

Paper H1

URC Competency Process: When there are concerns about a minister's performance of their duties

Ministries Committee

Basic information

Contact name and email address	Mary Thomas dso-s@urcwessex.org.uk
Action required	Decision.
Draft resolution(s)	Assembly Executive adopts the URC Competency Process in place of the URC Capability Process.

Summary of content

Subject and aim(s)	This process replaces the 2020 version of the URC Capability Process.
Main points	The process begins from a place of call, discernment and a disciplined life to assist ministers who fall short of the expected standards of ministry and are not at this stage in their ministry competent rather than incapable or incapacitated. The aim is not disciplinary but to improve performance of their duties. The hearing stage shall be heard by members of the Assessment Board because of their expertise in assessing for ministry.
Previous relevant documents	2008 Capability Process and Procedure 2020 URC Capability Process RCL Amber Light Process.
Consultation has taken place with...	Synod Moderators CDAG Assistant Clerk to General Assembly.

Summary of impact

Financial	None.
External (eg ecumenical)	None.

In 2020 General Assembly agreed the URC Capability process (Paper F2). Responses from those who have had to implement this process indicated that it was akin to a disciplinary process and not helpful in the long term. In response to their request, Ministries Committee believes the new process is more pastoral in approach to assist a

minister, who falls short of the expected standards of ministry, in the better performance of their duties.

1. Introduction

1.1 Calling and discernment

A hallmark of the Reformed tradition is the covenant between ministers and those with whom they minister – a covenant based on discernment in the various Councils of the Church. The local church, through its Elders' and Church Meeting, discerns if candidates for ministry should be commended to the Synod. Synods discern if a sense of Call should be tested by the Assessment Board on behalf of General Assembly. Before ordination or commissioning a minister must receive a Call from the relevant Councils of the Church. In the Reformed tradition an inner sense of Call must always be confirmed by external discernment – in the URC the external discernment is located in our Councils.

Ministers work in a variety of roles for the Church – most in local pastorates or church in-community projects, some in special category posts, some for the wider Synod (often alongside local roles), and some in General Assembly posts. Regardless of role, the Church has reasonable expectations of satisfactory ministerial performance and maintenance of professional standards. In 2019 the URC adopted Marks of Ministry for ministers of Word and Sacraments and in 2007 it adopted Core Competencies for Church Related Community Workers which both outline the expected professional standards. Whilst these are detailed documents, it is accepted that no minister is expected to exhibit exceptional gifting in every area. The United Reformed Church has, however, discerned the framework of gifts and graces described in these documents to be that which forms the basis of discernment in both training and assessment.

Discernment, initial and ongoing, is undertaken in prayerful dependence upon the Holy Spirit. The Church trusts ministers to prayerfully and consistently be open to God's further directing whilst ministers are invited to trust that the Church will continue to participate in the ongoing discernment of the external dimensions of a calling.

1.2 Performance and discernment

The Church will undertake the ministry of discernment around performance and standards in two stages – the first under the oversight of the Synod (or by the General Assembly for ministers in Assembly roles); the second under the oversight of the General Assembly's Assessment Board. The primary aim of this process is to provide a pastoral framework to maintain, and where necessary restore, satisfactory performance and professional standards. This process applies to both ministers of Word and Sacraments and Church Related Community Workers (thereafter known as ministers).

2. Living a disciplined life

1.3 Promises

At ordination or commissioning, ministers make promises to lead a holy life. In 2010 General Assembly (Appendices 3a and 3b, General Assembly *Book of Reports 2010*, pp215-218 and updated at Mission Council *Book of Reports 2020*, pp45-54) agreed guidelines that help to give substance to those promises. These standards comprise personal integrity and health, relationships with

ministerial colleagues, elders, members and others, and relationships with the Church's Councils.

There are other aspects of the disciplined life, such as the giving of service in the quality and the time spent engaging with ministry and responding to the call to serve the Councils of the wider church.

1.4 An ongoing disciplined ministry

To be a minister means entering the disciplined life; a discipline beginning in Education for Ministry 1 (EM1) extends throughout the minister's service in Education for Ministry 2 (EM2) and Education for Ministry 3 (EM3) and beyond into retirement. The disciplined life is manifested in a number of ways, not least in attitudes of respect for self and others as well as openness to challenge and willingness to change as we respond to God's call throughout our lives.

3. Continuing support and discernment within ministry

3.1 The Basis of Union and Structure

The doctrinal and institutional framework within which all ministers agree to serve is set out in the *Basis of Union* and *Structure* of the URC.

Ministers, being Church office holders, relate to the Church through its four principal councils: General Assembly, Synod, Elders' Meeting and the Church Meeting.

The General Assembly decides stipend levels and terms of service through the Plan for Partnership. Its policies inform ministerial practice and expectations – for example the requirement to have pastoral supervision, safeguarding and safer sacred space training, and the guidance on the hours ministers should devote to their duties over a four week period.

The Synod gives support and oversight to ministers serving within its geographical boundaries and defines the role of any who serve in a Synod rather than, or alongside, a local post.

Elders' Meetings share in the ministry of oversight of local churches and community projects and are, often, the Council most closely related to ministers' duties. The Elders' Meeting is the Council that, most often, discerns the particular gifts and graces needed for a particular ministry to flourish.

At each induction or commissioning of a minister, the Church Meeting promises support and encouragement of that ministry and, in the spirit of generosity, contributes towards the mission and ministry of the whole church so the whole church may benefit.

The mutual support and accountability between the various Councils of the Church creates a culture of interdependency. All the Councils support ministers' journeys of development with the Marks of Ministry and Core Competencies providing a useful discernment tool.

3.2 Support in the early years of ministry

During EM2, ministers have a pastoral adviser and access to ongoing learning through the Church's Resource Centres for Learning as well as their Synod's

Training and Development Officer (or equivalent). EM2 Ministers are encouraged to have pastoral supervision as another resource. The role of Synod and adviser are to encourage, support and, as appropriate, to challenge the minister's words, actions, application, behaviours, and attitudes in these key early years in ministry. Ministers can access an EM2 learning grant as well as grants for further study and continuing education.

3.3 Support in EM3 ministry

Ministers in EM3 are required to have pastoral supervision and can access support through their Synod's Training and Development Officer. They can access funds for ongoing study and are encouraged to become more self aware and aware of their relationships and interactions within their area of ministry as this helps an understanding develop of their ministerial effectiveness.

4. Principles behind the operation of the policy

4.1 Not a quick fix

The Competency Process is not a quick fix remedy to address issues of underperformance; it is in place to be used as a tool for working collaboratively with local churches, minister, Synod, and Assembly, where possible, to an agreed process to achieve the best outcome for all concerned.

If managed correctly, underperformance issues may take between three and 12 months to resolve. This is not to put an unnecessary burden on the minister, or those with whom the minister works, but to demonstrate that the United Reformed Church is committed to addressing competency issues within a system that promotes consistency, impartiality, equality and fairness.

4.2 Sensitive and confidential

At all times throughout the process those charged with overseeing ministry are reminded to respond sensitively respecting the privacy and confidentiality of the minister in question.

4.3 Open to amendment

This procedure does not form part of ministerial Terms of Settlement and it may be amended at any time by General Assembly or Assembly Executive acting on behalf of General Assembly.

4.4 Fully informed

When ministers enter into this process they shall be given a copy of this policy and a full description, in writing, of the concerns that have been identified.

5. Competency

5.1 Role descriptions

The United Reformed Church recognises the various roles a Call to ministry encompasses the sacramental, prophetic, community development, and leadership roles set within the context of pastoral relationships and responsibilities.

It, therefore, accepts that when addressing issues of underperformance the Marks of Ministry and Core Competencies shall be the guides – along with any relevant Assembly policies – for understanding the expected standards.

They shall be considered as a tool to evaluate the overall performance level of the minister concerned.

It will be for the Councils overseeing the particular post, together with the minister, and with the guidance of the Synod Moderator (in local and Synod based roles), to identify and agree the particular expectations and standards it requires of its ministers. A role description should be discussed and agreed prior to induction or commissioning; and be consequent to the objectives, mission, and role description for the post. These should be included in any signed terms of settlement.

6. Performance below an expected minimum standard

Underperformance arises where it is believed, by those exercising the ministry of oversight of a particular post, that the minister is not meeting the role descriptions and/or the individual performance standards and expectations of the post.

7. Health-related underperformance

If underperformance is due to an identifiable and relatively short-term health-related matter, the Synod Moderator or Ministry Support may ask the Secretary for Ministries for an Occupational Health Assessment.

Those bodies charged with the ministry of oversight of a particular post will give consideration as to whether poor performance may be related to a disability as defined under the Equality Act 2010, and, if so, whether there are reasonable adjustments that could be made – including changing their duties or providing additional equipment or training. Consideration may also be given, by the same bodies, in making adjustments to this process in appropriate cases.

If the minister wishes to discuss this or inform the Church of any medical condition they consider relevant, they should contact their Elders Meeting, Synod Moderator or Ministry Support/steering group.

8. Special monitoring

8.1 Initiating special monitoring

- 8.1.1 A concern about a minister may be raised in a number of ways, but it would most likely be brought by the Council most closely supervising the role to the next Council (eg an Elders' meeting, to the attention of the Synod Moderator, or a Synod Committee, or Assembly Ministry Support , to the General Secretary).
- 8.1.2 In the first instance, performance issues should normally be dealt with by discussion with the minister to understand the cause of the shortcomings and to find a way to bring performance to the required standard. This process is not intended to be used as a disciplinary process.
- 8.1.3 The procedure must not be used in response to complaints that are found by those Councils exercising the ministry of oversight to be frivolous or unsubstantiated.
- 8.1.4 If the Council with the responsibility of oversight of a post have concerns with a minister's level of performance over a period of at least three months, this shall initially be dealt with by way of discussion about a possible programme

of help, support and particular steps that can be taken towards alleviating the concerns. The targets set will be realistic and timed (normally three-six months). The minister will be asked to agree the content and timing of the Special Monitoring programme. Clear record keeping during this time must be kept.

8.1.5 The agreed plan should:

- i) clarify the required standards
- ii) identify the main areas of concern
- iii) establish the likely causes of poor performance and identify any training needs; and/or
- iv) set targets for improvement on the main areas of concern which should not number more than four and a timescale for review (recommended monitoring every three weeks during period and review after three months).

8.1.6 Where appropriate, a note of any such initial discussions may be placed on the minister's file and may be used for the purposes of any future competency hearings.

8.1.7 If the minister serves a group or joint pastorate, the Synod Moderator (or their representative) shall consult with the other churches involved in the pastorate in order to ascertain whether the concerns apply only to one church or are shared by others in the pastorate. If the concerns relate to one church within the pastorate, agreement needs to be reached that in the initial meeting the views of all the churches will be represented.

8.1.8 In an LEP, where concerns are raised about a minister of another denomination, the Synod Moderator will consult with their counterpart from the other denomination about the particular performance issues and agree the process to be used to resolve said issues. Where appropriate structures of another denomination raise concerns about a minister of the URC serving in an LEP, this process shall apply with necessary modifications, and a representative of the concerned denomination shall be invited to attend meetings as necessary.

8.1.9 Where no agreement can be reached with the minister about Special Monitoring, the Council exercising the ministry of oversight may either insist upon such a programme, or determine that the failure to mutually agree such a programme raises the level of the concern such that it is appropriate to initiate the Competency Hearing.

8.2 Possible outcomes of special monitoring

8.2.1 If the Council exercising the ministry of oversight is satisfied that the minister has, by the agreed review date, made good progress during Special Monitoring, it will cease the Special Monitoring. A record of the Special Monitoring and a short report of their progress will be placed on the minister's file. A copy will be given to the minister who may register any disagreement about its content. Ministry continues on a normal basis.

8.2.2 If the Council exercising the ministry of oversight believes significant progress has been made but not yet to the required standards it may

extend the period of Special Monitoring, once, for a period of three months and then review.

- 8.2.3 If the Council exercising the ministry of oversight believes that significant progress has not been made within the agreed timetable, or if the minister does not work to the timetable and goals with an appropriate attitude, it shall refer the matter to a Competence Hearing.

8.3 **Exceptional situations**

- 8.3.1 If the Council exercising the ministry of oversight considers the competency concerns are so serious that it feels that Special Monitoring is not appropriate it may immediately refer the matter to a Competency Hearing.
- 8.3.2 A representative of the Council exercising oversight, normally the Synod Moderator, shall meet with the minister to discuss the concerns and the reasons they are considered exceptional. The representative will inform the minister that a Competency Hearing Panel will be convened. This verbal indication will be confirmed in writing and a copy of this policy will be given to the minister.

9. **Competency Hearing Panel**

9.1 **The operation of the Competency Hearing Panel**

- 9.1.1 The panel will be instigated if:
- i. the minister does not, within a reasonable timescale, make sufficient progress in Special Monitoring
 - ii. the minister does not respond appropriately to the Special Monitoring programme; or
 - iii. the concerns are so serious that the Stage 1 Panel should be convened with immediate effect.
- 9.1.2 A representative of the Council exercising oversight, normally the Synod Moderator, shall meet with the minister to discuss why matters are being referred to a Competency Hearing. This verbal indication will be confirmed in writing and a copy of this policy will be given to the minister.
- 9.1.3 The representative of the Council exercising the ministry of oversight matter shall refer the matter to the Convener of the Assessment Board who will inform the Secretary for Ministries who shall act as Secretary for the Competency Panel.

9.2 **Attendance at the Competency Hearing Panel**

- 9.2.1 Only the Assessment Board members of the Panel will make the decision (in bold).
- a) **The Convener of the Assessment Board** (or the Assessment Board member nominated by the Convener) who will convene and chair the Panel;
 - b) **Two further members of the Assessment Board**;
 - c) The minister's Synod Moderator or Ministry Support if in an Assembly Appointed role;
 - d) A representative from the minister's Synod or place of ministry if in an Assembly Appointed role;

- e) The Legal Adviser will act in an advisory capacity;
- f) The Secretary for Ministries (or a nominated representative) who will act as the note taker.

- 9.2.2 The minister may present their own response to the case or have a representative or friend do this. In any event the minister may bring a friend, colleague, or representative with them to the hearing. A representative may be a legal professional or union representative.
- 9.2.3 The Convenor of the Assessment Board (or Assessment Board member nominated by the Convenor) having received the referral shall write to the minister explaining the process.
- 9.2.4 The Secretary of Ministries shall, in liaison with the Convenor, assemble the personnel for the Panel and will ascertain the earliest date for the meeting and an appropriate venue and make the necessary practical arrangements.

9.3 The Competency Hearing Panel Process

- 9.3.1 The minister will be invited to join the Panel and the Convenor shall ensure that the Panel understands the issues involved, the seriousness of the concerns, the process to be followed and the possible outcomes.
- 9.3.2 The Convenor shall stress the need for appropriate confidentiality and encourage openness.
- 9.3.3 The Panel shall share in prayer together.
- 9.3.4 The Convenor shall ensure the good order of contributions to the Competency Hearing, and further ensure everyone has the appropriate amount of time to make their contributions.
- 9.3.5 At an appropriate stage, the Convenor will ask the Synod Moderator and the Synod representative/representative of the place of ministry if in an Assembly role, to withdraw from the Panel to give the minister the opportunity to raise any relevant issues with the Panel members who shall make the decision.
- 9.3.6 The Convenor shall, at all times, consider whether expertise from outside the Panel might be necessary.
- 9.3.7 The minister shall then withdraw and the Synod Moderator and the Synod representative/representative of the place of ministry if in an Assembly role will rejoin the Panel to have an opportunity for further discussion, without the minister present.
- 9.3.8 The Synod Moderator, and Synod representative/ministry place representative shall leave the Panel and the decision-making members of the Panel will come to a decision on the outcome, and agree the wording of the letter to the minister, Moderator/representative of place of ministry.

9.3.9 The decision will be given in writing by email and by post within ten working days of the hearing.

9.4 Possible outcomes

Throughout 9.4, “the Panel” refers to the Assessment Board members of the Panel.

9.4.1 Not Proved. The Panel may find concerns not proved and the matter is closed.

9.4.2 Further Review. The Panel may discern a continuing call to ministry and decide the referral was too early, discerning that some improvement has happened and, reserving the matter to itself, gives a further period for review and improvement. No more than two further hearings should convene within the review period unless the Panel resolve to extend the review period as noted in 9.4.2.4 below. An improvement plan should be drawn up setting out:

- a) the areas in which the minister has not met the required performance standards;
- b) targets for improvement and a timescale for such improvement of not more than five months;
- c) any measures, such as additional training, mentoring, or supervision, which will be taken with a view to improving performance;
- d) a period for review which shall be not more than 6 months from the date of the decision;
- e) the consequences of failing to improve within the review period, or of further unsatisfactory performance (outlined in 9.4.3 below)

9.4.2.1 The warning and improvement plan will normally remain active for twelve months from the end of the review period. After the active period the warning will remain permanently on the minister’s file.

9.4.2.2 The Competency Panel will receive regular reviews of the minister’s performance during the review period from the Synod/Ministry Support/Steering Group and will write to update the minister and the Council charged with oversight of the post with any comments.

9.4.2.3 No further action will be taken if the Panel is satisfied with the minister’s improving performance.

9.4.2.4 The review period may be extended once for a period not exceeding three months if the Panel feels that there has been a substantial, but insufficient, improvement.

9.4.3 Curtailment and Move to Inactive Status

The Panel may resolve to curtail the pastoral tie or appointment and place the minister into Active Status 7 (whereby they are authorised to perform the functions of ministry on a limited basis as specified in an agreement between the General Assembly and the minister and with the approval of the Accreditations sub-committee.) In the case of a stipendiary minister the

Pastoral Reference and Welfare Committee may be involved to ease the transition out of paid ministerial work.

The United Reformed Church believes in the reality of change and notes that a period of limited ministry may give time for reflection, learning, and growth which may help a minister's performance to improve. The limited ministry noted above might provide evidence of improvement. Following such an improvement, applications to the Accreditations sub-committee to transfer to another form of active ministry will be considered on their merits.

10. Pastoral care

The Synod Moderator will ensure that independent pastoral care is in place for the minister.

11. Appeals

11.1. Grounds of appeal

If the minister or the Council offering oversight of the ministry wishes to appeal the decision of the Competency Hearing Panel they should write to the Clerk of General Assembly, within 28 days, setting out their grounds of appeal. Permitted grounds of appeal are:

- a) an abuse of process leading to an impaired decision
- b) New information coming to light that could not reasonably have been considered at the Competency Hearing
- c) An acceptance of the findings of fact but an appeal against the outcome.

11.2. The composition of the Appeal Commission

The Clerk of Assembly will invite the Officers of General Assembly to ask two members of the Disciplinary Appeal Commission to hear the case along with a member of the Assessment Board who has not previously been involved in the matter.

11.3. The Appeal Hearing

The Appeal Hearing shall follow the General Assembly Appeals process.

11.4. Appeal outcomes

The Appeal Commission may, giving reasons:

- a) dismiss the appeal from the Minister and uphold the original decision
- b) dismiss the appeal from the Council with oversight and uphold the original decision
- c) uphold an appeal from the Minister
- d) uphold an appeal from the Council with oversight and curtail the pastoral call or appointment and move the minister to Active Status 7 or inactive status
- e) in the case of an appeal from the Minister, allow one further three month period for improvement and reconvene no more than four months later and receive reports from the Council with oversight of the post and the minister, deciding then either to curtail the pastoral call or appointment and move the minister to Inactive Status VII or decide that sufficient improvement has been made and take no further action.