The Uniting Church in Australia
QUEENSLAND SYNOD

Tool

FACT SHEET 4
If you are the Respondent and a Ministry Agent

(Regulations 5.3 – 5.6)

Who handles the complaint against me?

- At first instance, all complaints about a Ministry Agent are to be made to the Queensland Synod's Complaints Officer.
- **Non-sexual misconduct:** In the vast majority of cases, the Complaints Officer will refer the complaint to the Appointing Body (usually Presbytery), possibly the **Committee for Counselling** (CFC) or **Committee for Discipline** (CFD).
- **Sexual misconduct:** the Complaints Officer will refer the complaint to the **Synod Sexual Misconduct Complaints Committee** (SSMCC) under Reg. 5.6.

What can I expect?

- Written notice of the complaint and that it will be dealt with in a fair and transparent manner.
- Opportunity to respond.
- You may be offered pastoral, spiritual or financial support if within the resources of the Appointing Body.
- Clear communication about process steps.
- Fair consideration of evidence and context.

What are the possible outcomes?

Depending on the body:

- Pastoral guidance or counselling for the Ministry Agent.
- Restoration of the relationship.
- The Respondent may be encouraged to observe any applicable provision of the Code of Ethics and Ministry Practice, where applicable and relevant.
- Formal discipline (e.g., suspension, removal from placement, removal of recognition)
- Referral to another body (CFD, CFC, SSMCC)

What are my rights to appeal?

- You may request referral to CFD or CFC.

- You may only appeal decisions of the Presbytery's Pastoral Relations Committee that the complaint warrants no further action, but **only on procedural fairness grounds**.
- Your appeal must be lodged with the Moderator within 14 days of receiving notice of the decision.
- **What if I have concerns with the process**?
    - If you have concerns with the process as it is taking place, you should raise those concerns with the person handling the matter
    - If your concern relates to the person handling the matter having a conflict of interest or being biased or some other concern → fill out the Form (located on the Hub) – *"Concerns about a Conflict of Interest / Bias / Other"* and send that Form to the person mentioned in that Form.
      (Note: if your matter is being dealt with by the CFC or CFD, you must raise your concern with that Committee. Such a concern will not be dealt with via this process.)

Related documents

Assembly's Member or Adherent – Sexual Abuse and Sexual Misconduct Complaints Policy
Code of Conduct for Lay Leaders
Code of Ethics and Ministry Practice
Form – Tool – Concerns about a Conflict of Interest / Bias / Other

Definitions

Term	Meaning
Adherent	means a person not being a member but recognised as sharing in the life of the Congregation and within the pastoral responsibility of the Church.
Appointing body	is a reference to the Church entity that has appointed a person to hold a particular Office, such as: (a) an Elder who is appointed by the Congregation; (b) a member of Presbytery who holds the office of Chairperson, Secretary or Treasurer as appointed by the Presbytery (Regulation 3.6.2); (c) the Moderator who is elected by Synod (Regulation 3.6.3.1); (d) the Secretary of the Synod who is appointed by Synod (Regulation 3.6.3.3); (e) the President of the Assembly (Regulation 3.6.4.1); (f) the General Secretary of the Assembly (Regulation 3.6.4.4); and

Term	Meaning
	(g) any person appointed to any other body as referred to in Part 3.7 of the Regulations; but does not include a member of a Church Council.
Appointment	when used in reference to a person being appointed to an office, includes electing a person to an office.
Bias	is determined by considering whether a fair-minded person who is informed of the relevant facts might reasonably apprehend that the decision-maker might not bring an impartial and unprejudiced mind to the resolution of the matter.
CFC	means the Committee for Counselling
CFD	means the Committee for Discipline
CFD Complaint	means a complaint against a Minister: (a) that is being dealt with under Part 5.3, 5.4, 5.5 or 5.6 and that alleges conduct as referred to in Regulation 5.7.2(a) to (e); and (b) in respect of which a responsible entity at any time while dealing with the complaint under this Part 5 forms an opinion that the allegations, if they were to be substantiated in any future proceedings of the Committee for Discipline under Part 5.7, may warrant the Committee for Discipline determining that the Minister's recognition as a Minister of the Church be withdrawn
Complainant	means a member, adherent or Minister who is making a complaint.
Complaint	means a written complaint made by a Complainant: (a) against a member or adherent; (b) against an office holder; or (c) against a Minister describing, in each case, the conduct complained of.
Conflict of Interest	generally refers to an actual, potential or perceived conflict arising from the facts. Such conflicts can come in many forms, but the more common types of conflicts arise from personal, financial or relational interests infecting the impartiality of the decision-maker.
Member	means a baptised member, confirmed member, and a member-in-association.

Term	Meaning
Ministry Agent	means a Minister as referred to in the Code of Ethics (i.e. Candidates, Community Ministers, Deacons, Deaconesses, Interns, Lay Pastors, Ministers of the Word, Pastors, Youth Workers and Ministers from another denomination serving in an approved placement), and includes a Synod Secretary, Moderator, Assembly General Secretary, President, and Presbytery Minister.
Procedural Fairness	includes ensuring: (a) the Respondent is given sufficient information regarding the complaint to know what is being alleged; (b) the Respondent is given the opportunity and sufficient time to prepare and present a response; (c) no person who is closely associated with the Complainant or Respondent deals with the complaint; and (d) the entity that deals with the complaint remains impartial.
Respondent	means the member, adherent, office holder or Minister against whom a complaint has been made.
Support person	means a person not otherwise involved in the complaint process who only provides emotional support to a Complainant, Respondent, or a witness. Note: A support person does not have a right to be heard in the complaint and disciplinary process and is not permitted to represent a party.
SSMCC	means the Synod's Sexual Misconduct Complaints Committee.

Revisions

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