person concerned** may, not later than seven days before the hearing to be held pursuant to Standing Order 1132(5) below, make that objection in writing and with reasons to the reporting officer.

(b) The reporting officer must pass any such objection to the chair of the committee. The chair may make such inquiries as ~~he or she~~ **the chair** thinks fit and must rule on the objection at the hearing.

(c) If the chair does not uphold the objection, the objector may renew the objection before the committee when it first meets if ~~he or she~~ **the objector** has given the reporting officer notice at least seven days beforehand of ~~his or her~~ **the** intention to do so. A decision by the committee is final and may not be the subject of an appeal.

(d) Subject to ~~paragraph~~ **sub-clause** (e) below, if the Presenting Officer, the complainant or the respondent knows of facts amounting to a ground of objection under Standing Order 1102(2) but does not object within the time specified in ~~paragraph~~ **sub-clause** (a) above ~~he or she~~ **the person concerned** may not afterwards object on that ground.

(e) If, as a result of a previous objection to a member of the committee or the withdrawal of a member of the committee or otherwise, the Presenting Officer, the complainant or the respondent is informed of a proposed member of the committee at such a time that it is not reasonably practicable for any objection to be made in accordance with ~~paragraph~~ **sub-clause** (a) above, ~~he or she~~ **the person concerned** must make the objection as soon as is reasonably possible and the chair must deal with the objection fairly having regard to all the circumstances.

(10) Further on receiving notice that a charge is to be brought, the reporting officer must obtain from the Presenting Officer and supply to the respondent:

- (i) a copy of any documents which the Presenting Officer intends to place before the committee;
- (ii) a statement of the facts relevant to the charge which the Presenting Officer believes to have been agreed between the complainant and the respondent during the complaints process so far and of the facts which remain in dispute;
- (iii) any further particulars of the charge which the reporting officer thinks, or the chair of the Committee, exercising the powers given by Standing Order 1132(2) directs, are necessary to enable the respondent to be aware of the substance of the case alleged.

(11) The reporting officer must supply to the complainant such of the papers referred to in clause (10) above as ~~he or she~~ **the reporting officer**, in consultation with the chair of the committee, from time to time thinks appropriate in all the circumstances of the case.

(12) The reporting officer must ensure that the respondent is aware of the importance of attending the hearing and of the right to be represented in accordance with the provisions of this Part. **The** reporting officer **must, where** necessary, ~~he or she must~~ encourage and assist the respondent to make use of that right. If so requested by the respondent, the President or the Vice-President on ~~his or her~~ **of the President** must suggest the names of three persons willing to act as representatives in the case, one of whom may be a Connexional Advocate.

(13) (a) After complying with the provisions of this Standing Order, the reporting officer must convene the committee.

(b) The hearing must not begin earlier than 21 days after the reporting officer has supplied the respondent with the papers referred to in clause (10) above. If following the hearing held in accordance with Standing Order 1132(5) or as a result of any direction given by the chair of the committee the Presenting Officer intends to place additional documents before the committee, the hearing must not begin earlier than such date as the chair of the committee decides is reasonable in all the circumstances.

(c) The hearing must begin within three months of the date on which the reporting officer is notified that a charge is to be brought, unless the chair at ~~his or her~~ **the chair's** sole discretion grants an extension. The grounds on which an extension may be granted are:

- (i) that the respondent, the complainant, the Presenting Officer involved in the matter or a key witness:
 - (a) is ill;
 - (b) is affected by family bereavement or illness;

- (c) is unavoidably and legitimately absent from Britain;
- (ii) that there will be unavoidable delay in securing vital evidence, including the evidence of the outcome of civil or criminal proceedings; or
- (iii) that for some other good reason the extension is necessary to enable the charge to be dealt with fairly.

1132 Case Management and Preliminary Hearing. (1) As soon as the reporting officer has chosen the chair of the committee, ~~he or she must supply the chair with copies of the documents he or she~~ **the chair must be supplied with copies of the documents the reporting officer** then has to enable the chair to consider the exercise of preliminary case management powers. The reporting officer must pass on copies of all relevant documents subsequently received to the chair as soon as possible.

(2) The chair's preliminary case management powers are to give directions:

- (i) that obvious gaps in the evidence be filled as far as possible;
- (ii) about the participation of the complainant in the preliminary hearing to be held as provided in clause (5) below;
- (iii) about the supply of documents to the complainant;
- (iv) that charges against more than one respondent (including charges where conduct has been referred by the complaints team under Standing Order 1124(13)) be heard together;
- (v) that the charges should be heard by a specially constituted committee if the conduct of more than one person is in issue and differently constituted committees would otherwise be required because the respondents are of different status;
- (vi) that such other steps be taken as appears to the chair suited to ensuring that the committee is able to give full and fair consideration to the charges before it.

(3) The chair may exercise ~~his or her~~ **the** powers of preliminary case management from time to time as ~~he or she~~ **the chair** thinks fit, but must always observe the principles of natural justice in doing so. The Presenting Officer and the respondent may, through the reporting officer, refer case management matters to the chair for decision.

(4) If the Presenting Officer or the respondent objects to any decision made by the chair in the exercise of preliminary case management powers, ~~he or she~~ **the person concerned** shall inform the chair of the objection in writing as soon as possible, giving reasons. If the chair does not alter ~~his or her~~ **the** decision or the objector remains dissatisfied with any revised decision, ~~he or she may renew the objection~~ **may be renewed** at the preliminary hearing to be held as provided in clause (5) below.

(5) The reporting officer must convene a preliminary hearing to be conducted by the chair of the committee at a convenient date prior to the hearing in front of the committee. The hearing may take the form of a meeting or a conference call.

(6) Those participating in the preliminary hearing are to be the Presenting Officer and the respondent. The complainant may also participate in the preliminary hearing if and to the extent that the chair permits.

(7) The purpose of the preliminary hearing is:

- (i) to deal with any objections to the membership of the committee which either party is at that stage in a position to make;
- (ii) to deal with any objections to the chair's preliminary case management directions;
- (iii) to determine any outstanding procedural matters; and
- (iv) generally, to ensure that, **taking into account any admissions made by the respondent under Standing Order 1130(5A) or otherwise**, the matter is ready to be heard by the full committee.

No discussion of the merits of the charge is to take place at the preliminary hearing.

(8) The provisions of Standing Order 1133 as to the rights of the respondent, the Presenting Officer and the complainant to be represented or accompanied by a friend apply to the preliminary hearing except that the respondent is not required to give 21 days' advance notice of ~~his or her~~ **an** intention to be legally represented. Notice of such an intention should be given as soon as possible.

(9) A decision of the chair made at the preliminary hearing may not be challenged at the full hearing unless the chair consents, but for the purposes of the provisions of this Part relating to appeals from a discipline committee it is to be treated as a decision of the full committee made at the time of the hearing.

(10) (a) The chair may permit the Presenting Officer to withdraw a charge at the preliminary hearing if in all the circumstances of the case it appears just to the chair to allow ~~him or her~~ **the Presenting Officer** to do so.

(b) The chair must record in writing any decision to permit withdrawal and the reasons for that decision,

but no appeal may be brought against the decision.

(c) If a charge is withdrawn, it cannot be reinstated subsequently.

(11) Following the preliminary hearing the chair may give such further directions for the management of the case as may appear to ~~him or her~~ **the chair** to be necessary to achieve a fair and proper hearing. The provisions of clause (9) above apply to such further directions.

1133 Hearing by a Connexional Discipline Committee. (1) The Presenting Officer will be responsible for presenting the charge or charges at the hearing. The ~~lead member~~ **chair** of the relevant complaints team may give evidence relating to the investigation of the complaint and may be present throughout the hearing to answer any questions which members of the committee may have about the investigation.

(2) The respondent has the right both to be represented and to be accompanied by a friend. If ~~he or she~~ **the respondent** chooses to be represented by a legally qualified person ~~he or she~~, notice of that decision **must be given** to the reporting officer not less than 21 days before the date of the hearing. The reporting officer must then immediately give notice of that fact to the Presenting Officer and to the complainant.

(3) If the respondent has chosen to be represented by a legally qualified person the Presenting Officer may, through the reporting officer, ask the chair to agree that **the Presenting Officer** ~~or she~~ should be similarly represented. The chair will only agree to such a request in exceptional circumstances. If the chair does agree, the reporting officer must then immediately give notice of that fact to the respondent and the complainant. The reasonable costs of legal representation for the Presenting Officer are to be borne by the Methodist Church Fund under Standing Order 376(5).

(4)(a) Subject to ~~paragraph~~ **sub-clause (b)** below, the complainant has the right to attend the hearing and to be accompanied by a friend. The complainant may be represented if the chair of the committee so permits.

(b) The chair may exclude the complainant from such part of the hearing as ~~he or she~~ **the chair** thinks fit, if it appears necessary to do so in order to deal fairly with the charge.

(5) If the respondent, after being made aware of the importance of attending the hearing, refuses or fails to attend, the committee must consider the reason for ~~his or her~~ absence and may adjourn for that purpose. The committee may then, if it thinks fit, hear the charge and reach a decision in the absence of the respondent.

(6) If the respondent is represented, ~~he or she may be called~~ the representative **may call the respondent** to give evidence and ~~must to~~ answer questions from members of the committee, but may not normally otherwise intervene in the proceedings. If witnesses called by the Presenting Officer are to be cross-examined, the representative must do so.

(7) If the complainant is represented, the role of ~~his or her~~ **the** representative is to watch over ~~his or her~~ **the complainant's** interests. The representative may not assume responsibility for presenting the charge.

(8) (a) The committee must investigate every charge properly before it and reach a decision both as to whether the charge is established and, if so, as to any action to be taken.

(b) The committee's decisions must be reached solely on the charge brought and on evidence before the committee and available to both the Presenting Officer and the respondent. The evidence must include in all cases the written report prepared by the complaints team under Standing Order 1124(15).

(c) The standard of proof required to establish a charge is the balance of probability.

(9) (a) The chair of the committee at ~~his or her~~ **the chair's** sole discretion may adjourn a hearing from time to time for a period not exceeding one month, unless the grounds of the application for the adjournment are such that, if an adjournment is granted, it should be for a longer period. The date and time when the hearing is to be resumed must always be stated.

(b) More than one adjournment may be granted in any case.

(c) If the committee finds the charge is established, the chair must consider whether to exercise the power of adjournment so that the committee can receive expert evidence to assist it in deciding upon the appropriate action to be taken.

(10) The chair of the court may permit the Presenting Officer to withdraw a charge at the hearing before the committee on the terms and conditions set out in Standing Order 1132(9).

(11) The chair of the court has discretion to allow the Presenting Officer to amend the wording of the charge but must exercise the discretion against the amendment or adjourn the hearing if to allow the amendment without adjournment would be unfairly prejudicial to the respondent.

(12) If in the course of legal proceedings (whether criminal, civil, matrimonial or otherwise) a court of

competent jurisdiction has made a finding of fact in relation to a matter which is in dispute at the hearing, the committee is bound by those findings unless it is satisfied by further evidence that it should reach a different conclusion. Evidence may not be called for that purpose unless:

- (i) the evidence was not before the court which made the formal finding of fact; and
- (ii) the person seeking to call the evidence could not with reasonable diligence have placed it before the court, or had some other reasonable justification for not having done so; and
- (iii) the evidence would have been likely materially to affect the view of the court on a matter of significance to its decision.

(13) The reporting officer must take notes of the oral evidence heard by the committee and of its findings on that evidence and the other material before it. Those notes, together with any documents in evidence before the committee and the committee's decisions and reasons, will form the basis of the report referred to in Standing Order 1142(4) in the case of an appeal.

1134 Decisions by a Connexional Discipline Committee. (1) If the committee finds a charge is established, it may, as the case permits, decide that the person charged:

- (i) if a minister, probationer or student:
 - (a) shall cease to be a presbyter or deacon in Full Connexion;
 - (b) shall not continue on probation or in training;
 - (c) shall be without appointment at ~~his or her~~ **the person's** own charges or become a supernumerary;
 - (d) shall not resume or shall lose the status of a local preacher;
 - (e) shall cease to be a member;
 - (f) shall pay such sum of money as may be appropriate to remedy any loss suffered;
- (ii) if a local preacher, shall lose that status;
- (iii) if a local preacher or member, shall or shall also be removed:
 - (a) from any connexional, district, circuit or local office;
 - (b) from membership; or
- (iv) in any of such cases, shall suffer some lesser penalty specified by the committee.

(2) It is open to the committee to decide that the finding that the charge is established is a sufficient penalty in the circumstances of the case.

(3) If the committee decides that the respondent shall cease to be a presbyter or deacon in Full Connexion, or shall not continue on probation or in training, it must make a declaration as to the status of the respondent as a local preacher and member.

(4) If the committee decides that the respondent shall cease to be a presbyter or deacon in Full Connexion, it must consider whether or not to specify the earliest date at which ~~he or she~~ **the respondent** may apply for reinstatement and must specify such a date if it thinks fit to do so. The respondent will not thereby acquire a right to, or legitimate expectation of, reinstatement after that date.

(5) If the committee decides that the respondent shall be without appointment at ~~his or her~~ **the respondent's** own charges, the committee must inform the Stationing Advisory Committee of its decision. If the respondent subsequently seeks to return to the active work ~~he or she~~ **the respondent** must apply to the President. In that case the application must be considered and determined as set out in Standing Order 761(1) to (10) with any necessary changes.

(5A) If the committee decides that the respondent shall pay a sum of money it must decide by what date that money shall be paid, and to whom it shall be paid. It may also decide that the money shall be paid by deduction from the minister's stipend, in which event it must decide how much is to be deducted from the ~~said~~ stipend each month. The Connexional Team with responsibility for payment of the stipend shall pay any sum deducted from the stipend to such person **as may be** identified by the committee to receive such sum.

(6) The decision of the committee must be communicated immediately to the Presenting Officer, the respondent and the complainant and additionally:

- (i) if the respondent is a minister or probationer, the President of the Conference and ~~his or her~~ **the respondent's** Chair and Superintendent (if any);
- (ii) if the respondent is a student, the President and the oversight tutor with overall responsibility for the relevant training institution;
- (iii) if the respondent is a deacon, diaconal probationer or diaconal student, the Warden of the Methodist Diaconal Order;
- (iv) if the respondent is a local preacher, the secretary of the relevant Local Preachers' Meeting

- and any other body which needs to know for the proper performance of its duties;
 - (v) if the respondent is a lay person who is not a local preacher, any body which needs to know for the proper performance of its duties.
- (7) (a) The communication of the committee's decision to the Presenting Officer, the respondent and the complainant must be made orally at the end of the hearing if they are present. In any case it must be confirmed or made (as the case requires) in writing by the reporting officer.
- (b) The written communication to the Presenting Officer and the respondent must be accompanied by the relevant information about their entitlement to appeal under these Standing Orders.
- (c) A body which receives a notice under clause (6) above must take all necessary steps to give effect to the decision.
- (8) Without prejudice to Standing Order 376(6) the committee may at its discretion direct that expenses incurred by the respondent and the complainant in connection with the hearing and notified to the committee before it disperses are to be reimbursed in whole or in part from the Methodist Church Fund under Standing Order 376(5).
- (9) (a) In every case the committee must determine, before it disperses, whether or not to direct that the outcome be officially announced.
- (b) The committee will normally direct an official announcement where the respondent has been suspended or where it is a matter of public knowledge that a charge has been brought.
- (c) The committee must determine the terms and manner of any announcement which it directs and the persons to whom it is to be made. Those persons will normally include the members of the Circuit Meeting in the case of a person appointed to or holding office in a Circuit.
- (d) The reporting officer is responsible for ensuring that the announcement is duly made when the time for appeal has expired.
- (10) In all cases the committee must also deal with the matters specified in Standing Order 1150.

Section 114 Charges: Appeal and Reports

1140 Appeal to a Connexional Appeal Committee. (1) *Subject to clause (1A) below*, either the Presenting Officer or the respondent (called 'the parties' in this Standing Order and in the subsequent provisions of this Section) may appeal against the decision of a connexional Discipline Committee on one of the grounds set out in clause (2) below.

(1A) No appeal may be brought by either party against the decision of a committee appointed in accordance with Standing Order 1131(7A).

- (2) The grounds of appeal for the purposes of this Standing Order are that:
- (i) there was a material procedural irregularity in the initial hearing;
 - (ii) the initial committee made a mistake about a relevant point of law or of the constitution or discipline of the Church;
 - (iii) the initial committee erred in its conclusion on the question whether such of the words, acts or omissions complained of as it found to have been established:
 - (a) amounted to a serious breach of the discipline of the Church or disregard of a resolution of the Conference or the usage of the Church as generally understood; or
 - (b) seriously impaired or might seriously have impaired the mission, witness or integrity of the Church, having regard to the respondent's office or standing in relation to the Church;
 - (iv) the initial committee erred in its interpretation of the doctrines of the Church;
 - (v) the penalty imposed was too severe or too lenient, as being either disproportionate to the gravity of the charge as found established, or unjustly inconsistent with that previously imposed in similar cases, or was not available;
 - (vi) in the light of events occurring since the decision, or of evidence of which the person appealing could not reasonably be expected to have been aware at that time, substantial doubt has been cast upon the correctness of the decision.
- (3) The appeal will be by way of report and there will be no rehearing or further evidence, except evidence admitted under clause (2)(vi) above.
- (4) (a) An appeal must be brought by notice in writing to the Secretary of the Conference stating the grounds on which the appeal is brought. The person appealing must bring the appeal within two weeks after receiving the written communication of the decision.
- (b) When the person appealing gives notice or within two weeks afterwards ~~he or she~~ **that person** must

supply to the Secretary of the Conference a written statement indicating on which of the grounds specified in clause (2) above the appeal is brought and the specific nature of the error, omission or other matter relied on in relation to each ground.

(c) When the Secretary has received the statement, ~~he or she~~ **the Secretary** must send the notice and statement to the convener of the connexional Panel responsible for Appeal Committees.

(d) If a notice or statement is received outside the specified time limit, the Secretary must nevertheless send the documents to the convener, together with a note of the date on which the delayed document was received and any explanation given for the delay. The convener, taking into account all the circumstances, may either deal with the appeal as if the document had been provided in time or refer the matter to the President of the Conference, the Vice-President and the Secretary, who must then decide whether the appeal should be allowed to proceed.

(5) If neither party appeals but the President, having consulted with the Vice-President and the Secretary, considers that the penalty imposed should be reconsidered on the ground set out in clause (2)(v) above, ~~he or she~~ **the President** may, within three weeks of receiving the written communication of the initial committee's decision, refer the matter to the convener. The reference must be in writing, setting out the reasons for seeking reconsideration.

(6) If a matter is referred to the convener under clause (5) above, ~~he or she~~ **the convener** must arrange for it to be dealt with by a connexional Appeal Committee as if an appeal had been made by one of the parties on that ground, but no person is to be regarded as the person appealing.

(7) If the initial committee heard charges against more than one respondent and more than one appeal is brought arising out of the initial committee's decisions, both or all the appeals must be heard by a single Appeal Committee.

1141 Preparation for Hearing by a Connexional Appeal Committee. (1) Upon receiving notice of an appeal, or, if the appeal is made late, when it is decided that the appeal may proceed, the convener of the Panel responsible for connexional Appeal Committees becomes the reporting officer in relation to that appeal and must notify the respondent to the appeal and the complainant that an appeal has been brought.

(2) The reporting officer, acting with the Secretary of the Conference as necessary, must as soon as possible choose the members of the connexional Appeal Committee which is to hear the appeal. The composition of the Appeal Committee must satisfy the requirements of Standing Order 1131(3) to (7) with the substitution of references to the appeal for reference to the charge or charges.

(3) When the members of the Appeal Committee have been chosen, the reporting officer must inform the parties of the membership of the committee and of their rights under clause (4) below. The reporting officer must also inform the complainant of the membership of the committee, but the complainant has no right to object to any member of the committee unless additional evidence is being admitted under Standing Order 1140(2)(vi). In that case, clause (4) below applies as if the complainant were a party.

(4)(a) If a party objects under Standing Order 1102(2) to any member of the committee, ~~he or she~~ **the person concerned** may, within seven days of being informed that that person will be a member of the committee, make that objection in writing and with reasons to the reporting officer.

(b) The reporting officer must pass any such objection to the chair of the committee. The chair may make such inquiries as ~~he or she~~ **the chair** thinks fit and must then rule on the objection.

(c) If the chair does not uphold the objection, the objector may renew the objection before the committee when it first meets if ~~he or she~~ **the objector** has given the reporting officer notice at least seven days beforehand of ~~his or her~~ **the** intention to do so. A decision by the chair upholding an objection is final.

(d) Subject to ~~paragraph~~ **sub-clause** (e) below, if a party knows of facts amounting to a ground of objection under Standing Order 1102(2) but does not object within the time specified in paragraph **sub-clause** (a) above ~~he or she~~ **the person concerned** may not afterwards object on that ground.

(e) If, as a result of a previous objection to a member of the committee or the withdrawal of a member of the committee or otherwise, a party is informed of a proposed member of the committee at such a time that it is not reasonably practicable for any objection to be made in accordance with ~~paragraph~~ **sub-clause** (a) above, ~~he or she~~ **the person concerned** must make the objection as soon as is reasonably possible and the chair must deal with the objection fairly having regard to all the circumstances.

(5) Further on receiving notice that an appeal is to be brought, the reporting officer must obtain from the reporting officer of the initial committee and supply to the parties a copy of the report prepared by that reporting officer under Standing Order 1133(13).

(6)(a) After complying with the preceding provisions of this Standing Order, the reporting officer must

convene the committee.

(b) The hearing must not begin earlier than 21 days after the reporting officer has supplied the parties with the papers referred to in clause (5) above.

(c) The hearing must begin within two months of the date on which the reporting officer is notified that an appeal is to be brought, unless the chair at ~~his or her~~ **the chair's** sole discretion grants an extension. The grounds on which an extension may be granted are those set out in Standing Order 1131(13)(c).

(7) The reporting officer, if so requested by the chair, must convene a preliminary hearing to be conducted by the chair of the committee at a convenient date prior to the hearing in front of the committee. The hearing may take the form of a meeting or a conference call.

(8) The purpose of any preliminary hearing is:

- (i) to deal with any objections to the membership of the committee (if not otherwise dealt with);
- (ii) to determine any outstanding procedural matters; and
- (iii) generally, to ensure that the matter is ready to be heard by the full committee.

No discussion of the merits of the appeal is to take place at the preliminary hearing.

(9) A decision of the chair made at the preliminary hearing may not be challenged at the full hearing unless the chair consents, but for the purposes of the provisions of this Section relating to appeals from an Appeal Committee it is to be treated as a decision of the full committee made at the time of the hearing.

(10) Whether or not a preliminary hearing is convened, the chair may give such directions to ensure that the matter is ready to be heard by the full committee as ~~he or she~~ **the chair** may think fit. Clause (8) above applies to such directions as it applies to decisions of the chair made at a preliminary hearing.

(11) (a) The chair may permit the person appealing to withdraw an appeal if in all the circumstances of the case it appears just to the chair to allow ~~him or her~~ **that person** to do so.

(b) The chair must record in writing any decision to permit withdrawal and the reasons for that decision, but no appeal may be brought against the decision.

(c) If an appeal is withdrawn, it cannot be reinstated subsequently.

1142 Hearing by a Connexional Appeal Committee. (1)(a) The parties have the right to attend and be heard. The respondent at the initial hearing has the right to be represented and accompanied by a friend. The Presenting Officer has the right to be legally represented if ~~he or she~~ legally represented at the initial hearing or if the respondent at the initial hearing is legally represented and, in exceptional circumstances, the chair agrees to such representation.

(b) The complainant may attend the hearing if ~~he or she~~ **the complainant** so requests, but the chair may exclude the complainant from such part of the hearing as ~~he or she~~ **the chair** thinks fit, if it appears necessary to do so in order to deal fairly with the appeal. The reporting officer must supply the complainant with such additional papers as ~~he or she~~ **the reporting officer**, in conjunction with the chair of the committee, from time to time thinks appropriate in all the circumstances of the case.

(2)(a) If the respondent at the initial hearing, not then having been legally represented, chooses to be represented by a legally qualified person on the appeal, ~~he or she~~ **the respondent** must give notice of that decision to the reporting officer not less than 21 days before the date of the hearing. The reporting officer must then immediately give notice of that fact to the Presenting Officer.

(b) If the chair agrees that the Presenting Officer, not having been legally represented at the initial hearing, may be represented by a legally qualified person on the appeal, the reporting officer must immediately give notice of that fact to the respondent. Notice must be given not less than 21 days before the date of the hearing unless the Presenting Officer sought legal representation in response to a notice given under Paragraph **sub-clause** (a) above.

(c) The reasonable costs of legal representation for the Presenting Officer are to be borne by the Methodist Church Fund under Standing Order 376(5).

(3) If neither the person appealing nor ~~his or her~~ **that person's** representative is present at the hearing of the appeal, the committee must consider the reason for the absence, adjourning for the purpose if necessary, and may dismiss the appeal.

(4)(a) Unless the appeal is dismissed under clause (3) above, the reporting officer of the initial committee must first summarise the evidence and report the findings and decision of that committee.

(b) The person appealing and ~~his or her~~ **that person's** representative (if any) may then address the committee and call any evidence which may be admitted under Standing Order 1140(2)(vi), followed by the other party and ~~his or her~~ **the other party's** representative (if any). The person appealing or ~~his or her~~ **that person's** representative may then reply, but in doing so may only answer points made by the other party.

(c) The committee must then proceed to consider its decision in the absence of all other persons except

the reporting officer. The chair must remind the committee that:

- (i) it is acting in a judicial capacity;
- (ii) its decision must be taken solely on the material already presented; and
- (iii) an appeal may be allowed only upon one of the grounds set out in Standing Order 1140(2).

(5) If the hearing is upon a reference under Standing Order 1140(5) above, the committee must adapt the procedure set out in clause (4) above as appropriate. The convener of the connexional Panel responsible for Discipline Committees, if not the reporting officer of the initial committee, must attend in addition to that reporting officer, in order to provide information relevant to the grounds upon which the written reference is made.

(6)(a) The chair of the committee at ~~his or her~~ **the chair's** sole discretion may adjourn a hearing from time to time for a period not exceeding one month, unless the grounds of the application for the adjournment are such that, if an adjournment is granted, it should be for a longer period. The date and time when the hearing is to be resumed must always be stated.

(b) More than one adjournment may be granted in any case.

(c) If the committee allows an appeal against a decision that the charge is not established, the chair must consider whether to exercise the power of adjournment so that the committee can receive expert evidence to assist it in deciding upon the appropriate action to be taken.

(7) The reporting officer must take notes of any oral evidence heard by the committee which is admitted under Standing Order 1140(2)(vi) and of its findings on that evidence and the other material before it. Those notes, together with any documents in evidence before the committee and the committee's decisions and reasons, will form the basis of the report referred to in Standing Order 1145(11)(a) in the case of a further appeal.

1143 Decisions by a Connexional Appeal Committee. (1) The committee may decide to dismiss the appeal or to uphold it wholly or in part.

(2) If the committee decides to uphold the appeal, it may either substitute its own decision as to:

- (i) whether or not the charge is found to be established;
- (ii) the penalty imposed

or both, or, if the committee thinks it more appropriate, refer the matter back to a newly constituted Discipline Committee for a rehearing.

(3) The provisions of Standing Order 1134(3) to (9) apply to decisions under this Standing Order as they apply to decisions under that Standing Order.

(4) If the committee refers the matter back for a rehearing, the reporting officer must also communicate the decision to the convener of the connexional Panel responsible for Discipline Committees, who must then arrange for the rehearing.

(5) When a rehearing is held under clause (4) above, the provisions of Standing Orders 1131 to 1134 apply and the Presenting Officer will continue to be responsible for presenting the charge. If ~~he or she~~ **that Presenting Officer** is no longer available, the relevant Connexional Team member must nominate another Presenting Officer. The decision of the committee hearing the case must be treated as an initial decision for the purposes of an appeal under Standing Order 1140.

1144 Further Appeal to the Conference. (1) Except as provided in clauses (4) and (5) below, either the Presenting Officer or the respondent may appeal against the decision of a connexional Appeal Committee in accordance with the provisions of this Standing Order.

(1A) An appeal under clause (1) above may be made on any of the grounds set out in Standing Order 1140(2), but so that references to the initial hearing are to be understood as including additionally or alternatively the appeal hearing.

(2) Before bringing an appeal, the Presenting Officer or the respondent, as the case may be, must obtain permission from the committee to appeal against its decision. The committee may only give permission if one of the conditions set out in clause (3) below is satisfied.

(3) The conditions on which permission to appeal may be given are that:

- (i) the committee was evenly divided or reached its decision by a margin of one vote;
- (ii) the interpretation of the Church's doctrine is in dispute;
- (iii) the interpretation of Standing Orders or resolutions of the Conference is in dispute;
- (iv) the committee in its discretion considers that there is some other substantial matter to be resolved.

(4) If the decision of the committee was made after the matter was referred under Standing Order 1140(5), there is no appeal.

(5) If the committee decided to refer the matter back for a rehearing, there is no appeal.

(6) The appeal will be by way of report and there will be no rehearing or further evidence, except evidence admitted under Standing Order 1140(2)(vi).

(7) Unless clause (8) applies, the party wishing to appeal must apply for the permission of the committee before it disperses after the hearing. The committee must state its reasons for granting or refusing the application by reference to the conditions set out in clause (3) above.

(8)(a) This clause applies if at the hearing a party informs the committee that ~~he or she~~ **the party** wishes to take time to consider whether to bring an appeal.

(b) The relevant party may then make a written application for permission to appeal to the chair of the committee within seven days of receipt of written communication of the decision, setting out in the application the matters relied on to support it.

(c) The chair of the committee must make a written decision on the application within seven days from receiving it, stating ~~his or her~~ **the** reasons for granting or refusing the application by reference to the conditions set out in clause (3) above. The chair must also notify the decision to the relevant party and the reporting officer of the committee, who must in turn notify the other party.

(9)(a) An appeal must be brought by notice in writing to the Secretary of the Conference stating the grounds on which the appeal is brought. The person appealing must bring the appeal within two weeks after receiving notice of the decision, except that if ~~he or she~~ **the person** is appealing after permission has been granted in accordance with clause (8) above, the time for bringing the appeal is extended to seven days after ~~he or she~~ **the person** receives notice of the grant, if that would be a longer period.

(b) When the person appealing gives notice ~~he or she~~ **that person** must **also** supply to the Secretary of the Conference a written statement indicating on which of the grounds specified in Standing Order 1140(2) the appeal is brought and the specific nature of the error, omission or other matter relied on in relation to each ground.

(c) If a notice or statement is received outside the specified time limit, the Secretary must consult the President and Vice-President of the Conference and the convener of the Appeal Committee which made the decision, and must then decide whether the appeal should be allowed to proceed.

1145 Proceedings on a Further Appeal. (1) (a) If the grounds of appeal include the ground specified in Standing Order 1140(2)(iv) or permission is given because the condition specified in Standing Order 1144(3)(ii) is satisfied and the case is not a case against a deacon, diaconal probationer or diaconal student, the appeal must be heard by:

- (i) the Presbyteral Session in cases against presbyters, presbyteral probationers and presbyteral students;
- (ii) ~~deleted~~
- (iii) the Representative Session in other cases.

(b) If the decision appealed against is made later than three weeks before the opening of the relevant session of the next or current Conference, the appeal must be dealt with by the following Conference.

(c) At a hearing by the Presbyteral Session, the President must preside unless ~~he or she~~ is disqualified from sitting under Standing Order 1102(2). In that case, the former President who has most recently held the office and who is present and willing to act and is not so disqualified must act as President. At a hearing by the Representative Session either the President or the Vice-President must preside, unless both are so disqualified, in which case the ex-President or ex-Vice-President who has most recently held office and who is present and willing to act and is not so disqualified must act as President. When two persons are equally qualified and entitled or obliged to preside, they must agree between themselves who is to preside and in the absence of agreement the question must be determined by the Secretary.

(d) Any suspension imposed under Standing Order 1105 and any directions given under clause (10) of that Standing Order will continue, subject to any directions made by the President by virtue of the powers conferred by clause 29(b) of the Deed of Union and Standing Order 774(9), until the appeal has been heard.

(2)(a) All other appeals must be heard by a committee of 15 persons (in this Standing Order referred to as 'the committee') appointed by the President or the Vice-President in accordance with sub-clause (b) below.

(b) The committee shall comprise:

- (i) in cases against presbyters, presbyteral probationers and presbyteral students, 15 persons appointed by the President from among the members of the Presbyteral Session of the

preceding Conference, and, if it proves impractical to find 15 such persons qualified and able to hear the appeal, from among the members of the Representative Session;

- (ii) in cases against deacons, diaconal probationers and diaconal students, the Conference Diaconal Committee constituted in accordance with clause 25A(b) of the Deed of Union, supplemented, if the number of members of this body qualified and able to hear the appeal is fewer than 15, by persons appointed by the President or the Vice-President from among the members of the Representative Session of the preceding Conference;
- (iii) in other cases, 15 persons appointed by the President or the Vice-President from among the members of the Representative Session of the preceding Conference.

(c) The persons appointed must, in the judgment of the President or Vice-President, as the case may be, represent the diversity of the Conference and will include such of the officers specified in Standing Order 101 as ~~he or she~~ **the President or Vice-President** determines.

(d) The committee must include as the person presiding the President or a former President or (in the case of an appeal to which sub-clause (b)(ii) or (iii) above applies) the Vice-President or a former Vice-President. Any former President or Vice-President presiding must if possible be a member of the preceding Conference, ~~who is to preside~~.

(e) The committee will meet at a time determined by the President or Vice-President making the appointment.

(f) The provisions of Standing Order 1102(2) apply and the Secretary of the Conference must draw it to the attention of the members of the committee.

(g) The findings of the committee have the effect of findings of the Conference and must be recorded in the Journal.

(3) When the members of a committee under clause (2) above have been chosen or otherwise identified, the Secretary must inform the parties of the membership of the committee and of their rights under clause (4) below.

(4)(a) If a party objects under Standing Order 1102(2) to any member of the committee, ~~he or she~~ **the party** may, within seven days of being informed that that person will be a member of the committee, make that objection in writing and with reasons to the President.

(b) The President or Vice-President, as the case may require, may make such inquiries as ~~he or she~~ **the President or Vice-President** thinks fit and must then rule on the objection.

(c) If the President or Vice-President does not uphold the objection, the objector may renew the objection before the committee when it first meets if ~~he or she~~ **the objector** has given the President notice at least seven days beforehand of ~~his or her~~ **the** intention to do so (but subject to ~~paragraph~~ **sub-clause** (cA) below).

(cA) If, as a result of a previous objection to a member of the committee or the withdrawal of a member of the committee or otherwise, a party is informed of a proposed member of the committee at such a time that it is not reasonably practicable for any objection to be made in accordance with ~~paragraph~~ **sub-clause** (a) above or for its renewal to be notified in accordance with ~~paragraph~~ **sub-clause** (c) above, ~~he or she~~ **the party** must make the objection or notify the President as soon as is reasonably possible and the President or the Vice-President, as the case may require, must deal with the objection fairly having regard to all the circumstances.

(d) A decision by the President or Vice-President upholding an objection is final. ~~He or she~~ **The President or Vice-President** must then appoint a substitute, qualified in accordance with clause (2)(b) above, and inform the parties of the identity of the new member.

(e) If a party knows of facts amounting to a ground of objection under Standing Order 1102(2) but does not object within the time specified in ~~paragraph~~ **sub-clause** (a) above ~~he or she~~ **the party** may not afterwards object on that ground.

(5) *[revoked]*

(6) The Secretary is responsible for providing the parties (so far as necessary) and all those hearing the appeal with the documents which were before the connexional Appeal Committee and any documents produced in connection with the appeal.

(6A) (a) The Secretary, if so requested by the person who is to preside at the full hearing in accordance with sub-clauses (1)(c) or (2)(d) above, must convene a preliminary hearing to be conducted by that person, with the assistance of such person or persons as the person presiding may require as advisers, at a convenient date prior to the hearing of the appeal. The hearing may take the form of a meeting or a conference call.

(b) The purpose of any preliminary hearing is to deal with such matters as the President may think fit (which may include any objections to the membership of the committee, if the appeal is to be heard by a

committee) and generally to ensure that the appeal is ready to be heard.

(c) A decision of the President at the preliminary hearing may be challenged at the hearing of the appeal provided that the party making the challenge has given the Secretary at least two days' prior notice in writing of ~~his or her~~ **the** intention to challenge the decision.

(d) No discussion of the merits of the appeal is to take place at the preliminary hearing.

(7) The appeal must be heard in closed session if it is being heard by the full Conference. Whether it is heard by the full Conference or by a committee, no one may be present except:

- (i) members of the Conference entitled to vote on the business under consideration and not disqualified under Standing Order 1102(2) or (as the case requires) members of the committee;
- (ii) in accordance with clause (8) below, the parties, their representatives and any accompanying friend;
- (iii) the reporting officer of the relevant Appeal Committee;
- (iv) any persons whom the Conference or committee may require to be present as advisers; and
- (v) the Secretary, who is entitled to be present throughout in order to advise upon matters of procedure and practice, even if ~~he or she~~ **the Secretary** has a previous involvement with the case which would preclude ~~him or her~~ from speaking on the substance of the case or voting on the appeal.

(8) The parties have the right to attend and be heard. The respondent at the initial hearing has the right to be represented and accompanied by a friend. The Presenting Officer has the right to be legally represented if ~~he or she was~~ legally represented at the appeal to the connexional Appeal Committee or if the respondent at the initial hearing is legally represented and, in exceptional circumstances, the person presiding agrees to such representation.

(9)(a) If the respondent at the initial hearing, not previously having been legally represented, chooses to be represented by a legally qualified person on the appeal, ~~he or she~~ **the respondent** must give notice of that decision to the Secretary not less than 21 days before the date of the hearing. The Secretary must then immediately give notice of that fact to the Presenting Officer.

(b) If the person presiding agrees that the Presenting Officer, not having been legally represented at the initial hearing, may be represented by a legally qualified person on the appeal, the reporting officer must immediately give notice of that fact to the respondent. Notice must be given not less than 21 days before the date of the hearing unless the Presenting Officer sought legal representation in response to a notice given under ~~paragraph~~ **sub-clause (a)** above.

(c) The reasonable costs of legal representation for the Presenting Officer are to be borne by the Methodist Church Fund under Standing Order 376(5).

(10) If neither the person appealing nor ~~his or her~~ **that person's** representative is present at the hearing of the appeal, the Conference or committee must consider the reason for the absence, adjourning for the purpose if necessary, and may dismiss the appeal.

(11) (a) Unless the appeal is dismissed under clause (10) above, the reporting officer of the Appeal Committee must first summarise the evidence and report the findings and decision of that committee.

(b) The person appealing and ~~his or her~~ **that person's** representative (if any) may then address the Conference or committee, followed by the other party and representative (if any). The person appealing or ~~his~~ **that person's** representative may then reply, but in doing so may only answer points made by the other party.

(c) The Conference or committee must then proceed to consider its decision. The person presiding must remind the Conference or committee that:

- (i) it is acting in a judicial capacity;
- (ii) its decision must be taken solely on the material already presented; and
- (iii) an appeal may be allowed only upon one of the grounds set out in Standing Order 1140(2).

If the appeal is being heard by the full Conference, ~~he or she~~ **the person presiding** must also remind the members of the requirements of Standing Order 1102(2).

(12) The Conference or committee may decide to dismiss the appeal or to uphold it wholly or in part.

(13) If the Conference or committee decides to uphold the appeal, it may substitute its own decision either as to:

- (i) whether or not the charge is found to be established; or
- (ii) the penalty imposed

or both.

(14) The provisions of Standing Order 1134(3) to (9) apply to decisions under this Standing Order as

they apply to decisions under that Standing Order, with the substitution of references to the Conference for references to the committee where required.

(15) Unless the Conference or committee exercises its power of reconsideration under Standing Order 1151(4) or the case is later reopened under Standing Order 1146, its decision is final. This does not prevent the exercise of powers under Standing Orders 761 and 053(1).

(16) ~~(a) Subject to paragraph~~ **sub-clause (b)** below, the person presiding may grant an adjournment of the hearing in exceptional circumstances if the interests of justice so require. Any such adjournment must be for such period as is necessary in all the circumstances of the case.

(b) There may be no adjournment of any issue raised by the appeal which involves the interpretation of the Church's doctrine, except an adjournment from the close of business or (as the case requires) proceedings on one day to the commencement of business or proceedings on the next.

(c) Where the appeal is being heard by the full Conference, the person presiding may direct that any issue not involving the interpretation of the Church's doctrine is to be determined by a committee appointed under clause (2) above.

(17) (a) The person presiding may permit the person appealing to withdraw an appeal if in all the circumstances of the case it appears just to the person presiding to allow ~~him or her~~ **the person appealing** to do so.

(b) The person presiding must record in writing any decision to permit withdrawal and the reasons for that decision.

(c) If an appeal is withdrawn, it cannot be reinstated subsequently.

1146 Applications for Reconsideration. (1) If a charge is found to be established and the respondent did not appeal in time, or did appeal but the appeal (whether under Standing Order 1143 or 1144) was wholly or partly dismissed, ~~he or she~~ **the respondent** may subsequently apply to the convener of the connexional Panel responsible for Appeal Committees for the case to be reopened. The application must be made in writing and must set out the reasons for the application, having regard to clause (2) below.

(2) An application under clause (1) above may be granted only on the ground that, in the light of events occurring since the case was disposed of, or of evidence of which the applicant could not reasonably be expected to have been aware at that time, substantial doubt has been cast upon the decision disposing of the case.

(3) Upon receiving such an application, the convener must arrange for three members of the panel not previously involved with the case to hear and consider the application. The group may determine its own procedure.

(4) If the group decides that the applicant has established the ground set out in clause (2) above, it must so inform the convener. The convener must then arrange through the relevant convener a hearing by an appeal committee constituted for the purpose. The provisions of Standing Order 1142 apply to any such hearing.

(5) There is no appeal against the decision of the group.

1147 Reports. (1) (a) A decision by a connexional discipline committee or connexional appeal committee takes effect as soon as the time for appeal or further appeal has expired without the giving of a notice of appeal.

(b) A decision by the Conference or a committee of the Conference hearing an appeal under this Section takes effect immediately.

(c) If a late appeal is allowed to proceed, such steps as may be practicable must be taken to undo any effect given to the decision.

(2) All decisions referred to in clause (1) above must be reported:

- (i) in the case of presbyters, presbyteral probationers and presbyteral students, to the Presbyteral and Representative Sessions;
- (ii) in the case of deacons, diaconal probationers and diaconal students, to the Conference Diaconal Committee and the Representative Session;
- (iii) in other cases, to the Representative Session,

except that a decision made by the full Conference need not be reported to the Session making the decision.

(3) Any report made under clause (2) above or under clause 23(e) or 25A(f) of the Deed of Union in the case of the Representative Session must be made in closed session. A report to the Representative

Session under clause (2) above must be confined to:

- (i) the number of charges and appeals heard and determined during the year, the numbers of charges ultimately dismissed and found established, in whole or in part, and the nature of the orders made in the case of charges being established;
- (ii) the names of persons who have ceased to be presbyters, deacons, probationers or students, or who have become supernumeraries, as the result of such orders; and
- (iii) the substance of any interpretation of or ruling as to doctrine involved in the determination of a doctrinal charge, whether dismissed or found established.

(4) In addition to any reports under clause (2) above, a general report must be made to the Conference in both sessions and to the Conference Diaconal Committee (as constituted by clause 25A of the Deed of Union) by a convener of the connexional Panel at least once every three years. The general report must deal with any questions of principle raised in the cases dealt with, but without reference to any personal details. It will be open to either session and to that committee to debate those questions.

(5) Nothing said or resolved in any debate on a report under clause (2) or clause (4) above may be used as grounds, under Standing Order 1146 or otherwise, on which further steps may be taken under this Part by or against a person with regard to a case which has already been disposed of in the ordinary course.

Section 115 Other Matters

1150 Decisions, Supervision and Pastoral Care. (1) In this Standing Order references to 'the committee' include references to the full Conference where required in respect of an appeal under Standing Order 1144 and references to 'the reporting officer' or 'the relevant reporting officer' are to be read as references to the Secretary of the Conference in respect of such an appeal.

(2) If the committee finds that a charge brought under this Part is established and directs any course of action to be taken as a result, the committee must also name a person or persons who is or are to be responsible (in the absence of any appeal) for ensuring that the directions are followed and for reporting on that within a specified time to the relevant reporting officer.

(3) If the reporting officer, on receiving a report under clause (2) above, is not satisfied that a direction is being properly complied with, ~~he or she~~ **the reporting officer** must reconvene the committee, or as many members of it as are still available, for the purpose of reconsidering the question of penalty.

(3A) (a) If a committee so reconvened would have fewer than three members, the reporting officer must appoint additional members to make the number of members up to five in such a manner that the composition of the committee complies with Standing Order 1131(4) and (5).

(b) If a committee so reconvened would have at least three members but the original chair is not available, the reporting officer must appoint another person appointed under Standing Order 290(3) to chair the committee.

(c) If additional members are appointed under this clause to a reconvened committee, the reporting officer must inform the respondent of the new members and the respondent has the right to object under Standing Order 1102(2) to any member by giving notice of objection to the reporting officer in writing and with reasons. The chair, whether original or newly appointed, must deal with the objection fairly having regard to all the circumstances.

(4) If the committee is reconvened under clause (3) above:

- (i) the respondent, any other person to whom the direction was given and the person responsible for its being followed have the right to address the committee. The relevant Presenting Officer has the right to attend and may address the committee at the committee's discretion;
- (ii) the committee may:
 - (a) give directions for the purpose of ensuring fulfilment of its original decision; or
 - (b) substitute for its original decision as to penalty any other decision which it could originally have reached.

(5) If the committee substitutes a new decision under clause (4)(i)(b) above, it may do so either unconditionally or conditionally upon non-compliance with its original decision by a specified date or time.

(6) The decision of the committee made after being reconvened under clause (3) must be communicated in the same way, as far as possible, as the original decision.

(7) A new decision given under clause 4(i)(b) above is subject to appeal as if it had been the original decision. The time for appealing runs from the date of written communication of the committee's decision.

(8) In a case in which the respondent is a minister or probationer and the charge is found to be established either wholly or in part, the committee must give appropriate directions for ensuring that on each occasion when the respondent takes up a new appointment the terms of the committee's decision are communicated to any person then becoming ~~his or her~~ **the respondent's** Chair and Superintendent.

(9) It is the responsibility of:

- (i) the Secretary of the Conference, in the case of a minister, probationer or ministerial student; or
- (ii) the Superintendent of the Circuit, in the case of a local preacher or member to ensure, whenever discipline charges are being dealt with, that the respondent and, where relevant, the complainant, and those connected with them, are entrusted to appropriate local pastoral care both during the process and at its conclusion.

(10) Clause (9) above does not affect the responsibilities of the district Complaints Support Group under this Section and in carrying out ~~his or her~~ **the** responsibilities under that clause the Secretary or Superintendent, as the case may be, must take account of the support given by that group.

1151 Ministerial Complaints and Charges: Special Cases. (1) If it is proposed that a charge be brought against the President, all functions under this Part which would otherwise be performed by the President must be performed by the Vice-President or ~~if he or she~~ **the Vice-President** is disqualified from acting or unwilling to act by the former President who most recently held office as such and is able and willing to act.

(2) If it is proposed that a charge be brought against a Chair all functions under this Part which would otherwise be performed by the Chair must be performed by the President.

(3) The provisions of this Part are modified as set out in clauses (4) to (7) below where the respondent is for the time being:

- (i) recognised and regarded as a presbyter of the Methodist Church admitted into Full Connexion by virtue of clause 43(b), 44(b) or 45(a) of the Deed of Union; or
- (ii) recognised and regarded as a deacon of the Methodist Church admitted into Full Connexion by virtue of clause 45A of the Deed of Union.

(4) Complaints and charges may be investigated and heard only if they relate to matters alleged to have arisen in the home Districts or, subject to clause (5) below, an overseas District and, in the case of ministers of the Irish Conference, only if the minister concerned is appointed to a station in one of the home Districts or an overseas District. All other cases must be referred to the appropriate authority of the person's own conference or church.

(5) If the complaint or charge relates to matters all or most of which are alleged to have arisen in an overseas District, it may be investigated and heard only if:

- (i) the circumstances set out in Standing Order 1110(6)(iii) exist;
- (ii) the respondent is expected to be present in the home Districts for the greater part of the period of six months beginning with the date on which the complaint is made; and
- (iii) the Secretary of the Conference is satisfied that the complaint can fairly be investigated in the home Districts.

(6) If a committee or the Conference finds a charge to be established, it may:

- (i) administer an admonishment;
- (ii) recommend a change of station, if the respondent is available for stationing elsewhere;
- (iii) determine that the respondent be removed from the stations and so cease to be recognised and regarded as a presbyter or (as the case may be) a deacon of the Methodist Church;
- (iv) in the case of a respondent serving on the stations by virtue of an arrangement with a conference or church overseas, recommend to the appropriate authority of the conference or church that the person be recalled;
- (v) make recommendations to the respondent's own conference or church concerning further action which it judges should be taken.

(7) When the Secretary of the Conference or, as the case may be, the President receives a report of a decision of a complaints team or of a committee or the Conference made under this Part, ~~he or she~~ **the Secretary or President** must send a report of the case to the appropriate authority of the respondent's own conference or church, including any recommendations for further action which the complaints team, committee or the Conference may have made.

(8) The provisions of clause (9) below apply to cases concerning ministers, probationers and ministerial students.

(9)(a) If at any time the respondent gives notice of wishing to resign from Full Connexion or to withdraw from probation or training under Standing Order 760, the proceedings under this Part must be adjourned until a decision is made by the person or body with authority to do so under that Standing Order, unless that person or body or the respondent requires that the complaint or charge be disposed of first under this Part.

(b) If the resignation or withdrawal is accepted, no further steps may be taken under this Part by any person in relation to the matters forming the basis of the complaint or charge.

(c) If the resignation or withdrawal is not accepted, the proceedings under this Part continue. The person or body making that decision must supply to the **Connexional Complaints Support Manager** ~~complaints team (if a complaint has been referred to the connexional Complaints Panel but no charge has been brought) or relevant committee or the Conference (if a charge has been brought)~~ a formal statement of the reasons together with any documentary evidence upon which the decision was based. The ~~person responsible at the relevant stage under this Part for supplying documents~~ **Connexional Complaints Support Manager** must **then** ensure that copies are provided to ~~those entitled to receive documents~~ **the appropriate person or persons having regard to the stage reached by the proceedings under this Part.**

1152 Complaints and Charges against Local Preachers, Members and Office-Holders: Special Cases. (1) Where a complaint is ~~referred to the connexional Complaints Panel~~ **allocated to the Tier 2 procedure:**

- (i) relating to matters alleged to have arisen outside the home Districts;
and
- (ii) made against a local preacher or member appointed to serve overseas in accordance with arrangements for overseas appointments as regulated by the Connexional Council whose membership has remained in or been transferred back to a Circuit in a home District

~~the complaints team~~ **person or persons responsible for investigating the complaint** must consult the Secretary of the Conference in performing its functions under this Part.

(2) If a complaint to which clause (1) applies proceeds to a charge, the Secretary must ensure that the respondent is able to be present for the hearing of the charge and any subsequent appeal.

(3) If, when a charge is brought against a local preacher or member, there are grounds for believing that a complaint has been or may be made about a minister, or ministerial probationer or student arising out of the same or similar facts, the reporting officer must consult the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** and, where applicable, the complaints team dealing with that complaint.

(4) After consultation in accordance with clause (3) above, the reporting officer may decide to delay the hearing of the charge:

- (i) for the purpose of enabling that charge to be heard together with any charge arising out of that other complaint; or
- (ii) pending the outcome of any ~~consideration~~ **investigation** of the material facts or complaint **under the Tier 2 procedure** ~~by a complaints team~~ or the hearing of any charge arising out of that other complaint.

(5) If the reporting officer exercises the power given by clause (4) above, there is no appeal against the decision and any resulting delay will not be a ground for any complaint or appeal.

(6) If a charge is proposed relating to matters alleged to have arisen in a home District against a person who has the status of or equivalent to a local preacher, or is a member, in an overseas District or another conference or church overseas and who has not been admitted into membership of the Church under Standing Order 051(2), the reporting officer must consult the Secretary of the Conference and clauses (7) to (10) apply.

(7) If the appropriate authority overseas requests the Conference to deal with the charge the Secretary must arrange for it to be dealt with in accordance with this Part.

(8) If a committee or the Conference acting under this Part considers that any decision should be reached on the charge other than its dismissal or rehearing, it may not give effect to that decision, but must refer it to the President. The President must send the decision forthwith to the referring authority overseas.

(9) If clause (8) does not apply, the reporting officer in relation to any connexional Discipline Committee or Appeal Committee hearing the charge or an appeal must send a report of the decision to the Secretary, who must communicate its contents to the referring authority overseas.

(10) If the appropriate authority overseas does not request the Conference to deal with the charge, no

further steps may be taken under this Part.

(11) When an appeal is brought against a decision depriving a local preacher of status as a local preacher or removing a local preacher from membership or tenure of office (whether at an initial hearing or on appeal), that status, membership or tenure of office is or remains suspended until the appeal is determined.

(12) The decision on any appeal involving a local preacher or member (whether or not falling within clause (11) above) must be communicated to the Secretary of the Conference in addition to any other person or body to whom this Section may require it to be communicated.

(13) Members of other communions who are not members of the Methodist Church but who hold office in it or are members of its church courts, and persons who are members both of the Methodist Church and of another communion are subject to discipline in accordance with this Part, but any decision may only affect their standing in relation to the Methodist Church, unless any further effect is given to decisions taken under this Part by virtue of the constitution of any other communion or of any local ecumenical partnership or ecumenical area.

1153 Previous Complaints and Charges. (1) When a complaint is passed to the ~~lead member of a complaints team~~ **chair**, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must make a search of the records kept under Standing Order 1104(1) to discover whether any previous complaint has been made or charge brought against the respondent.

(2) No record of any previous complaint or charge which may be found on such a search may be disclosed to the **complaints team chair or the other** members of the ~~a~~ complaints team unless:

- (i) the respondent expressly asserts that ~~he or she~~ **the respondent** has not been the subject of a previous complaint or charge; or
- (ii) the complaint under investigation is in the opinion of the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** and the connexional Complaints Officer appointed under Standing Order 1114 so similar in general nature and in specific matters of fact to a previous complaint or charge that the existence of that previous complaint or charge is a material fact to be taken into account by the complaints team **chair or the complaints team, as the case may be**, in determining how to dispose of the present complaint.

(3)(a) Where the condition specified in clause (2)(i) is satisfied, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must disclose all previous complaints and charges against the respondent to the **complaints team chair and, if applicable, other** members of the complaints team.

(b) Where the condition specified in clause (2)(ii) above is satisfied but sub-clause (a) does not apply, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must disclose only such previous complaints and charges as cause the condition to be satisfied.

(4) When the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** sends a copy of a charge to a reporting officer under Standing Order 1130(6) and the material required to be supplied to that officer does not disclose any previous complaint or charge, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must also send, under separate cover, a statement of the result of the search conducted under clause (1) above and particulars of any previous complaint or charge discovered.

(5) The record of any previous complaint or charge must not be disclosed to the members of the committee hearing a charge before it has decided whether or not the present charge is established, unless:

- (i) paragraph (i) of clause (2) above is now satisfied; or
- (ii) in the opinion of the reporting officer and of a person falling within Standing Order 290(3), other than the proposed chair of the committee, the existence of a previous complaint or charge is a material fact to be taken into account by the committee on the grounds set out in paragraph (ii) of clause (2) above.

(6)(a) Where the condition specified in clause (5)(i) is satisfied, the reporting officer must disclose all previous complaints and charges against the respondent to the members of the committee.

(b) Where the condition specified in clause (5)(ii) above is satisfied but sub-clause (a) does not apply, the reporting officer must disclose only such previous complaints and charges as cause the condition to be satisfied.

(7) If a committee hearing a charge finds it to be established, the reporting officer must then disclose to the committee any record previously undisclosed in order to assist the committee in deciding upon the appropriate action to be taken.

(8) If the existence of a previous complaint or charge which is not a matter of public knowledge becomes known to a **complaints team chair**, members of a complaints team or a connexional Discipline Committee otherwise than through the operation of this Standing Order, it must not be further disclosed except in accordance with the provisions set out above. Those ~~members of the team or committee~~ **persons** who have become aware of its existence may continue to act as such members only with the consent of the respondent.

(9) If any person involved in the complaints and discipline process becomes aware that the complainant has knowledge of the existence of a previous complaint or charge, ~~he or she~~ **that person** must inform the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** (if a charge has not been brought) or the reporting officer (if a charge has been brought). The person informed must bring the provisions of this Standing Order to the attention of the complainant and require ~~him or her~~ **the complainant** not to refer to the previous complaint or charge in the course of the process unless it has already been disclosed in accordance with those provisions.

1154 Provision of Information. (1) At each stage of the complaints and discipline process as it applies to a particular complaint, the person responsible for preparing the record or report relating to that stage must take all reasonable steps to ensure that the outcome is communicated orally to any ~~local complaints~~ **district resolution** officer, convener of a Complaints Support Group, **complaints team chair** and member of a complaints team, Complaints Support Group or committee which has been involved in the process relating to that complaint, if the outcome would not otherwise be communicated to that person.

(2) Any communication under clause (1) above is confidential.

(3) A ~~local complaints~~ **district resolution** officer to whom an outcome is communicated under clause (1) above is entitled on request to a copy of the relevant record or report held by the Secretary of the Conference, but must treat any document supplied following such a request as confidential.

1155 Complaints about the Process. (1) In this Standing Order:

- (i) 'the aggrieved person' means a person who has been involved in the complaints and discipline process in any way who makes repeated complaints to the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** about the manner in which the process has been carried out or about any related matter;
- (ii) 'a persistent complainant' means an aggrieved person in respect of whom it has been decided in accordance with the provisions of this Standing Order that any future complaint by ~~him or her~~ **that person** should in all cases be dealt with immediately by a team convened from the connexional Complaints Panel which would be required before taking any further steps to consider whether in all the circumstances of the case, including the apparent merits of the particular complaint, that complaint should or should not be allowed to proceed;
- (iii) 'the referee' means the person to whom a matter has been referred under clause (9) below.

(2) Subject to clause (3) below, if the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** is unable to resolve the aggrieved person's complaints, ~~he or she may refer~~ the aggrieved person **may be referred** to the connexional Reconciliation Group and the subsequent provisions of this Standing Order will apply.

(3) Clause (2) above does not apply if the complaints are made during the course of the complaints and discipline process and could be raised on an appeal.

(4) If the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** refers an aggrieved person to the connexional Reconciliation Group, ~~he or she~~ **the Connexional Complaints Support Manager** must inform the aggrieved person that the reference has been made, that the Group will contact the aggrieved person to discuss ~~his or her~~ **that person's** concerns and that until the Group has carried out its work the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** will not communicate further with the aggrieved person in relation to the complaints made.

(5) The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** makes a reference under clause (4) above by writing to the convener of the connexional Reconciliation Group setting out the reasons for which the reference is being made and supplying the convener with the relevant documents. A copy of the reference must be sent to the aggrieved person, together with a list of the documents supplied.

(6)(a) On receiving a reference under this Standing Order the convener must appoint a team of three members of the Group, one of whom must be a person falling within Standing Order 290(3), to act in accordance with the provisions of this Standing Order and must appoint one member of the team as the

contact member.

(b) The convener must inform the aggrieved person that the team has been appointed, stating the names of the team members, and that the contact member will contact the aggrieved person.

(c) The convener must further inform that aggrieved person that the duties and responsibilities of a team convened from the connexional Reconciliation Group are:

- (i) to listen to the concerns expressed by the aggrieved person;
- (ii) to make any inquiries the team thinks fit of any other person;
- (iii) to explore with the aggrieved person whether there is any means of resolving ~~his or her~~ **that person's** concerns, including achieving resolution by a form of reconciliation with a person or persons involved in the complaints and discipline process; and
- (iv) to make any recommendations for the improvement of the process which the team thinks appropriate.

The convener must also state expressly that the duties and responsibilities of the team do not extend to making any decision on the merits of the complaint or charge in relation to which the complaints of the aggrieved person have been made.

(7) When a team is appointed under Standing Order 1155(6) above, the contact member must invite the aggrieved person to an initial meeting with the team to enable the aggrieved person to explain ~~his or her~~ **the** concerns face to face. The team may otherwise carry out its duties and responsibilities as set out in clause (6)(c) above as it thinks fit.

(8) When the team has completed its work as far as is possible in the circumstances, the contact member must prepare a brief report of the steps taken and the outcome of the team's work. The report must state whether or not the aggrieved person's concerns have been resolved and any recommendations made by the team and must be sent to the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager**, who must take appropriate steps to give effect to any recommendations.

(9) If the aggrieved person's concerns have not been resolved and ~~he or she~~ **the person** is not willing to agree not to pursue them further, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must refer the matter to a person falling within Standing Order 290(3) for consideration whether the aggrieved person should be declared to be a persistent complainant.

(10) (a) The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** makes a reference under clause (9) above by writing to the referee setting out the reasons for which the reference is being made and supplying ~~him or her~~ **the referee** with the relevant documents.

(b) If the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** refers a matter to a referee, ~~he or she~~ **the Connexional Complaints Support Manager** must inform the aggrieved person that the reference has been made and what would be the effect if the aggrieved person is declared to be a persistent complainant. A copy of the reference must be sent to the aggrieved person, together with a list of the documents supplied. The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must also state that ~~he or she will not~~ **the Connexional Complaints Support Manager will not** communicate further with the aggrieved person in relation to the complaints made.

(c) The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must further inform the aggrieved person that if ~~he or she~~ **the person** wishes to make representations to the referee, those representations must be sent in writing to the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** within 14 days from the day on which the aggrieved person is so informed.

(d) The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must pass any representations received to the referee, who must not make a decision until the time for making representations has expired.

(11) The referee must consider the documentary material supplied to ~~him or her~~ and decide whether there is such a risk that the aggrieved person will make complaints of a repetitive nature in relation either to the respondent or to some or all of the subject matter identified in the reference that fairness requires that all future complaints by the aggrieved person should be considered at a connexional level by a team which is aware of the history of the aggrieved person as respects the complaints and discipline process. The referee must record ~~his or her~~ **the** decision **made** in writing, giving reasons, and send the record to the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** for safe custody.

(12) The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must inform the aggrieved person of the decision of the referee. If the decision is that the aggrieved person should be declared a persistent complainant, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must also inform the Chair of the District and the Superintendent ~~or other person who is the local complaints officer of the Circuit in which the aggrieved person is stationed or a member or with~~

which ~~he or she~~ **that person** (if not a member of the Methodist Church) appears to have the closest connection.

(13) Any person who becomes aware that a persistent complainant is making a complaint under this Part must take all necessary steps to ensure that the complaint is dealt with in accordance with the provisions of this Standing Order.

(14) No appeal lies against a decision that an aggrieved person is a persistent complainant.

1155A Repetitive Complainants. (1) In this Standing Order:

- (i) "a repeated complaint" means a complaint which is the same or substantially similar to another complaint made by the same complainant against the same person or a different person or persons in respect of which consideration is being given or has been given in accordance with this Part and which is not a complaint of the type referred to in Standing Order 1155;
- (ii) "a multiple complainant" means a person who has made two or more repeated complaints;
- (iii) "a repetitive complainant" means a multiple complainant in respect of whom a declaration has been made under clause (6) below to the effect set out in that clause;
- (iv) "the referee" means the person to whom a matter has been referred under clause (4) below.

(2) This Standing Order shall apply when the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** is aware or is informed that a person is or may be a multiple complainant.

(3) Any person receiving a complaint which ~~he or she~~ **that person** believes may be a repeated complaint shall, before taking any steps in respect of such complaint, inform the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** of the details of the complaint and the grounds ~~on which he or she believes it to be~~ **for the belief that it is** a repeated complaint.

(4) If the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** considers that the complainant may be a multiple complainant ~~he or she may refer~~ the matter **may be referred** to a person falling within Standing Order 290(3) for consideration whether the complainant should be declared to be a repetitive complainant.

(5)(a) The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** makes a reference under clause (4) above by writing to the referee setting out the reasons for which the reference is being made and supplying ~~him or her~~ **the referee** with the relevant documents;

(b) If the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** refers a matter to a referee, ~~he or she~~ **the Connexional Complaints Support Manager** must inform the complainant that the reference has been made and what would be the effect (as set out in clause (8) below) if the complainant is declared to be a repetitive complainant. A copy of the reference must be sent to the complainant, together with a list of the documents supplied. The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must also state that until the referee has reached a decision ~~he or she~~ **the Connexional Complaints Support Manager** will not communicate further with the complainant in relation to the complaints made;

(c) The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must further inform the complainant that if ~~he or she~~ **the complainant** wishes to make representations to the referee, those representations must be sent in writing to the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** within 14 days from the day on which the complainant is so informed;

(d) The ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must pass any representations received to the referee, who must not make a decision until the time for making representations has expired.

(6) The referee must consider the documentary material supplied to ~~him or her~~ and decide whether to make a declaration that the complainant is a repetitive complainant. Any such declaration must be made on the ground specified in clause (7) below and will have the effect set out in clause (8) below. The referee must record the decision in writing, giving reasons, and send the record to the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** for safe custody.

(7) The ground on which it may be declared that a complainant is a repetitive complainant is that the referee is satisfied that there is such a risk that the complainant will make one or more further repeated complaints that fairness requires that all ~~his~~ **or her the complainant's** future complaints must be referred immediately to a team, convened from the connexional Complaints Panel, which is aware of the history of the complainant as respects the complaints and discipline process and which must, before taking any further steps, consider whether in all the

circumstances of the case, including the apparent merits of the particular complaint, that complaint should or should not be allowed to proceed and must give a direction accordingly.

(8) The effect of a declaration that the complainant is a repetitive complainant is that:

- (i) ~~a team must be convened from the Complaints Panel to consider the complaint referred to in clause (3)~~ **the Connexional Complaints Support Manager must allocate to the Tier 2 procedure and appoint a complaints team to direct whether or not the complaint should be allowed to proceed. If the complaint does proceed, the provisions of this Part apply as if the complainant had referred the complaint to the connexional Complaints Panel and the team convened from the Complaints Panel had decided that the complaint was to be fully considered** **decision of the complaints team constituted notification of a complaint to the Connexional Complaints Support Manager under Standing Order 1120A(2);**
- (ii) any future complaint by the complainant must be ~~referred immediately to a team convened from the Complaints Panel to act as set out in paragraph (i) above~~ **dealt with similarly.**

(9) ~~The relevant Connexional Team member~~ **Connexional Complaints Support Manager** must inform the complainant of the decision of the referee made under clause (6) above. If the decision is that the complainant should be declared a repetitive complainant, the ~~relevant Connexional Team member~~ **Connexional Complaints Support Manager** must also inform the Chair of the District and the Superintendent ~~or other person who is the local complaints officer~~ of the Circuit in which the complainant is stationed or a member or with which ~~he or she~~ **the complainant** (if not a member) appears to have the closest connection.

(10) Any person who becomes aware that a repetitive complainant is making a complaint under this Part must take all necessary steps to ensure that the complaint is dealt with in accordance with the provisions of this Standing Order.

(11) No appeal lies against a decision under clause (6) above to declare that a complainant is a repetitive complainant or a direction of a complaints team given under clause (8) above.

1156 Notice Provisions. (1) Where under any provision of this Part a person is required to inform another person of a decision, then unless the relevant provision expressly provides otherwise the obligation is performed if written notice is sent by first class post or recorded delivery to the last known ordinary postal address of the second person or to such other address as ~~he or she~~ **that person** has requested in writing should be used for the purpose of giving notice.

(2) A person will be taken to have received a notice sent by first class post or recorded delivery on the second day after the day on which the notice was sent unless ~~he or she~~ **the person** can show that it was received later.

(3) Clause (1) does not exclude the use of any other means of informing a person of a decision which is not excluded by the provision imposing the obligation.

1157 Breaches of Confidentiality. (1) In this Standing Order, "the conducting officer" means the person who most recently became responsible, with respect to a particular complaint or charge, for exercising the functions of:

- (i) ~~a local complaints~~ **district resolution** officer;
- (ii) ~~the lead member of a complaints team~~ **chair**;
- (iii) the chair of a discipline committee;
- (iv) the chair of an appeal committee;
- (v) the person presiding or intended to preside at the hearing of an appeal to the Conference.

(2) If a complainant is in breach of the obligation of confidentiality imposed by Standing Order 1104(7) in relation to a particular complaint or charge, the provisions of clause (3) apply.

(3) Subject to clause (4) below, where this clause applies the conducting officer may:

- (i) decline to provide the complainant with copies of further documents or further information in connection with the relevant complaint or charge until the complainant has provided a written acknowledgment that all documents and information already received or hereafter received in connection with that complaint or charge are confidential and a written undertaking to comply with Standing Order 1104(7) at all times;
- (ii) decline to provide the complainant with copies of further documents or further information in connection with that complaint or charge at all;
- (iii) determine that the complainant shall be excluded from further participation in the complaints and discipline process relating to that complaint or charge either altogether or as set out in the determination.

(4) The powers given by clause (3) above may be exercised more than once in relation to the same process and either by the same conducting officer or by different conducting officers and either on the same occasion or different occasions but so that:

- (i) any exercise of the powers must be in writing and must identify the breach of the obligation of confidentiality which is the ground for the exercise of the power;
- (ii) the powers may not be exercised more than once as a result of the same breach, but the conducting officer from time to time may take account of any and all previous breaches in deciding whether and if so in what manner to exercise the powers under clause (3) if there is a subsequent breach;
- (iii) when a new person becomes the conducting officer, ~~he or she~~ **that person** may decide to vary any exercise of the powers by a previous conducting officer, but may not do so in a way adverse to the complainant;
- (iv) no power under clause (3) may be exercised while a determination that the complainant is excluded from further participation in the complaints and discipline process altogether remains in force;
- (v) the power under clause (3) (i) or (ii) may not be exercised on an occasion on which a determination that the complainant is excluded from further participation in the complaints and discipline process altogether is made;
- (vi) the powers under clause (3) (i) and (ii) may not both be exercised on the same occasion and the power under clause (3) (i) may not be exercised while an exercise of the power under clause (3)(ii) above remains in force;
- (vii) if the conducting officer is a ~~local complaints~~ **district resolution** officer, ~~the~~ **conducting officer** may not exercise the power under clause (3)(iii).

(5) If a respondent is in breach of the obligation of confidentiality imposed by Standing Order 1104(7) in relation to a particular complaint or charge, the provisions of clause (6) apply.

(6) Subject to clause (7) below, where this clause applies the conducting officer may:

- (i) decline to provide the respondent with copies of further documents or further information in connection with the relevant complaint or charge until the respondent has provided a written acknowledgment that all documents and information already received or hereafter received in connection with that complaint or charge are confidential and a written undertaking to comply with Standing Order 1104(7) at all times;
- (ii) determine that the complaint or charge shall hereafter be dealt with as if it included a complaint by the complainant or charge prepared by the Presenting Officer on a referral in accordance with Standing Order 1130(1) (as the case may require) relating to that breach.

(7) The powers given by clause (6) above may be exercised more than once in relation to the same process and either by the same conducting officer or by different conducting officers and either on the same occasion or different occasions but so that:

- (i) any exercise of the powers must be in writing and must identify the breach of the obligation of confidentiality which is the ground for the exercise of the power;
- (ii) the powers may not be exercised more than once as a result of the same breach, but the conducting officer from time to time may take account of any and all previous breaches in deciding whether and if so in what manner to exercise the powers under clause (6) if there is a subsequent breach;
- (iii) when a new person becomes the conducting officer, ~~he or she~~ **that person** may decide to vary any exercise of the powers by a previous conducting officer, but may not do so in a way adverse to the complainant;
- (iv) when a conducting officer makes a determination under clause (6)(ii) at any time after a referral under Standing Order 1130(1), ~~he or she~~ **the conducting officer** must also direct the relevant Presenting Officer to prepare a charge in relation to the breach of the obligation of confidentiality on the basis of the material contained or referred to in the determination (copies of which must be supplied to the Presenting Officer for the purpose).

(8) A conducting officer who becomes aware of a breach of the obligation of confidentiality but does not exercise ~~his or her~~ **the** powers under clause (3) or, as the case may be, clause (6) in relation to that breach must pass to the person who next becomes the conducting officer all the information which ~~he or she~~ **the preceding conducting officer** has in relation to that breach.

(9) The powers given by this Standing Order:

- (i) are exercisable without prejudice to the exercise by any person of any right or power, whether under this Part 11, any other Standing Orders or arising in any other way;
- (ii) are exercisable by a conducting officer although a previous conducting officer, being aware of

a breach of the obligation of confidentiality,
has not exercised any of those powers, unless that conducting officer formally considered the exercise of those powers and gave notice in writing to the person in breach of the obligation of ~~his or her~~ **the** decision not to do so, stating the reasons for that decision;

(iii) override any other provision of this Part 11, in the case of conflict.

(10) There is no right of appeal against the exercise of the powers given by clause (3) and (6) above, but if the complainant or respondent (as the case may be) satisfies the conducting officer (whether the conducting officer who exercised the power or another conducting officer) that the apparent breach of confidence on the basis of which such a power was exercised did not in fact occur, the relevant exercise is to be treated as if it had not taken place and all necessary steps must be taken to put the complainant or respondent in the position in which ~~he or she~~ **the respondent** would have been but for the exercise, so far as reasonably practicable.

(11) For the avoidance of doubt, a person does not commit a breach of the obligation of confidentiality by:

- (i) disclosing confidential material to a person acting as a friend or representative for the purposes of the provisions of this Part or to a member of the relevant district Complaints Support Group;
- (ii) disclosing confidential material to another person or persons for the purpose of obtaining pastoral support, provided that if the complaint has gone beyond the informal complaint stage the requirements of clause (12) below are satisfied.

(12) The requirements referred to in clause (11)(ii) above are that:

- (i) the name of the person or persons to whom disclosure is to be made must be given to the conducting officer in advance of disclosure; and
- (ii) any person to whom disclosure is to be made must agree to treat the disclosed material as confidential.