

To the Presbytery Regarding a Section 363 Review

You have been informed of concerns about a ministry personnel. You think that the appropriate response is to order a review under Section 363 of *The Manual*. Here are some answers to questions frequently asked by presbyteries about 363 reviews.

How does the presbytery decide to order a review?

The presbytery—through the usual voting process—adopts a motion to order a review. A sample motion is included in this resource. Usually, it will be the Presbytery Executive that orders a review, but it may be the full court. There are three specific grounds for a review under Section 363(c):

- the effectiveness of ministry personnel
- the failure of ministry personnel to maintain the peace and welfare of the church
- a ministry personnel who refuses to recognize the authority of the presbytery

Your motion must indicate one, any two, or all three of these grounds. For each ground that you indicate, you should use the specific words from Section 363. If you change the wording, it may create legal grounds that will jeopardize the whole review process. For example, do not state that this is a review of the pastoral relationship, because there is no basis under *The Manual* for that kind of review. Instead, there is provision for a review of concerns relating to the ministry personnel—and only the specific concerns listed above, as set out in Section 363.

The ministry personnel is not in a pastoral relationship but in an outreach ministry that is under the oversight of this presbytery. Are we still entitled to conduct a review if we have concerns about the effectiveness of the ministry personnel?

Yes. All ministry personnel on the roll of the presbytery are subject to the oversight of that presbytery. Where one or more of the concerns listed in Section 363(c) of *The Manual* are present, the presbytery is entitled to conduct a review of any ministry personnel on the roll including ministry personnel who are retired, who are serving in other appointments, or who are retained on the roll. There are precedents for conducting reviews in any of these other situations, but the process requires some modification to meet the circumstances. Contact the executive secretary or personnel minister in your Conference for assistance.

Who conducts the review?

There are two general approaches to conducting a review. There are advantages and disadvantages to each approach, and it is up to the presbytery (usually executive) to decide which approach is most desirable in the particular circumstances.

The first approach is for the presbytery to appoint a review committee (three to five members) to conduct the review on a voluntary basis for the presbytery. Some advantages of a review committee are the following:

- The members of a review committee are usually drawn from within the presbytery, so that they have an understanding of the local United Church cultural context.
- It may be valuable to have the perspectives of three or more individuals—instead of one—in conducting the review.
- There is a large pool of potential committee members to draw upon, since all United Church members would be eligible to serve, subject to conflict of interest concerns, suitability, skill, etc. (See “*Who may serve on the review committee?*” below.)
- The initial cost to the presbytery is low, since committee members serve on a volunteer basis.

Some disadvantages are the following:

- Conducting a review is a very time-consuming task, and people may be reluctant to serve. Committee members with other pastoral relations or job responsibilities may find it a challenge to keep up with their responsibilities while the review is being conducted.
- The presbytery may have difficulty finding people who have adequate skill or experience to do this work well, to the standards required by law.
- The time for completion of the review may be prolonged, since the schedules of all the committee members need to be accommodated for every step of the process. The situation in the pastoral charge may deteriorate because it cannot be addressed quickly.

The second approach is for the presbytery to appoint one person to serve the function of the review committee. Conference executive secretaries or personnel ministers have a list of people who have received training and are available for this work. These people all have extensive experience in the administrative work of the church and are generally available on short notice to conduct a review. The person would receive a fee for providing the service (\$3,000 per review is recommended.)

Some advantages of one person conducting the review are the following:

- The entire review process—from the presbytery ordering a review to the presbytery taking action on the recommendations—could be much shorter than in the traditional process (probably four to eight weeks as opposed to several months).
- It avoids a prolonged time of uncertainty for the pastoral charge and the ministry personnel serving it. Where the health of the pastoral charge is seriously at risk, a faster process could make the difference between viability and the pastoral charge ceasing to exist.
- The review would be conducted by a skilled and experienced individual. The process is less likely to result in costly appeals or civil court action, which may actually reduce the financial cost to the presbytery of conducting a review.
- The process would be free of any bias, whether real or perceived, that local people conducting the review might bring to it. In some situations, there may be so much strong opinion within the local or regional church community that the presbytery would be wise to appoint an outside person to conduct the review.

The main disadvantage of one person conducting the review is the lack of knowledge of the local cultural context. There is also the up-front financial cost to the presbytery of the reviewer's fee, although that cost needs to be weighed against the potential cost of appeals or other legal action. In situations that are highly contentious, or where it is critical to complete the process quickly, the one-person option would be preferable.

Another option is for the presbytery to appoint a committee of two people. Both people could be individuals who have been trained to do this work from the list available from your Conference, and they would split the recommended fee. Alternatively, one person could be an individual from the Conference list, and the other could be a local volunteer. This would offer some advantages of both types of review process: a skilled and trained person to conduct the review, plus the advantage of having someone who is familiar with the local church cultural context.

In cases where one person is appointed to conduct the review, the presbytery should also arrange for one person (perhaps the presbytery secretary or another member of the presbytery) to serve as a "local arrangements co-ordinator" for the reviewer. That would include booking a location for interviews, making appointments for interviews, making accommodation arrangements for the reviewer, and assisting with practical details on the days of the interviews (greeting people to be interviewed, showing them where to wait, etc.)

Throughout this resource, the term “review committee” is used, but virtually all aspects of the process for conducting a review would be the same, regardless of whether it is conducted by a review committee or an individual.

How does the review committee get appointed?

The presbytery must adopt a motion appointing the members of the review committee. It may be adopted at the same time as the motion ordering the review, or it may be adopted at a subsequent meeting. Often, when the motion to order a review is adopted, the presbytery will designate one of its officers to recruit suitable members for the review committee. The recruitment process may take a few days or a week, which is why it may be necessary to adopt a motion at a subsequent meeting. It is important to list the review committee members by name in a motion. The review committee members will have the legal protection of insurance and indemnity if they have been duly appointed by a court of the church to serve in a volunteer capacity.

Who may serve on the review committee?

For accountability purposes, members of the review committee should be United Church members in good standing. The review committee is customarily drawn from the presbytery membership, but that is not essential. Members of the Presbytery Executive should not serve on a review committee. Remember, the review committee investigates the situation and makes recommendations, while the presbytery (usually executive) will make decisions in response to those recommendations. The same person may not participate in both functions. Where the ministry personnel in question has been quite active in the presbytery, many other presbyters may feel that they are in a conflict of interest, or simply uncomfortable in serving on the review committee. Selecting people from other presbyteries or even other Conferences would be a good idea in that situation, since that will contribute to the perception of the process as fair and unbiased—particularly for the ministry personnel.

We understand that people may not serve on a review committee if they are in a conflict of interest. How do we help prospective review committee members decide whether or not they are in a conflict of interest?

There are two aspects to conflict of interest. First, members of a review committee must not be in an actual conflict of interest. Second, they must not *appear* to be in a conflict of interest to those outside of the process. It is critical to avoid both actual and perceived conflict of interest. For that reason, there is no need to spend a great deal of time trying to figure out whether a conflict exists or not. If there is any doubt at all, it is better to err on the side of caution and seek others to serve on the committee. Asking questions will help prospective committee member discern whether or not a conflict exists. For example, are you a friend, relative, or close neighbour of the ministry personnel or his or her partner? Are you a close friend or relative of any member, adherent, or employee in

the pastoral charge served by that ministry personnel? Have you worked closely with the ministry personnel in the past five years—for example, serving on a task group or committee together? If you are ministry personnel, have you (or your partner or close family member who is ministry personnel) served under appointment or call to this pastoral charge within the past five years?

What skills do we look for when selecting a review committee?

First, you need to find people who have the time that it takes to do this work well. While it is a time-limited task, it will be time-consuming and intense for the duration—usually three to six months. Prospective members should be asked whether they have a few hours a week for the next several months that they could devote to the task. In addition, they will need to be free for large chunks of time (perhaps seven long days) to conduct interviews, to deliberate as a review committee, and to write and edit the report. They will also need to have some flexibility in their schedules to accommodate the meeting schedules of others. While at the outset of a review, it is almost impossible to predict exactly how much time the process will take, this will help prospective members be realistic about how much time they are being asked to commit.

If the presbytery decides to appoint one person from the Conference list to conduct the review, you may assume that the person has adequate skills for the task.

Apart from time, what specific personal skills are we looking for?

You are seeking people who have the ability to

- be good listeners
- be critical and discerning about what they hear, in order to come to conclusions about what the truth is
- make hard decisions in the best interests of the ministry personnel and the pastoral charge served by that ministry personnel; these decisions may be unpopular or even hurtful to some people
- communicate clearly and effectively in writing (at least one member of the review committee should have good writing skills)
- not be intimidated by the task and/or strong-willed people and/or their legal counsel

Again, if the presbytery decides to appoint one person from the Conference list to conduct the review, you may assume that the person has adequate skills for the task.

Do we give the review committee a time limit for reporting back to us?

For legal reasons, you should not impose an absolute deadline on the review committee. They need to be free to take as much time as they need to complete the task properly. By setting an absolute deadline, the presbytery may seem to be controlling the process and its outcome in a way that is unfair. The presbytery may impress upon the review committee the need to complete the review as quickly as possible, in the interests of the welfare of the ministry personnel and the pastoral charge. You may include a deadline in the motion appointing the review committee, but only if the motion also states that the review committee is entitled to obtain reasonable extensions of that deadline upon request to the presbytery.

What about the pastoral needs of the ministry personnel?

A 363 review is a stressful experience for the ministry personnel. One possible outcome of the review process is the loss of the ministry personnel's job, since a review committee has the power to recommend the dissolution of the pastoral relationship. While a decision to order a review rarely comes as a total surprise to the ministry personnel, the level of uncertainty about the outcome can cause considerable strain while the ministry personnel continues to carry out pastoral responsibilities. The welfare of the ministry personnel and the pastoral charge is the presbytery's paramount concern during the review process. The presbytery should make arrangements for pastoral care to be provided to the ministry personnel at the earliest opportunity. The arrangement needs to be more intentional than simply leaving it to fellow presbyters to care for the ministry personnel. A person or team should be designated specifically to provide pastoral care to the ministry personnel. In a multi-staff pastoral charge, care should be offered to the other ministry personnel as well, even if they are not under review. There may be some stress for them in the process as well.

....and the pastoral needs of the pastoral charge?

It may also cause upset or uncertainty in the pastoral charge to hear that the presbytery has ordered a review of the ministry personnel. It is not reasonable to expect the ministry personnel serving the pastoral charge to address those pastoral needs, because the ministry personnel will be under stress as the key participant in the review process. The presbytery should make arrangements for specific pastoral support to be put in place for the pastoral charge as well as for the ministry personnel. If the presbytery appoints a team, one or two people could attend to the needs of the ministry personnel and one or two could care for the pastoral charge. There does not need to be a specific motion for pastoral care, but it is still an essential piece of work for the presbytery to attend to.

How do we tell the ministry personnel?

Once the presbytery has ordered a review and named the review committee, it should make arrangements to inform the ministry personnel at the earliest opportunity. A presbytery officer should telephone or visit the ministry personnel to let him or her know. Since notice in writing is also advisable, the presbytery should write a letter advising of the review. If the presbytery officer is visiting the ministry personnel, the presbytery officer could leave the letter with the ministry personnel; otherwise, the presbytery officer could indicate that the letter will be sent or delivered to the ministry personnel in the next few days.

What do we tell the ministry personnel?

The ministry personnel should be told that

- the presbytery has ordered a review
- the situation has raised a question for the presbytery about one, any two, or all three of the grounds under Section 363(c) of *The Manual*—whatever the specific grounds are for the review in this case
- *X, Y, and Z (use names)* have been appointed to serve as the committee conducting the review
- the review committee will be in contact shortly with the ministry personnel to provide specific information about its process
- the presbytery is concerned about the ministry personnel's pastoral needs during the review process and has appointed *A* and *B* to provide pastoral care to the ministry personnel during this time. If *A* and *B* have not yet been named when the presbytery tells the ministry personnel that the review has been ordered, the ministry personnel should be assured that pastoral care providers will be named within a day or two, and the ministry personnel can expect to hear from them shortly.

There is a section in this resource entitled "To the Ministry Personnel under a Section 363 Review." Before the presbytery officer contacts the ministry personnel to inform him or her of the review, it is suggested that the officer read this resource. It provides the answers to many questions that the ministry personnel may ask when initially informed that the review has been ordered. It would also be wise to enclose a copy of that section and "Guidelines for Reviews" with the letter from the presbytery notifying the ministry personnel that the review has been ordered. A sample letter to the ministry personnel is included in this resource.

This is a multi-staff pastoral charge, although only one of the ministry personnel is under review. Do we tell the other ministry personnel about the review?

Yes, after you have informed the ministry personnel who is under review, you would contact the other ministry personnel in the pastoral charge next. A presbytery officer would telephone or visit the other ministry personnel and give them basically the same information as was given to the ministry personnel:

- the presbytery has ordered a review
- the situation has raised a question for the presbytery about one, any two, or all three of the grounds under Section 363(c) of *The Manual*—whatever the specific grounds are for the review in this case
- X, Y, and Z (*use names*) have been appointed to serve as the committee conducting the review
- the review committee will be in contact shortly with the ministry personnel and pastoral charge to provide specific information about its process
- the presbytery has particular concern about the welfare of the ministry personnel under review, the other ministry personnel, and the pastoral charge during the review process, and the presbytery has appointed A and B to provide pastoral care to each of them during this time

How do we tell the pastoral charge?

After the ministry personnel has been informed, the presbytery needs to make arrangements to inform the pastoral charge. When the presbytery officer informs the ministry personnel about the review, the officer could consult with the ministry personnel as to the best way to inform the pastoral charge. In a multi-staff pastoral charge, it is a good idea to consult with the other ministry personnel as well about how the pastoral charge should be told. Ultimately, though, it is the presbytery's decision how to inform the pastoral charge. A presbytery officer should telephone the chair of the Official Board/Church Board/Church Council and discuss arrangements for informing the pastoral charge. That might include one or two presbytery officers making an announcement at announcement time in the next Sunday worship service. It might also include inserting an announcement in the order of service for the next couple of Sundays. A sample announcement is included in this resource. It would be helpful for the presbyters who have been asked to provide pastoral care to the pastoral charge to accompany the presbytery officers so that they may be introduced to the pastoral charge.

What do we tell the pastoral charge?

The pastoral charge should be told that

- the presbytery has ordered a review
- the situation has raised a question for the presbytery about one, any two, or all three of the grounds under Section 363(c) of *The Manual*—whatever the specific grounds are for the review in this case
- X, Y, and Z (*use names*) have been appointed to serve as the committee conducting the review
- the review committee will be in contact shortly with the pastoral charge to provide specific information about its process
- the presbytery has particular concern about the well-being of the pastoral charge during the review process and has appointed A and B to provide pastoral care during this time

As mentioned above, it is wise for the pastoral care providers to be present when the announcement of the review is made to the pastoral charge. These pastoral care providers may wish to make some comments as well at that time about their availability, how people may contact them, etc.

The review has just been ordered last week and today, the chair of the Pastoral Relations Committee received a request for a change in pastoral relations from the ministry personnel. Does the review continue?

Yes. The ministry personnel is not under review because of being in a pastoral relationship. The ministry personnel is under review because of being subject to the oversight of the presbytery, and the presbytery having some concerns about how this person is functioning as ministry personnel. Those concerns could exist regardless of whether the ministry personnel is in this—or any other—pastoral relationship. The presbytery could choose to take action on the request for a change in pastoral relations now, or the presbytery could postpone dealing with it until after the review is completed. Either way, the review process would continue. It is not stopped or affected in any way by the request for a change in pastoral relations.

The review is well underway and the pastoral charge's Ministry and Personnel Committee has just received a note from the ministry personnel's doctor indicating that the ministry personnel is too unwell to continue working at present. What do we do?

A ministry personnel who is too ill to work is likely too ill to participate fully in the review process. Under human rights legislation, the ministry personnel has the right to have the presbytery make reasonable accommodation for the medical disability. Also, a ministry personnel who is unwell is not likely able to respond to concerns about him or her, and thus the right to natural justice cannot be honoured. The review process does not have to come to a complete halt. The review committee may continue to gather information from all sources except for the ministry personnel, and it is

advisable to do so while events are “fresh” in the minds of members of the congregation and others who are providing input. The review committee may continue with the review process up to the point of hearing a response from the ministry personnel. At that point, the review process may need to be put “on hold” until the ministry personnel is medically certified as ready to return to work. These situations are often not clear-cut. The medical disability may be partial, and the ministry personnel may be permitted to return to work on a part-time basis. The presbytery will likely need to consult with the Conference executive secretary, personnel minister, and General Council legal staff to ensure that the legal rights of the ministry personnel are honoured.

The presbytery secretary has just received the committee’s report. Does anyone else receive a copy?

The presbytery secretary should check that the ministry personnel has also received a copy of the review committee’s report. The pastoral charge should also be given a copy through its Official Board/Church Board/Church Council c/o chair or secretary. These tasks are usually completed by the review committee, but it is wise to ensure that it has done them. If not, the presbytery secretary should send or deliver a copy of the report to the ministry personnel and pastoral charge. The presbytery secretary should also read the recommendations contained in the report to see if they specifically affect anyone else. For example, if there is a recommendation that disciplinary action be taken against a named lay member of the pastoral charge, that person should receive a copy of the report as well.

The chair of the Official Board has asked us whether the report may be distributed within the pastoral charge. Isn’t it a confidential document?

When the report is given to the pastoral charge’s governing body, it should be advised of the need to exercise discretion with the report. It is preferable to limit distribution of the report to the governing body—the Official Board/Church Board/Church Council—and for members of the governing body not to talk about the content of the report with others in the congregation or outside.

The report and recommendations will likely contain sensitive information about the functioning of the ministry personnel in the pastoral charge. The presbytery needs that information in order to make a decision on the recommendations. Under our polity, it is the pastoral charge’s governing body that has the responsibility of representing the pastoral charge’s interests to the presbytery. Because the recommendations will have some impact on the pastoral charge, the governing body of the pastoral charge also needs the information contained in the report in order to be able to speak to the recommendations that affect the pastoral charge. Other individuals may be interested in what the report contains, but they do not need to know, particularly at this stage of the process.

How do we deal with the report?

The next step is to schedule a meeting of the presbytery to deal with the report. Generally, the presbytery will deal with the report through its executive. The report may contain some personal and sensitive material and it is easier for the executive to deal with the matter in a discrete and expeditious way. Containing this sensitive information is more possible if the report is distributed to the executive only. It becomes more of a challenge when the report is distributed in advance to a large group of people. The full presbytery, however, has the right to deal with the report if it chooses.

If there is already an executive meeting scheduled within the next few weeks, and the agenda is not too full, the report may be added to the agenda. Since it will take some time to deal with the report at the Presbytery Executive meeting, it would be preferable to schedule a special meeting. When the agenda for the meeting is being set, the secretary and chair, in consultation with the Conference executive secretary or personnel minister, should settle on a process for dealing with the report. For example, they may decide to allow the review committee 10 minutes to introduce their report, 20 minutes for members of the executive to ask questions of the review committee, 30 minutes for the ministry personnel to respond to the report, 10 minutes for the pastoral charge representatives to respond to that recommendation, followed by additional time for the executive to debate the recommendations and take any action it chooses. The specifics of the agenda are subject to the will of the entire executive and may be modified at the outset of the meeting, but it is helpful to have a proposed agenda.

When is the report distributed to the executive (or the full presbytery)?

If the executive will be dealing with the report, all members of the executive should be given a copy of the report in advance so that they will have read it before the meeting. At that time, members of the executive should be advised to keep the report confidential prior to the meeting. When the meeting is held, the executive will need to make a decision about the distribution of the report. If the full court will be dealing with the report, copies should be made for all members. The copies should be numbered and distributed at the meeting. Since the report is likely lengthy, there will need to be some time on the agenda allowed for reading the report—perhaps half an hour or longer.

Who gets notice of the meeting?

The following parties receive notice:

- the ministry personnel
- the pastoral charge via its Official Board/Church Board/Church Council c/o chair or secretary
- anyone specifically affected by the recommendations in the report (for example, if there is a recommendation that disciplinary action be taken against a named lay member of the pastoral charge, that person would be entitled to notice)
- the review committee

How should notice be given, and what should it say?

All notices should be in writing and should be given by assured delivery (registered mail), fax, or personal delivery at least a week before the meeting takes place—preferably two weeks. A sample notice letter is included in this resource. The notice should

- name the date, time, and location of the meeting
- indicate that the presbytery will deal with the recommendations at the meeting
- invite them to attend the meeting to speak to the recommendations
- indicate to the pastoral charge that it may send representatives, not the entire Official Board (or entire membership of the pastoral charge!)
- specify the amount of time that is anticipated for the pastoral charge and anyone else affected by the recommendations to speak to the recommendations, for example, X minutes for the ministry personnel, Y minutes for the pastoral charge representatives

Please note that if this will be a regularly scheduled meeting of the executive, and the ministry personnel is already receiving notice as a member of the executive, that notice will not be adequate. The ministry personnel is entitled to a special individual notice, as the individual under review.

What if the ministry personnel is not available on the date that we have chosen?

The Presbytery Executive must make some effort to accommodate the schedule of the ministry personnel. Keep in mind that the ministry personnel has the most at stake in terms of possible outcomes under Section 363. For that reason, the ministry personnel must be treated with generous fairness. That would include rescheduling the meeting if the ministry personnel has an unavoidable prior commitment, for example, where the ministry personnel's spouse is scheduled for surgery the day of the meeting. It would also include some effort to accommodate the schedule of the ministry personnel's lawyer (if there is one). The presbytery should not, however, allow the ministry personnel to assume control over the scheduling of the meeting. Except for situations involving serious illness or other emergency, one postponement is adequate for fairness.

What happens in the meeting where the recommendations are under consideration?

If this is a meeting of the Presbytery Executive, all members of the executive will have received and read a copy of the report. If this is a meeting of the full court, numbered copies of the report should be distributed to members at the meeting, and time should be allowed for them to read the report. (Since the usual practice is for the Presbytery Executive to deal with report, the comments below are based on the assumption that it is a meeting of the Presbytery Executive.)

The Presbytery Executive should pass a motion receiving the report for consideration. If there are representatives of the pastoral charge present, or if the ministry personnel has a lawyer or advocate present, the executive should adopt a motion making those individuals corresponding members for the purposes of this item of business. The review committee will be given an opportunity to speak

to their report. They may wish to draw attention to a particular piece of the report, or to offer any comments about the report. While it is best if all members of the review committee are present for this meeting, it is not essential. The Presbytery Executive may wish to ask questions of the review committee to clarify any of the conclusions and recommendations contained in the report. The ministry personnel will have an opportunity to speak to the report. The pastoral charge will have an opportunity to speak to the recommendations that affect them. Anyone else specifically affected by a recommendation will also have an opportunity to speak to that recommendation. The presbytery chair will then ask the review committee, the ministry personnel under review, the ministry personnel's legal counsel (if present), the ministry personnel's support person (if present), the pastoral charge representatives, and anyone else present other than members of the Presbytery Executive to leave the meeting so that the executive may consider what action it will take in response to the recommendations.

Just before people are asked to leave the meeting, the presbytery chair should check with all parties—especially the ministry personnel—how they wish to receive notice of the decision. The normal process for giving notice is addressed below. For example, notice would normally be given to the pastoral charge through the chair or secretary of the Official Board, but if these officers are leaving immediately on vacation, the Presbytery Executive will need to know whom to notify in their absence. Also, the Presbytery Executive would usually notify one member of the review committee who would be responsible for passing on the information to the other members of the committee.

The ministry personnel has shown up with a lawyer. Do we have to allow the lawyer to speak instead of the ministry personnel?

Under Canadian law, people cannot be deprived of the right to legal counsel. The lawyer would be made a corresponding member of the executive by motion, in order to have the right to speak at the meeting. The recommendations made by a 363 Review Committee may affect the rights of ministry personnel in a significant way, and the right to counsel must be honoured. The chair should remind the ministry personnel and the lawyer of the time that has been allotted to the ministry personnel for response. The ministry personnel and the lawyer may choose to split that time between the two of them, or either of them may do all the talking during the time allotted for response. That's up to them. If they indicate that they need more time, the executive should be flexible—within reason. For example, it would be reasonable for the executive to allow an extension from 30 to 40 minutes if requested—but not an hour or two more.

What if the ministry personnel under review is a member of the executive?

The same process would be followed as outlined above. The ministry personnel must withdraw from the meeting before the executive starts its deliberations. The ministry personnel is in a conflict of interest in any recommendations that relate to him or her, and should not be permitted to stay to participate in the remaining part of the meeting. The same would be true if the partner, a close

relative, or a close friend of the ministry personnel is a member of the executive. This person would be in a conflict of interest and must leave the meeting before the executive starts to debate the recommendations. If the ministry personnel (or partner or close relative) is the chair or secretary of the presbytery, the remaining members of the executive will need to appoint an acting chair or acting secretary for the purposes of this meeting.

Are there any other special considerations to bear in mind for this meeting?

Depending on the nature of the recommendations, the meeting can become an emotional one. The presbytery chair may wish to consult with the Conference executive secretary or personnel minister in advance of the meeting to get fully briefed and prepared for all contingencies. For example, the chair should keep in mind that only the executive may ask questions of the review committee. The ministry personnel has an opportunity to speak to the executive, but is not permitted to ask questions of the review committee, nor to question the executive about the action that the executive might be taking.

If the meeting becomes too heated, the chair should feel free to call for a brief recess at any point.

How do we document our action on the recommendations?

The presbytery needs to take action on the report by motion. There may be a separate motion for each recommendation or they may be dealt with in one motion. The executive should also consider how the written report is to be handled. The usual practice is for the executive to order all copies destroyed except for the copy appended to the minutes and any copies needed for those involved in the implementation of the decision. As a final motion, the executive would dismiss the review committee with thanks. A sample motion is included in this resource.

Who gets notice of our decision? How?

It is the presbytery's responsibility to give notice to the ministry personnel, pastoral charge, and review committee of the action taken on the recommendations. After the meeting, the executive chair or secretary could call the ministry personnel first and inform him or her of the decisions made. Then, the chair of the pastoral charge's Official Board and a designated member of the review committee should be called with a report of the decisions made. There should also be official notice in writing sent to the ministry personnel and to the pastoral charge through the Official Board c/o the chair or secretary. If a decision has been made on a recommendation that specifically affects any other person, that person should receive the same notice by telephone and in writing. Anyone designated in the motions to assist with their implementation should also receive notice of the decision, both by telephone and in writing. For example, that might be the presbytery Pastoral Oversight Committee or the Conference personnel minister. The presbyter(s) who have been asked to provide pastoral care to the pastoral charge should also be informed of the decision; notice by telephone would be adequate.

The presbytery should also consider calling a meeting of the pastoral charge for the purpose of

- informing all members of the presbytery decisions
- answering any questions about the implementation of the decisions
- assuring the pastoral charge that it will receive ongoing care and support from presbytery

What happens to the review committee's report after our meeting?

One copy of the review committee's report is included with the official minutes of the presbytery. Normally, the report would not be included with the minutes that are sent to all presbyters. Since the report forms part of the presbytery minutes, however, any presbyter wishing to see a copy is entitled to ask for one. Members of the executive should turn in their copies to the presbytery secretary to be destroyed. The motions made in response to the report and its recommendations are included in the minutes and would be circulated to the presbytery as per the usual practice.

The Official Board/Church Board/Church Council has also been given a copy of the report. The presbytery could remind the Official Board/Church Board/Church Council of the sensitive nature of the report, and recommend that they deal with the report in a similar manner, i.e., members turn in their copies to the secretary of the Official Board/Church Board/Church Council to be destroyed.

The ministry personnel has given us a written response to the review committee's report. Do we append that to the minutes?

The presbytery (executive) should receive the response of the ministry personnel by motion. Once received and reviewed by members of the presbytery (executive), it would be treated in the same way as the review committee's report. That means one copy of the response is included with the official minutes of the presbytery, but not normally included with the minutes that are sent to all presbyters. Any presbyter wishing to see a copy of the response is entitled to ask for one, since it forms part of the presbytery minutes. If copies of the response have been made to allow members of the executive to review it, members should turn in their copies to the presbytery secretary to be destroyed.