



The Methodist Church

Confidentiality and Part 11 – guidelines for complainants and respondents

These Guidelines should be read in conjunction with the confidentiality guidelines contained in [‘With Integrity and Skill,’](#) a Report to the Conference in 2008. They can be found in full in Book VII of CPD.

1. Part 11 is based on principles of fairness and justice and the intention to explore reconciliation between parties. In cases when reconciliation between the parties proves not to be possible, complaints may be taken forward through a variety of stages set out in Part 11. If you are the complainant, you may well have discussed your issues informally with a number of people prior to making a complaint but, once the Part 11 process has been initiated, both you and the respondent, as well as anyone else involved in the process must comply with the rules in Part 11.
2. One of these rules is to observe at all times ‘the confidentiality of the proceedings’. This means that, once a complaint has been made, you must not talk about it any further except to those investigating the complaint or those who are supporting you or giving you advice (see 10 below).
3. If you have made a complaint then you must be prepared for the fact that any information provided for the purposes of the complaints proceedings will be shared with the respondent. Similarly, if a complaint has been made about you then information you provide must be shared with the complainant. Confidentiality should not be used as a reason for withholding relevant factual information and there are legitimate exceptions to the rule that information can only be shared where the individual concerned has given permission. So, neither of you can impose an individual obligation of confidence on any particular information and direct that it cannot be shared with the other party.
4. The first stages of the process will be at the local level but, if this does not resolve the matter and the complaint is referred for further consideration, the lead member of the Connexional Complaints Team (CCT) will be in charge of the process and will explain how the process works, what will happen and what the potential outcomes are.
5. The CCT will consider the information provided by the complainant, respondent and any other people who may be asked to provide information to the CCT. This may be documentary or obtained during the meeting. Such information is necessarily shared with the other members of the team, and may also be shared with others who have a role in the Part 11 process – these could include, for example, the Relevant Connexional Team Member, Connexional Complaints Officers and District Safeguarding Officer as appropriate.
6. The CCT will not divulge the contents or nature of any of its discussions and will share no more than is necessary but, depending on the nature of the complaint, it may be in the wider interests of the Church to provide basic information about the progress of the complaint to one or more of the local Church, Circuit and District. In particular, the fact that a complaint has been made may not, of itself, be a matter of confidence but, nevertheless, will be dealt with sensitively.
7. Once the CCT has concluded its meetings and decided what will happen next, others may be informed of the outcomes as a result of recommendations, proposed disciplinary action etc as necessary. They will not be given any details of the information provided to the CCT or its discussions, unless that information is already in the public domain – these remain protected by the ‘confidentiality of the proceedings’. But a CCT is allowed to direct that public notice be given of any direction, ruling or advice, if the CCT considers this to be appropriate and helpful.

8. If the Part 11 process is to be conducted fairly and impartially, it is very important that the proceedings remain confidential. If you have made a complaint and you disclose information which should have remained confidential, there is a range of actions which can be taken. For instance, you may not be given any further information unless you provide written confirmation that you will respect the confidentiality of the proceedings. In severe cases, you could be excluded from the complaints process altogether.

9. If a complaint has been made about you, and you disclose information which should have remained confidential, you may also not be given further information unless you provide written confirmation that you will respect the confidentiality of the proceedings. A further complaint may also be made against you for breach of confidence.

10. Whether you are the complainant or respondent it is important for you to know that you will not breach confidentiality if you share information with someone who is acting as a friend or representative, or with someone who is providing pastoral support. You should tell the Complaints Team who these people are and anyone acting in this capacity should also be told that they need to observe the confidentiality of the proceedings.

11. The obligation to observe the confidentiality of the proceedings does not end as soon as the Part 11 process has been concluded and you should continue to treat any information which formed part of the proceedings as confidential for a reasonable time afterwards. Even in cases where it may be in the interests of the wider Church, Circuit and/or District to know how the matter was resolved this does not mean that specific information which was revealed in any meetings or discussions will or can be divulged. It is particularly important that you and anyone else who has been involved in the process realise that you should not immediately start discussing what went on in the proceedings as soon as they are concluded.

These Guidelines on Confidentiality were produced by the Connexional Complaints Officer Professor Diane Rowland in the context of the Church's Complaints and Discipline Proceedings for Complainants & Respondents, Local Complaints Officers and Connexional Complaints Team Members and accepted by Conference 2020.