

## 43. Committee on Methodist Law and Polity (2)

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### SECTION D

#### ONLINE MEETINGS FOR CHURCH BUSINESS

The COVID-19 pandemic has necessarily changed the way in which the Methodist Church conducts its business, and the 2020 and 2021 Conferences passed temporary resolutions to enable church business meetings to be held online whilst the pandemic continued. On the advice of the Law and Polity Conference Sub-committee, the 2021 Conference adopted a further temporary resolution on the final day of that Conference as follows:

*LP/18: The Conference resolves that if the public health restrictions on physical gatherings are lifted before the close of the Conference of 2022 such that resolution LP/5 of the Conference of 2021 shall cease to apply to the general conduct of the business of the Methodist Church in any jurisdiction forming part of the Methodist Church in Great Britain, the provisions of resolution LP/5 relating to the construction of Standing Orders shall continue to apply where it is desirable for the effective and efficient conduct of such business that they should do so, notwithstanding the fact that the holding of a physical meeting has become practicable.*

Throughout this year, there has been continuing uncertainty as to when the various public health restrictions would be lifted, and different rules have applied at different times in the various jurisdictions within the Connexion.

Work continues on the long term possibilities of 'online' Church life, so the Committee is not yet in a position to offer permanent legislation to reflect this. In the meantime, therefore, it recommends that the Conference passes a further temporary resolution to enable online meetings to be conducted at all levels of church governance where it is desirable for the effective and efficient conduct of business to do so.

#### \*\*\*RESOLUTIONS

- 43/1. The Conference received the Report.**
- 43/2. The Conference resolved that Resolution LP/18 of the 2021 Conference shall continue to apply to the general conduct of the business of the Methodist Church in any jurisdiction forming part of the Methodist Church in Great Britain until the close of the 2023 Conference.**

### SECTION E

#### AMENDMENTS TO THE MODEL TRUSTS AND STANDING ORDERS

The Law and Polity Committee has identified various corrections and modifications to the Model Trusts and Standing Orders consequent upon decisions already taken by the Conference.

Amendments to the Model Trusts of this nature require a special resolution, which means a resolution passed by a special majority (three quarters of the members of the Conference present and voting) in year one and then, after appropriate consultation, confirmed by the following year's Conference (again by a special majority).

This is the first year in which the Model Trust amendments below have been brought to the Conference and the Committee advises the Conference that consultation on those amendments should be with the Methodist Council under Standing Order ~~136(1)(c)~~ **126(1)(c)**. The amendments will also be submitted to the Channel Islands, Isle of Man, Scotland and Shetland Synods.

1. **Paragraph 2 of the Model Trusts.** The content of what was paragraph 2 of the Model Trusts is now in sub-paragraph 2(1). The Committee proposes consequential amendments to other paragraphs of the Model Trusts and to Standing Orders to correct cross-references as follows:
  - (a) **Special Resolution:** In paragraphs 3(2)(a), last line, and 4(1), line 4, of the Model Trusts replace 'paragraph 2' by 'sub-paragraph 2(1)'.
  - (b) **Resolution:** In Standing Orders 512(1), line 5, 584(4)(i), line 2, and 611(1), line 3, replace 'paragraph 2' by 'sub-paragraph 2(1)'.
2. **Paragraph 16 of the Model Trusts.** The content of what was paragraph 16 of the Model Trusts is now in sub-paragraph 16(1). Again the Committee proposes consequential amendments to another paragraph of the Model Trusts and to Standing Orders to correct cross-references as follows:
  - (a) **Special Resolution:** In paragraph 19(1)(b), last line, of the Model Trusts replace 'paragraph 16' by 'sub-paragraph 16(1)'.
  - (b) **Resolution:** In Standing Orders 912(2), last line, 913(3)(c)(i), line 2, 917(2)(xii), line 2, 918(1), penultimate line and 930(1), line 3, replace 'paragraph 16' by 'sub-paragraph 16(1)', without removing or altering any appended letters or numbers identifying sub-divisions.
3. **Circuit Advance Funds.** There is a reference in paragraph 18(2)(b) of the Model Trusts to 'all existing Circuit Advance Funds'. Such funds no longer exist, so whether 'existing' meant 'now existing' or 'existing from time to time' the reference to them no longer serves any useful purpose and can puzzle readers. The Committee proposes that it be deleted.

**Special Resolution:** The Conference amends paragraph 18(2) of the Model Trusts as follows:

18(2) This paragraph shall apply to ~~—(a)—~~all moneys which shall be paid or payable to the trustees (whether by one or more or successive or recurrent payments) on or pursuant to any sale, letting or other disposition of the property or any part thereof or of any interest therein made by the managing trustees in exercise of any power in that behalf conferred on them under any provision of paragraphs 15 or 16 of this Schedule; ~~and (b) all existing Circuit Advance Funds.~~

### \*\*\*RESOLUTIONS

- 43/3. **The Conference received the Report.**
- 43/4. **The Conference, by special resolution, amended the Model Trusts as set out in paragraphs 1(a), 2(a) and 3 above and directed that consultation on the proposed amendments be with the Methodist Council under Standing Order 126(1)(c).**
- 43/5. **The Conference, by way of minor and consequential corrections, amended Standing Orders as set out in paragraphs 1(b) and 2(b) above.**

**SECTION F  
SUSPENSION OF STANDING ORDERS RELATING TO CANDIDATES' MEDICAL  
REPORTS**

The 2021 Conference suspended certain Standing Orders until the opening of the Conference 2022 pending adoption of permanent amendments to reflect changes to the role of medical reports in the candidating process. Policy work is currently being undertaken but will not be completed in time for the 2022/23 candidating process. Therefore the Standing Orders need to be suspended for a further year.

**\*\*\*RESOLUTIONS**

**43/6. The Conference:**

- (1) suspended Standing Orders 713(5), 713(7), 713(7A), 715(9), 716(2), 716(6), 730(5A) and 730(10) until the opening of the Conference of 2023;**
- (2) directed that during the period of suspension the following provisions shall be treated as replacing the suspended provisions of Standing Orders 713(5), 713(7A), 716(6) and 730(10):**

***713(5) The committee or section shall receive the recommendation of its panels, the reports of all interviews and the advice of the connexional psychologist, and shall consider all records of the candidates. The committee or section shall at all times give careful attention to the judgments of the district Candidates Committee, especially in those cases where their own assessment differs.***

***713(7A) If at any stage in the operation of the procedure set out in clauses (1) to (6) above it appears to any of the persons involved or to a panel, a section or the committee that safeguarding issues or concerns are, or may be, involved, then the matter shall immediately be referred to the safeguarding officer (as defined in Standing Order 232(1A)), who may offer advice or refer the matter to the Safeguarding Committee for its advice and recommendations.***

***716(6) If the Conference in its Presbyteral Session recommends or conditionally recommends a candidate as to whom an occupational health assessment has identified significant concerns relating to the extent of the reasonable adjustments which might have to be made, any such recommendation shall be subject to the adoption by the Conference in its Representative Session of a scheme quantifying the additional actuarial and other liabilities on the funds of the Church or of the Methodist Ministers' Pension Scheme thereby entailed and making full provision to meet any such liabilities, and no such candidate shall be accepted by the Representative Session unless such a scheme has been so adopted.***

***730(10) The applicant may, by notice in writing to the appropriate Team member responsible for candidates for the presbyterate or the diaconate, apply for a review of the recommendation of the committee, specifying the grounds of appeal. The notice shall be given so as to reach the Team member within fourteen days of notification in writing to the applicant of the decision of the committee. The appeal shall be dealt with under Standing Order 715(2) to (8) except that there shall be no other appellant than the applicant;***

## **SECTION G**

### **CONDITION OF MANSES**

In [Section C of its Report to the 2021 Conference](#), the Committee reported its interim response to Resolution 43/11 of the 2016 Conference, which directed the Committee to:

*'make recommendations to the 2017 Conference on amendments to Standing Orders that enable Circuit Meetings to charge a minister who leaves a manse in an unreasonable condition.'*

The Committee has discussed the issue at length this year and now reports its full response, which it recommends to the Conference for approval.

#### **1. What happens elsewhere?**

A tenant who damages the premises, fails to cultivate the garden or who leaves behind large quantities of junk can be liable in damages either under the terms of the tenancy agreement or under the tort of waste. The former tenant can be sued in the County Court. Neither of these causes of action is available in the case of ministers as they are not tenants of their manses.

#### **2. Should manses be occupied by ministers on tenancies?**

Whilst this might provide a potential remedy in the modest number of cases in which manses are left damaged or with large quantities of rubbish, the potential benefits would be overwhelmed by the disadvantages of changing the basis upon which a minister occupies a manse. The Committee rejected the idea that ministers should occupy their manses as tenants.

#### **3. Deduction from stipends of the cost of remedying the damage**

This suggestion was put to the Committee as a means of recovering unnecessary expenditure. If it is to be adopted there would need to be a proper basis upon which deductions could be made. The connexional team responsible for paying stipends would not be in a position to make deductions from a minister's stipend relying solely on the request of those responsible for the manse which had suffered damage. There would be no means of disputing either liability for the sums claimed or the quantum of them. There would be no mechanism for deciding how much should be deducted each month from the minister's stipend. If this avenue is to be followed there needs to be:

- (a) a means of making the departed minister liable for those costs;
- (b) a means of resolving disputes on both liability and quantum; and
- (c) a means of deciding how any money due is to be paid.

#### **4. How can this be achieved?**

The Committee's view was that a minister who caused damage to a manse, or left it in an unacceptable state, would be liable to face a complaint. The detailed provisions of standing orders which deal with complaints and discipline would enable there to be discussions which might lead to an early resolution of matters. Where necessary, a dispute would have to be taken to a discipline committee. Some amendments would be needed to accommodate disputes about disrepair, and to enable discipline committees to make orders for the payment of sums of money.

#### **5. Complaint or charge**

For a complaint to be laid against a departed occupant of a manse, the conduct of the former occupant must be capable of falling within the provisions of SO 1101:

- (1)(i) 'complaint' means 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; .....

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

The complainant would object to the acts of causing damage to the manse, or the omission to remove excessive quantities of rubbish prior to departure. The complainant would have to be able to show that the minister's standing in the church was of significance in connection with the acts or omissions.

For there to be a disciplinary charge the requirements of SO 1130 would need to be met:

SO 1130:

(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 office or standing in relation to the Church.

A complainant might say that, by failing to discharge the duty not to damage the manse or to clear it of rubbish prior to departure, a minister fell within SO 1101(1). A charge under SO 1130 would be justified either as a serious disregard of the usage of the Church, or as seriously impairing the mission of the Church by causing it unnecessary expense.

The guidance in respect of manses sets out the duty to keep it clear of rubbish. It would help if the duty not to damage the premises, or to make unauthorised alterations, were to be made explicit. A modest addition to the guidance is therefore proposed (Book VII CPD, Section A, Part 1):

The care of manses is at all times a matter of partnership and co-operation between the occupants and the circuit stewards. To carry out their responsibilities, circuit stewards, for example, whilst respecting the privacy of the manse, must have whatever access is necessary to ensure that the property is kept in good repair and that an annual and ongoing programme of maintenance and redecoration is sustained. Such things should not be left to the few days when a manse may be vacant at a changeover. In this partnership it is the responsibility of the Circuit (as set out in Standing Orders 533, 803 and 954) to provide a suitable manse, to decorate it and to furnish it with carpets, curtains, a cooker, office furniture and a lawnmower. It is the clear responsibility of the occupants, on the other hand, to keep the manse clean and presentable and at a changeover to make sure that the manse and its circuit furnishings are left clean and tidy. Exceptional circumstances will occasionally arise in which, for various reasons, occupants are unable to fulfil this basic obligation – in which case arrangements should be negotiated with the circuit stewards. Normally, however, incoming ministers can expect to find that their predecessors have left the manse clean and habitable in the ways indicated above. ***It will not be acceptable for outgoing occupants to leave manses with damage to the premises or to the***

***furnishings which they have caused, nor will it be acceptable for them to leave manse with alterations which have not been approved by the circuit stewards.***

Whilst damage to a manse or leaving excessive quantities of rubbish on departure might not fit easily within the scope of a complaint or a charge, the Committee did not want to recast their scope. They are drafted so as to embrace behaviour which is detrimental to the Church. The disciplinary process is not, and should not be, there to consider any other behaviour. Altering the definitions of a complaint or a charge would risk encompassing matters which should be outside the scope of the disciplinary process. The Committee would thus advise against changes to these Standing Orders.

The Committee considered introducing a specific offence of leaving a manse in a damaged condition, or with excessive quantities of rubbish. It did not do that as it was felt to be undesirable to change the disciplinary system by setting out lists of offences.

## **6. Changes to the complaints and disciplinary process**

Those members of the Committee who have experience of dealing with disrepair cases know that misunderstandings can arise as to the cause of particular damage, and there can be markedly different views about what works are necessary, and thus what costs need to be expended, to remedy the damage. It is thus likely to be helpful if the complaints officer can obtain expert advice where necessary. The Committee proposes a new Standing Order 1120 (7A) to allow for this.

SO 1120

***(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 think 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 365(6).***

The chair of a discipline committee has case management powers set out in SO 1132:

(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.

Paragraph (vi) is widely drafted and gives the chair power to direct the committee to obtain independent expert advice if that has not already been done and it appears to be necessary. No change is necessary to this Standing Order.

Discipline committees do not yet have power to impose any financial sanctions. If they are to deal with complaints about matters which lead to the expenditure of large sums of money they will need power to make financial orders. They will also need powers to direct that payment is made by deduction from a minister's stipend, or such orders would be unenforceable. Committees also need power to order that payment can be made in instalments, and to ensure that no more than what is reasonable is deducted from the stipend. The Committee therefore proposes amendments to SO 1134:

### **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 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.

**(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 identified by the committee to receive such sum.**

The Committee is of the view that a discipline committee's powers should be limited to what would, in effect, be an award of damages or a compensation order. The powers are not extended to impose a fine.

## 7. Limitations of the proposals

The Committee recognises that the proposals are limited to cases where more than a small sum of money needs to be expended to rectify the problem at the manse. The requirements of SO 1101 would probably not be met where only modest expenditure needed to be incurred. Whilst a discipline committee can order a person to pay compensation there is no mechanism to extract payment of the money save by way of deduction from future payments of a stipend. The recovery of sums ordered to be paid by way of compensation will thus be limited to ministers who are in an appointment and in receipt of a stipend. Failure to pay a sum ordered by a discipline committee might itself be a further disciplinary matter, but that might not lead to payment of the outstanding sum.

### \*\*\*RESOLUTIONS

43/7. The Conference received the Report.

43/8. The Conference amended Standing Orders 1120 and 1134 as set out above.

43/9. The Conference adopted the amendments to the guidance in CPD as set out above.

### SECTION H AMENDMENTS TO STANDING ORDERS

The Committee recommends the following minor and consequential Standing Order amendments to the Conference.

#### 1. Standing Order 213A Audit and Risk Assurance Committee.

When amending SO 213A in 2021 to accord with the Audit and Risk Assurance Committee's (ARAC) updated terms of reference, the limitation on re-appointment of ARAC members was not addressed. ARAC's terms of reference state that: *"Members of the ARAC commit to being appointed by the Conference for a period of at least four years and may be appointed annually thereafter for a maximum of three years. However, in exceptional circumstances, a member's service may be extended beyond seven years where nomination is made by the Council with a majority vote of 75% of those members present and voting at the Council."*

The Committee therefore recommends that Standing Order 213A(2) is amended and a new clause 213A(2A) inserted as follows:

(2) The committee shall consist of no fewer than three persons, including one appointed by the Conference to chair the committee, all of whom shall be members of the Methodist Church and all of whom shall normally serve for an initial term of four years and thereafter on an annual basis **for a maximum of three years**. No person shall be eligible to be a member of the committee who is a member of the Connexional Team, or the Strategy and Resources Committee, or the council.

***(2A) Any nomination for appointment which will result in a committee member serving for a continuous term exceeding seven years may only be made in exceptional circumstances, and shall require a resolution of the council carried by a majority of 75% of those present and voting.***

#### 2. Standing Order 342(9) State Funded Schools

The Methodist Day Schools Fund no longer exists, therefore Standing Order 342(9), which provides that applications for grants or loans from that Fund be made through the district Policy Committee, should be revoked.



### 3. Standing Orders 432(1B) (Funds) and 432A (Mission in Britain Fund Allocation)

The 2021 Conference approved these two new Standing Orders in connection with the redesigning of the Connexional Grants processes. On further reflection this year, the Committee recommends that the drafting of Standing Order 432(1B) is reworked as set out below, thereby removing the need for Standing Order 432A.

432(1B) The committee shall ~~also oversee and administer~~ **ensure that** any allocation received from the Methodist Mission in Britain Fund ~~in accordance with Standing Order 432A~~ **for use by a Local Church, Circuit or District is applied only for purposes specified in the relevant strategy approved by the Conference from time to time**, and **shall** present a report of ~~its oversight~~ **on the subject** at least annually to the Synod.

~~**432A Mission in Britain Fund Allocation.**—The District may from time to time receive a funding allocation from the Methodist Mission in Britain Fund to be used by a Local Church, Circuit or the District only for purposes specified in the relevant strategy approved by the Conference from time to time.~~

### 4. Minor amendments to ensure usage of gender neutral language

Having regard to Notice of Motion 2021/119 regarding the use of gender neutral and inclusive language, the Committee has identified some obvious amendments to Standing Orders this year which it now brings to the Conference for approval. The review of CPD to ensure gender-neutrality is a potentially extensive piece of work but the Committee has made a start on this and will bring further amendments to the 2023 Conference.

The amendments set out below bring the terminology into line with current Pension Scheme wording.

#### 4.1 **SO 111 President's Powers**

(3) The President shall be informed by the Chair of the District of every case of the breakdown of the marriage **or civil partnership** of a minister. The President shall annually appoint one or more persons to be responsible, on behalf of the President, for ensuring that arrangements are made for such pastoral and material help to be given as may be possible and appropriate in the circumstances, particularly to the ~~wife~~ **spouse** or ~~husband~~ **civil partner** and family of the minister.

#### 4.2 **SO 124 Publication of Proceedings**

(8) A copy shall be presented to **the spouse or civil partner of any deceased** minister's ~~widow or widower~~ who makes application, the cost being defrayed by the Methodist Church Fund.

#### 4.3 **SO 364(1) Other Restricted Funds**

(vii) the ~~widows~~ **spouses** or ~~widowers~~ **civil partners** of **deceased** ministers and probationers and other members of their immediate households who, in any such case, are in need;

#### 4.4 **SO 365 Reimbursements and other Special Payments**

(4) If a circuit minister or probationer dies after the end of February in any connexional year leaving a spouse **or civil partner** and/or dependants entitled under Standing Order 801(5)(a) to remain in the manse until the end of that connexional year a sum shall be paid out of the Methodist Church Fund to that spouse **or civil partner** and/or dependants equal to rent at the rate then currently charged by the Methodist Ministers' Housing Society for the period from the end of that connexional year until the date six months after the death.

#### 4.5 **SO 775 Married Couples**

(4) Ministers designated 'without appointment' under clause (3) above shall, unless they subsequently apply for exemption under clause (2) above, be liable and eligible to be stationed whenever suitable arrangements can be made to station them with their ~~husbands~~ **spouses** or ~~wives~~ **civil partners** and in exceptional circumstances such a minister may be appointed separately to a Circuit by the President or by the Vice-President on ~~his or her~~ **the President's** behalf.

#### 4.6 **SO 801 Stipends**

(5) (a) On the death of a minister or probationer within the scope of clause (1) above the deceased's spouse **or civil partner** and/or any dependants of the deceased then resident in the manse shall be entitled to remain there until the end of the current connexional year.

(b) If the deceased leaves a spouse or **civil partner or** dependants in financial need, a payment of one full quarter's stipend at the rate payable at the date of death shall be made and expenses and allowances of the same total amount as those payable under Standing Order 528(1) shall be paid from the Fund for the Support of Presbyters and Deacons to such spouse or **civil partner or** dependants, the payment being allocated having regard to the principles applied by the Methodist Ministers' Pension Scheme in allocating lump sum payments from the Scheme. Ministers

#### 4.7 **SO 805 Retirement Benefits**

(2)(b) ~~The spouse~~ **Upon the death** of a minister or probationer, **their spouse or civil partner** may apply to the Methodist Ministers' Housing Society for help with housing ~~upon becoming a widow or widower~~, according to the Society's ~~Rules for eligibility~~ **criteria**.

(3)(b) ~~The spouse~~ **Upon the death** of a presbyter or presbyteral probationer, **their spouse or civil partner** may apply for assistance from the Fund for the Support of Presbyters and Deacons ~~upon becoming a widow or widower~~.

#### 4.8 **SO 954 Circuit Property.**

(i) appoint visitors to visit and inspect each manse each year, except when the quinquennial inspection or the district Manses Committee visitation has taken place within the last twelve months, the duties of the visitors being to visit at a mutually agreed time, to consult with the occupants (including ~~wife~~ **spouse** or ~~husband~~ **civil partner**, where appropriate) and to report to the meeting;

#### 5. **Standing Order 337 Methodist Heritage**

To enable flexibility in the terms of appointment of Methodist Heritage Committee members, the Conference is asked to amend Standing Order 337(2)(c) as follows:

(c) The other members of the committee, except where appointed ex officio under head (iii) or (iv) of sub-clause (a), shall not **normally** serve for more than six years in succession.

#### **\*\*\*RESOLUTION**

**43/10. The Conference, by way of minor and consequential corrections, revoked Standing Orders 342(9) and 432A and amended Standing Orders as set out above.**

## SECTION I

### REFLECTIVE SUPERVISION

The [2021 Conference Report on Reflective Supervision](#) adopted the term 'reflective supervision' for the mandatory supervision that ministers and some others under the connexional Reflective Supervision Policy are required to engage in. The Report distinguished reflective supervision from oversight, management and elective pastoral supervision. The Report noted "the need to amend Standing Orders to ensure consistent and updated usage of the term 'supervision' as reflective supervision becomes embedded into our culture."<sup>1</sup> In the absence of any resolution directing the amendment of Standing Orders, the Law and Polity Committee has assumed responsibility for this, and offers a new Standing Order plus some necessary consequential amendments for the Conference's approval.

The Committee noted that 'supervision' and related terms are used in other spheres of church life and in existing Standing Orders more widely than in respect of 'reflective supervision' alone, for example, in connection with employment, safeguarding, deliverance ministry and disciplinary matters, as well as in more general references such as to 'supervising the work' of a committee or officeholder.

This raised an issue as to how widely to amend other references to supervision to seek to avoid confusion with 'reflective supervision', but also to allow 'supervision' still to be used where it remains the natural, appropriate and equally valid term in other contexts, albeit for differently nuanced concepts of 'supervision'. The Committee has assumed that notwithstanding the Conference's acceptance of the Reflective Supervision report, the Conference was not requiring other spheres and activities to abandon use of the term 'supervision' where that continues to remain valid, including where relating to secular usage and regulation, or as contained in a wide range and number of other documents (including contracts) in the life of the church, which might also have to be changed if use of the concept and term 'supervision' were somehow only to be permitted in respect of 'reflective supervision'.

Therefore, the proposed Standing Order amendments set out below seek to offer an appropriate balance between the various considerations involved.

#### 1. New Standing Order

The Committee proposes a new Standing Order as follows (following on from Standing Order 743 regarding Ministerial Development Review). The Committee has also included a suggested explanatory editorial note, which, although not formally part of the Standing Order nor requiring the approval of the Conference, may help to clarify the nature of 'supervision' in this or for other contexts. (The Committee considers that it would be inappropriate to add notes to explain the particular nature of supervision in every instance in Standing Orders, because such notes would need to be copious, and because the context will usually indicate the relevant meaning; but the Editor of CPD will add such notes in particular instances where helpful to do so.)

#### ***743A Reflective Supervision.***

***Note: 'Supervision' in the context of this Standing Order means 'reflective supervision'. Where 'supervision' is used elsewhere in Standing Orders it may be used in other senses or applications of the word (for example in some disciplinary or lay employment contexts), which may include the possibility of***

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<sup>1</sup> 2021 Conference Agenda pp.614 and 616.

***'reflective supervision' but will not always do so, according to the context and purpose of the particular Standing Order.***

**(1)(a) This Standing Order applies to:**

***(i) every presbyter or deacon or presbyteral or diaconal probationer in circuit or district appointment, every District Chair, the Warden and deputy Warden of the Methodist Diaconal Order;***

***(ii) every supernumerary who has entered into a formal agreement with a Circuit to undertake pastoral responsibility in one or more Local Churches;***

***(iii) such other persons as are required by the connexional Reflective Supervision Policy to engage in reflective supervision.***

***(b) Every such person shall engage in reflective supervision, an exploratory and reflective process in which a supervisee meets with a trained supervisor to reflect on their vocation and practice, with a view to this reflection providing support for the responsible exercise of the grace of ministry.***

***(2) Reflective supervision shall be undertaken in accordance with the guidance about the process contained in the connexional Reflective Supervision Policy.***

## **2. Other Standing Order amendments**

There are a number of places where the words supervisee/supervision/supervisor occur in Standing Orders and where reflective supervision is not meant, and where a change is desirable to avoid confusion (especially since the 2021 Reflective Supervision Policy directs a move away from the assumption that the person in oversight should also supply the reflective supervision). In considering these, the Committee has also liaised with the Ministerial Coordinator for the Oversight of Ordained Ministries regarding the proposed changes concerning probationers so as to reflect present practice and guidelines. The Committee sets out the proposed amendments below.

All other references to supervision have been left unamended, on the basis that the context makes sufficiently clear the broad nature of the supervision involved in each instance. These references will continue to be monitored and further amendments brought if necessary. (For example, the 2008 Guidelines for Good Practice in Confidentiality and Pastoral Care in Part 14 of Book VII may need to be considered from the perspective of the Reflective Supervision Policy and vice versa in terms of the application of these Guidelines to those either receiving or not subject to reflective supervision (such as pastoral visitors), and as to whether any amendments to the Guidelines, or to the Reflective Supervision Policy, may be required.)

**425 The Circuits...**(2) It is the responsibility of the Chair to uphold the authority and rights under the Methodist constitution of the Superintendent, and to offer ~~supervision~~ **oversight** and support as appropriate in the fulfilment of his or her responsibilities...

**484 Probationers Committee....**(2) When a presbyteral or diaconal probationer is being discussed the following persons shall have the right to attend the committee and to speak, but not to vote, namely the Superintendent and a circuit steward from the Circuit in which the probationer is stationed and ~~his or her~~ **their supervisor** **Minister in Oversight** (if other than the Superintendent) appointed under Standing Order 723(2A).

**700 Presbyteral Ministry....**(8) Presbyteral probationers serve in a Circuit or other appointment under the ~~supervision and oversight~~ of a Superintendent or other presbyter. They do not therefore have pastoral charge in a Circuit.

**701 Diaconal Ministry....**(9) Diaconal probationers serve in a Circuit or other appointment under the ~~supervision and oversight~~ of a Superintendent or other presbyter and the Order. The preparation of probationers for full membership of the Order as a religious order is under the oversight and guidance of the Order.

**734 Ministerial and Diaconal Probationers of other Conferences and Churches....**(2) (a) Persons seeking to be so authorised must have achieved the necessary qualifications for them to be authorised to begin public ministry in their own conference or church, and must have adequately undertaken pastoral work under **appropriate supervision and oversight** in or on behalf of that conference or church...

**723 Probationers' Appointments...** (2A) Where a probationer is stationed in a Circuit the Superintendent shall ensure that the care and oversight required by clause (1) above are given. Each such probationer shall have a ~~supervisor~~**Minister in Oversight, who shall either be the Superintendent or a minister appointed by the Superintendent. The Minister in Oversight shall** ~~to~~ co-ordinate and participate in that care and oversight and in particular ~~to~~ meet regularly with the probationer in order to review the exercise of his or her **their** vocation and ministry. The **probationer shall also have a reflective supervisor who shall meet regularly with the probationer to offer reflective supervision** ~~be the Superintendent or a minister or suitably qualified lay person appointed by the Superintendent.~~

**724 Probation....**(3). Such programmes shall also ensure that, irrespective of the type of appointment in which he or she is **they are** stationed, each probationer:

...(ii) receives formal supervision of **support and guidance from** his or her ~~their work~~ **Minister in Oversight** for a number of hours specified by the Ministerial Candidates and Probationers Oversight Committee **and reflective supervision from their reflective supervisor in accordance with the connexional Reflective Supervision Policy;**

**742 Accountability and Mutual Support Supervision.** [Note: Standing Order text unchanged]

### \*\*\*RESOLUTIONS

43/11. The Conference received the Report.

43/12. The Conference amended Standing Orders as set out above.