

The Disciplinary Procedure for LLMs in Ely Diocese

1 Purpose of this document

- 1.1 This document outlines the decision process to ascertain whether it is necessary to correct or discipline an LLM. This procedure covers conduct that falls outside the expectations set out in the Code of Good Ministerial Practice for Licenced Lay Ministers (LLMs) in Ely Diocese.
- 1.2 In addition, this document lists possible disciplinary measures that may be deemed necessary to facilitate good practice, bring restoration or to heal and benefit the Church.

2 Background

- 2.1 It is important to remember that LLMs are not employees of the church, nor do they have any of the usual employment-related contracts. However, through their vocation, training, licences, and roles as pastors, spiritual guides, and representatives of the faith, LLMs have a position of trust and privilege in the church and in their communities.
- 2.2 When things go wrong, when behaviour falls short of what could reasonably be expected of an LLM, or when complaints are made about an LLM, it is important to try to mitigate any harm, and where possible to find redemptive and restorative outcomes. This document lists some of the disciplinary measures which aim, where it is appropriate, to correct, heal and bring reconciliation, as well as to offer support or training to enable LLMs to make better judgements in the future.

3 Scope

- 3.1 This disciplinary procedure concerns matters of serious misconduct. Serious misconduct is defined as:
 - (i) Repeated and continued breaches of the **Code of Good Ministerial Practice**, even where this has been pointed out and support has been put in place.
 - (ii) Serious incidents such as financial misconduct, bullying behaviour, and discrimination. These may be isolated incidents or part of a larger pattern of behaviour.
 - (iii) Behaviour that meets the safeguarding threshold (see 3.2).
 - (iv) Illegal activity (see 3.3).

- 3.2 The disciplinary procedure may be initiated based on safeguarding concerns raised in relation to an LLM. If a report is made of safeguarding concerns relating to an LLM, the matter will first be dealt with following the safeguarding procedures of Ely Diocese. The safeguarding e-manual can be found at:
<https://www.churchofengland.org/safeguarding/safeguarding-e-manual>
- 3.2.1 If the matter does not meet the safeguarding threshold, it will be referred to the Team Around the Parish. The Team Around the Parish may refer the matter to the Warden of LLMs (Warden) and Lay Ministry Team Leader (LMTL), who will consider whether the issue should be dealt with under the concerns or complaints procedures (see ‘Resolving Concerns, Complaints, and Grievances Involving LLMs’).
- 3.2.2 If the matter does meet the safeguarding threshold, it will be investigated following safeguarding procedures. On the basis of this investigation, the Director of Mission and Ministry (DMM) may, in consultation with the Bishop, initiate the **disciplinary procedure**.
- 3.2.3 In some circumstances, the safeguarding team may make a direct recommendation to the Bishop that an LLM’s license be revoked (following the procedures laid out in [Canon E6](#)). In such cases, the Warden will be notified.
- 3.3 Where there are legal issues at stake, the Warden, LMTL, and/or DMM will notify the Bishop and discuss the matter with the Diocesan Registrar.
- 3.3.1 As a result of investigation into the issues, the DMM (in consultation with the Bishop) may decide to initiate the disciplinary procedure.
- 3.4 This document is intended to be used alongside the document ‘Resolving concerns, complaints, and grievances involving LLMs’.

4 When the disciplinary procedure may be initiated

- 4.1 In the first instance, attempts should be made to resolve problems with the conduct of LLMs through the procedures laid out in the document, ‘Resolving Concerns, Complaints, and Grievances Involving LLMs’.
- 4.2 The DMM may (in consultation with the Bishop) initiate the disciplinary procedure at any stage in the complaints or grievance procedures if the Warden/LMTL/DMM suspect serious misconduct on the part of the LLM (see 3.1). This includes instances where the Warden/LMTL/DMM deem that the LLM is demonstrating persistent unwillingness to engage with recommendations made as part of the concerns, complaints, and/or grievance procedures.

- 4.3 There may be instances where evidence of serious misconduct on the part of the LLM arises outside of the complaints and grievance procedures. This evidence might be reported directly to, or observed by, the Warden, LMTL, or DMM.
- 4.3.1 In such instances, the Warden, LMTL, and DMM will consider whether the issue can be dealt with under the processes laid out in 'Resolving Concerns, Complaints, and Grievances Involving LLMs'.
- 4.3.2 If the misconduct is sufficiently serious that it cannot be dealt with through the concerns, complaints, or grievance procedures, the DMM (in consultation with the Bishop) may initiate the disciplinary procedure directly.

5 Pastoral support for LLMs during the disciplinary procedure

- 5.1 It is recognised that LLMs may have unintentionally acted in a way that is unbecoming of their leadership and spiritual role. The news that their actions are deemed to be inappropriate, and that they are part of a disciplinary procedure may be distressing. They may need time and support from others to process information and to respond constructively. It is important that they have access to pastoral support when a disciplinary conversation is to take place. The Warden will ensure that the LLM has access to sufficient pastoral support. In most instances, this support will be offered by the Area Sub-Warden (6.4.1).

6 The disciplinary procedure

- 6.1 The disciplinary procedure must be initiated by the DMM, in consultation with the Bishop.
- 6.2 The disciplinary procedure is handled by the DMM in consultation with a trained Independent Advisor (IA). The IA will normally be the Archdeacon. In cases where there is a conflict of interest, the DMM will nominate an alternative IA to the Bishop.
- 6.3 To initiate the disciplinary procedure, the DMM should write to the IA with a report of the complaints made concerning the LLM, and/or the reasons for the initiation of the disciplinary procedure.
- 6.4 The DMM and IA should write to the LLM to:
- (i) Inform them that the disciplinary procedure is beginning, and the grounds on which it is being initiated.
 - (ii) Inform the LLM of their role within the disciplinary procedure, which is to investigate the issues and to report to the Bishop.
 - (iii) Advise the LLM that they are entitled to be accompanied to meetings by a friend or colleague, who may offer support.

- (iv) If appropriate, ask the LLM to pause their ministry for the duration of the disciplinary procedure. They should make clear that this is not yet to be understood as a disciplinary measure, but is intended to provide space to undertake the disciplinary procedure outside the public gaze.

Copies should be sent to the Warden, LMTL and the Bishop (except in cases where there might be a conflict of interest). The DMM should also write to the LLM's supervisor to inform them that the disciplinary procedure is beginning.

- 6.5 The Warden will contact the LLM's Area Sub-Warden, who will provide pastoral support to the LLM throughout the process. If the LLM does not wish to receive pastoral support from the Sub-Warden, the Warden will work with the LLM to arrange alternative support.
- 6.6 If the LLM objects to the choice of IA, they should write to the DMM within 7 days of receiving the correspondence described in 6.4, sending copies at the same time to the IA. The LLM should state their objection and the reason for it.
 - 6.6.1 The DDM should respond to this letter of objection within 14 days of its receipt, sending copies at the same time to the IA and to the Bishop. They should state whether the objection is upheld, and, if it is, appoint a new IA. After due consultation, the DMM's decision is final.
- 6.7 After the 7-day appeal period (6.6) has elapsed, the DMM and IA should begin investigating the situation, and assessing whether the LLM's behaviour has fallen substantially short of the Code of Good Ministerial Practice. This may entail reviewing any paperwork submitted as part of the complaints and grievance procedures, and speaking with the various parties involved, including the LLM, their supervisor, and members of the Lay Ministry Team. This should usually be completed within 14 days.
- 6.8 If, after looking at the evidence, the DMM and IA judge that an LLM has not acted contrary to the Code of Good Ministerial Practice, or that they have made sufficient progress in improving their conduct, they may recommend that no further action be taken.
- 6.9 If, after considering the evidence, the DMM and IA find that an LLM has acted contrary to the Code of Good Ministerial Practice, then any of the following disciplinary measures may be considered and recommended to the Bishop:
 - (i) An apology
 - (ii) A verbal warning
 - (iii) A written warning
 - (iv) Further specified training
 - (v) A period of review during which only certain tasks within the context of the licence may be undertaken (with appropriate supervision)
 - (vi) That an LLM be transferred elsewhere either temporarily or for an extended period to allow for separation and/or reflection
 - (vii) That an LLM be permanently transferred to a new parish or benefice

- (viii) That the LLM take a temporary or extended step back from ministry activities
- (ix) A temporary suspension of the licence, with clear grounds upon which the licence will be re-established
- (x) Revocation of the license

7 Communicating disciplinary measures

- 7.1 The DMM and IA will report their findings and recommendations to the Bishop in writing, copying in the Warden, LMTL, and the Archdeacon (if they are not the IA).
- 7.2 Within 7 days of receiving this notification, the Warden should write to the LLM. They should send the LLM a copy of the report and make clear that they are waiting for the Bishop's decision. A copy of this letter should be sent to the LLM's supervisor.
 - 7.2.1 The Warden will also ensure that there is pastoral support accessible to the LLM as they process the information and the proposed disciplinary measures. This will usually be provided by the Sub-Warden.
- 7.3 The Bishop will reflect on the report and judge the most appropriate course of action.
 - 7.3.1 If the Bishop implements any of the disciplinary measures listed in 6.9.i-ix, they should communicate their decision to the LLM in writing, along with acknowledgement of the LLM's right to appeal this decision (8). A copy of this letter should be sent to the Archdeacon, Warden, LMTL, DMM, and the LLM's supervisor.
 - 7.3.2 If the Bishop chooses to revoke the license, they should follow the procedures laid out in [Canon E6](#), first consulting the Diocesan Registrar. They should communicate their decision to the LLM in writing, notifying them that they may appeal to the archbishop of the province within 28 days of receiving the notice. Copies should be sent to the Diocesan Registrar, Archdeacon, Warden, LMTL, DMM, and the LLM's supervisor.

8 Appeals

- 8.1 An LMM has the right to appeal the Bishop's decision (7.3). Points 8.2-8.6 concern the appeals process for all disciplinary measures besides revoking the license. Point 8.7 concerns the appeals process for the revocation of a license.
- 8.2 An LLM wishing to appeal the Bishop's decision (7.3) should write directly to the Bishop and set out in writing the reasons for their appeal within 14 days of receiving the report in 7.1.
- 8.3 The Bishop will review the appeal, and may choose to meet with the LLM, Warden, LMTL, DMM, and/or the iA.

- 8.3.1 If they wish, the LLM may be accompanied to this meeting by a friend or colleague, who may offer support.
- 8.4 If the Bishop feels that further information has become evident, or that there are mitigating circumstances, they may revise the written decision concerning disciplinary measures (7.3).
- 8.5 The Bishop should write to the LLM within 28 days of hearing the appeal with the final decision. After this letter has been received, there is no further right of appeal.
 - 8.5.1 A copy of the final decision will be sent to the Warden, LMTL, DMM, Archdeacon, IA, and the LLM's supervisor.
- 8.6 A record of the appeal and the final decision will be kept on the LLM file.
- 8.7 If the Bishop revokes the license, the LLM can appeal to the archbishop of the province within 28 days of receiving written notice. For details of this appeals process, see [Canon E6](#).

9 Recording of disciplinary procedures

- 9.1 Those involved in the disciplinary procedure should keep a chronological record of action taken and correspondence received, using the form in Appendix 1.
- 9.2 A written record of actions taken throughout the process will be maintained and retained with the LLM files kept by Bishop of Huntingdon PA. Any information held under this procedure will be subject to the provision of the Data Protection Act 1998 (including the access rights of data subjects).
 - 9.2.1 For more information, please consult the [Diocesan Data Privacy Notice](#).

10 Maintaining impartiality

- 10.1 Those involved with the process should respect proper boundaries of confidentiality and only share information with those who genuinely need to know. The IAs should not engage in discussions related to the disciplinary procedure with any of the involved parties, unless it is within the framework of the meetings scheduled by them in accordance with this procedure.

Appendix 1

Recording Actions and Correspondence

This form is to be used to keep a chronological record of actions and correspondence relevant to the disciplinary procedure. Please ensure that you retain copies of relevant email correspondence for the duration of the procedures.

Date	Names of those involved	Action/Correspondence	Comment

Summary of the Disciplinary Procedure

