



# The **Methodist** Church

## **COMPLAINTS AND DISCIPLINE SYSTEM: A Simple Introduction**

The Methodist Church recognises that now and again incidents of inappropriate behaviour occur within its membership and has procedures in place for dealing with any complaints that arise. The complaints and discipline procedures are contained in Part 11 of the Constitutional Practice and Discipline of the Methodist Church (CPD), published annually, which should be referred to by those involved in the system. An accompanying guide, written by Clifford Bellamy, is also published.

This leaflet is only a short introduction to the system intended for those who may be thinking of complaining or who may face a complaint. It is also for those who may be asked to deal with a complaint informally. It is neither detailed nor authoritative. If you need further details speak to a minister or the help desk at Methodist Church House (tel: 020 7486 5502).

The aim of the procedures is neither to trivialise serious complaints, nor, on the other hand, to allow trivial matters to be treated as a crisis. The emphasis is on the settlement of disputes by mediation or reconciliation at all stages whilst retaining powers of discipline for serious matters. This allows for the basic pastoral and conciliatory character of the Church to be maintained while protecting those who have a legitimate grievance from not being taken seriously or being listened to.

### **Bringing a complaint.**

A complaint may be brought by anyone, whether a member of the church or not. It is a statement objecting to the words, acts or omissions of a member or officer of the Methodist Church and requesting that action should be taken as

a consequence. The complaint can be made orally or (preferably) in writing to any member or officer of the Church who must then take action upon it. For most complaints that will involve speaking to the person complained about and resolving the matter amicably in whichever way seems most appropriate. There will be some matters for which that procedure is not suitable. These will be complaints of serious or persistent misconduct, of racial, child or sexual abuse or abuse of a disabled person, of criminal offences or convictions or cautions. Your local complaints officer, usually the Superintendent of the circuit where the person complained against lives or is a member or office holder, will be able to offer more information.

Such complaints, and any complaints which cannot be resolved informally, are dealt with more formally. The local complaints officer will record the complaint in writing. The person complained against, called the respondent, will normally be seen and a statement will be taken. Either party may be accompanied at such meetings and both are offered support from those who know the system. The local complaints officer should usually defer any action whilst a police investigation or employment disciplinary inquiry is proceeding.

The local complaints officer will try to achieve resolution, with help if necessary, but if the matter is too serious or if resolution is not practicable (s)he must then decide what to do and where appropriate pass the complaint on to the next stage for investigation. Where a complaint appears to be unrelated to the respondent's standing in the Methodist Church and is essentially a private matter between the parties the complaint may not be referred any further. This decision is taken upon the nature of the complaint, not whether it is to be believed or not. The local complaints officer must inform the parties of the decision made and if the complainant is not satisfied there are rights to pursue the matter.

### **Investigating a complaint – the Connexional Complaints Panel.**

The Methodist Conference has appointed a panel of members of the Church, lay and ordained, who have among them expertise in the sort of issues which comprise many complaints.

From this panel a team of three will be selected by the relevant connexional Team member at Methodist Church House. The members of the team will study the papers received from the local complaints officer and will decide upon the best course of action. They will encourage all those they see to prepare written statements and to bring or send in advance any supporting papers. At any meeting the complainant and respondent are entitled to be represented or accompanied.

When they have gathered all necessary information the team members will consider their options, including reconciliation. Reconciliation may involve no more than an admission of fault or an acceptance by both parties that they have genuine and honest differences or that they have interpreted facts differently. Where reconciliation is not achieved the team will have to consider what action to take.

If there is evidence that the respondent has committed a serious breach of the discipline of the Church, has seriously disregarded a resolution of the Conference or the usage of the Church or has or might have seriously impaired the mission or witness of the Church by his/her acts or omissions, the team may refer the matter to a Connexional Advocate, again chosen from a panel, to prepare and conduct proceedings before a connexional discipline committee. If, however, the facts do not merit such a step, the team may take a number of other steps, including ruling on points in dispute between the parties, issuing advice to one or both parties or giving directions about how the parties should conduct their relationship in the church context.

If the complaint affects the life of the local church or circuit the team will have special regard to the effect of any action upon the Church and may direct that its decision be announced in the church or circuit.

### **The Disciplinary Hearing – The Connexional Discipline Committee.**

A Connexional Discipline Panel is appointed by the Conference and consists of lay and ordained persons with a wide knowledge of Methodism. Five persons from it will be selected to sit on the committee. The chair is always a person with relevant legal experience, and the committee will always include a past President or Vice-President of the Conference; they will all be people

with no previous involvement in the case. A convener is appointed for each case to make the necessary administrative arrangements, contact parties and witnesses and write a report of the proceedings. The respondent will also be offered a Connexional Advocate to present his/her case. The respondent may instead bring his/her own representative but is likely to have to meet the cost.

At the hearing the Connexional Advocate presenting the charge will call evidence. The respondent (through his/her representative if any) can cross-examine the witnesses and the committee members may ask questions. The respondent's case will be heard similarly and after each side has summed up his/her case, the committee will proceed to reach a decision, which will then be announced.

If the charge is established, the committee can take a wide range of steps. The most serious is to order that a minister (whether a presbyter or a deacon) or probationer shall cease to be in full connexion i.e. dismissed. Office holders may be deprived of their office and members may be deprived of their membership. The committee can instead impose a lesser penalty such as a reprimand or can decide that the fact that the charge has been established is sufficient penalty in the circumstances.

## **Appeals**

There are provisions for appeals from the decisions of complaints teams and discipline committees. Reference should be made to the detailed rules for time limits and notices.

## **Time limits.**

The period while a complaint is being considered is a difficult one for the parties, so time limits for the various stages have been specified and it is the duty of all involved to give the determination and resolution of complaints precedence where possible.