

Non-Subscribing Presbyterian Church of Ireland

Capabilities Policy and Procedure

I. Context

1.1 The Non-Subscribing Presbyterian Church of Ireland seeks to support ministers in improving their capability or competence and to deal fairly and reasonably in instances where ministers cannot meet the required standards of performance.

1.2 This policy and procedure apply to all ministers of the Roll of the Non-Subscribing Presbyterian Church of Ireland'

2. Introduction

2.1 Ministers provide good and, on many occasions, excellent spiritual leadership and pastoral care.

However, sometimes ministers may not perform to the desired standard because of a lack of capability or competence.

2.2 Although it may be difficult and uncomfortable for congregations or congregational committees to address these issues, it is essential they do so if the denomination is to meet its responsibility to both God and the communities we seek to serve.

2.3 This procedure explains the steps to be followed when problems arise that have their cause in the capability or competence of a minister to discharge the duties for which they were appointed.

3. Definition

3.1 Capability relates to the inability of a minister to meet the responsibility of their vocation due to insufficient skill, aptitude, or commitment.

3.2 In order to distinguish whether an issue should be managed through either the:

CAPABILITY PROCEDURE,
SICKNESS ABSENCE MANAGEMENT or
DISCIPLINARY PROCEDURE

Please seek advice from your Clerk of Presbytery as to which may apply.

4. Purpose

4.1 To provide a church or churches with the necessary information to support a minister with a capability issue whilst recognising that a church or churches cannot guarantee to maintain a minister in their role.

4.2 To ensure ministers are performing their roles effectively and capably and to deal with those ministers not so performing, in a fair and consistent manner.

4.3 To encourage sensitive, imaginative, realistic and constructive approaches from all concerned when dealing with capability issues.

4.4 To clarify and confirm that the responsibility for resolving capability problems rest with individual churches who may receive advice from their Presbytery and, as necessary, from other sources.

4.5 To ensure that capability difficulties are dealt with efficiently within agreed time periods (according to circumstances) and with clear outcomes at all stages.

5. Procedure

Capability covers all matters related to performance other than those aspects, which would fall within a candidate's time as a licentiate.

5.1 Examples of incapability could be associated with, drug/alcohol abuse, unsatisfactory performance, failure without good reason to take services or to meet pastoral needs etc. This list is not exhaustive. This procedure should be followed where a minister is unable to carry out the tasks required to an acceptable standard because they do not have the skills or aptitude, or competency to perform in the role effectively.

6. General Principles

6.1 Churches should take all necessary and appropriate action if a minister does not achieve an acceptable level of general performance, standards or attendance in carrying out the duties of their position.

6.3 Ministers' should be aware of the denomination's policy and procedure on capability, and the importance of ensuring consistent standards of performance. They will have a right of attendance at meetings held with churches within the informal/formal stages of this procedure.

6.4 In cases of incapability the process seeks to ascertain the reason for the problem and to establish a means of resolving the problem to restore effective levels of spiritual leadership and of pastoral care.

6.5 When the incapability is the result of a lack of required skills, the minister, and the church or churches are expected to agree, a reasonable period for the minister to obtain the improved and acceptable standard of performance. Additional training may be offered as appropriate.

6.6 Additional training is under the direction of the minister's Presbytery(s), from whom appropriate advice should be obtained. In the event of such retraining not securing appropriate progress then the following stages shall apply.

7. Informal Resolution

7.1 Where there are continuing concerns regarding a minister's capabilities, the church or churches should initially meet with the minister to determine reasons for the unsatisfactory performance.

This should be undertaken after seeking advice from the minister's Presbytery(s), and with the Clerk of Presbytery in attendance.

7.2 As soon as any apparent difficulty arises the church or churches should have an informal discussion with the minister, concentrating on the following:

- definition of the issue/problem
- standards of ministry required (realistic & achievable)
- shortcomings in reaching these standards
- exploring possible reasons for shortcomings
- agreeing how and when acceptable performance might be achieved with a realistic timetable for completion and the training or support on offer.

If either the Church or the minister consider that alleged capability issues are related to a disability, then Prevention of Disability Discrimination Policy should be followed. Steps should be taken to identify the disability and its alleged impact on their capability and whether reasonable adjustments are required. It may be necessary to pause the capability procedure in these circumstances or to run both the Prevention of Disability Discrimination Policy and Capabilities Policy and Procedure in conjunction with each other.

7.3 In discussion, consideration should be given to the minister's circumstances. The church or churches should explore fully the circumstances behind an apparent lack of capability (for example — seek to understand if any personal circumstances have contributed to the minister's behaviour) and then give the minister every opportunity to present their explanation of the situation.

Options available at this stage would include:

- additional training/development
- referral, where appropriate, to Occupational Health
- closer supervision by the Presbytery(s) for a limited period
- mutually agreed alterations to duties to facilitate improvement

During the process a written record should be made by the Clerk(s) of Presbytery which will include an agreed action plan to address the problem/meet the standards required. A programme of action and review dates must be agreed.

7.4 Consideration will be given within the process to any implications arising from the Disability Discrimination legislation and other legislation, as well as relevant denominational policies and procedures.

7.5 The object of the informal stage is to alleviate or remove the problem after adequate time has been allowed for improvement or assessment. However, if it becomes clear that regardless of further action acceptable performance in ministry cannot be achieved within reasonable time scales, the matter should be referred to a higher level. The minister should be advised of this and a formal procedure in accordance with Stage 1 below will be followed.

8. Formal Procedure

8.1 If improvements in performance are not achieved, the formal procedure will be instigated. In such cases the minister shall be given notification in writing of an interview to be held under the procedure, within 10 working days after the informal stage is completed. The notification should also include details of the general nature of the matter and examples of the unsatisfactory performance, a copy of the Capability Policy and Procedure and the minister's right to be accompanied (by an accredited representative or a ministerial colleague of their choice), together with any documentation from the informal stage.

9. Stage One

9.1 A formal interview to be conducted by the Clerk(s) of Presbytery attended by the minister, their companion or accredited representative as well as a representative from the church or churches concerned. This part of the procedure shall cover:

- 9.2
- exploration of the alleged unsatisfactory performance
 - a review of set targets and timescales for improvement
 - impact of the shortcomings outlined
 - options on remedies, together with training/retraining support.

9.2 After the interview, all parties will leave the interview and the Clerk(s) of Presbytery, in consultation with the church or churches concerned will review the situation fully and decide what action to take or recommend to the minister.

9.3 The Clerk(s) of Presbytery will reconvene the meeting and shall advise all concerned of the recommended appropriate action. Review dates should be agreed between all parties at the conclusion of the interview. The outcomes of the interview should be recorded and all concerned should clearly understand the recommended agreed actions. The minister should be issued with written First Stage Advice in the form of a letter with a recommended action plan attached. This will be recorded by the Presbytery for a period of

not less than 6 months and should be linked with update reports from the church or churches commenting on developmental progress.

9.4 The application of the actions should be reviewed until the Clerk(s) of Presbytery and church, or churches are satisfied that the standard of performance is acceptable and likely to be maintained, or it is likely that despite action taken, the required performance will not be achieved in ministry to the church or churches. At the final review if it is agreed that the objective may be reached by a short extension period; for example, to complete training, then a revised review date should be agreed. The monitoring period will depend upon the particular circumstances of the case.

9.4 In the case of more serious performance problems or where following the issue of previous advice there has been insufficient improvement, or any improvement has not been maintained, it will be necessary to proceed to Stage Two.

10. Stage Two

10.1 Where, after the agreed or extended period of time, improvement to the standard required has not taken place, the Clerk(s) of Presbyteries and church or churches shall hold a further formal interview (arranged and held as in Stage 1) with the minister concerned. It is expected that the minister shall make every effort to attend this meeting.

It should be noted that non-attendance by a minister to a properly convened meeting without due cause shall not prevent the meeting from taking place or prevent due deliberation and the taking of such decision as may be necessary.

10.2 The minister should be informed prior to the interview that a potential outcome of the Stage 2 meeting is that, having regard to all the circumstances and evidence available, termination of his/her ministry on the grounds of capability may be recommended. The minister should also be informed of the potential outcomes at the interview, and they should then be invited to respond.

10.3 Immediately following the interview the Clerk(s) of Presbytery should recommend one of the following options:

- Candidating for alternative ministry which may be more suitable;
- Termination of ministry with notice or with pay in lieu of notice
- Reversion to Stage One or any other mutually agreed alternative.

The decision should be communicated in writing to the minister within 3 working days and relevant correspondence retained by the Clerk(s) of Presbytery for 12 months.

11. Notice to Terminate Ministry

The Clerk(s) of Presbytery will notify the minister, in writing, giving notice to terminate their ministry, the reason for the termination, the date on which their ministry will end and the right of appeal to the Clerk of General Synod and the

Moderator of General Synod of the Non-Subscribing Presbyterian Church of Ireland, whose decision shall be final.

The notice period will be in accordance with the Constitution and Code of Discipline of the Non-Subscribing Presbyterian Church of Ireland and Call. Given that the working relationship may have become strained at this point, payment in lieu of notice may be arranged.

12. The Right to be Accompanied — Role of the 'Companion'

12.1 The constructive purpose of the informal part of the procedure is to try to avoid recourse to the formal stages, unless it is necessary to do so.

12.2 The minister has the right to be accompanied by a companion. This companion may be a ministerial colleague or an accredited representative. We will consider an alternative companion if it is required as a reasonable adjustment. All companions must respect the confidentiality of the investigation.

12.3 If the minister's chosen companion is not able to attend the meeting an alternative date should be proposed to the minister. This must be within 5 days of the date arranged for the original meeting.

13. Records

13.1 It is important to keep written records during each part of this process these will be kept confidential and retained in accordance with the Data Protection Act 1998.

This policy should be reviewed Bi-Annually by the General Purposes Committee.

Footnote taken from the coversheet when the Policies and procedures were in one document:

The Non-Subscribing Presbyterian Church of Ireland Policies & Procedures for Ministers within the NSPCI As adopted by the General Synod originally in 2013, amended in 2016 and reviewed, expanded, adopted by Pro Renata General Synod in January 2026.

Preface to supplementary policies and procedures for Ministers

The law of the church is the Code of Discipline of the General Synod.

It is intended that the Code of Discipline shall provide the principles and procedures which shall guide and govern the administration of the church and relations between ministers, people and the courts of the church.

Nevertheless, it is understood that for greater clarification and for further guidance in proceeding regard shall be had to the following policies and procedures, which are supplementary to the Code of Discipline, though not integral to it.

It should be noted that the ministry of this denomination is understood to be a vocation. That is, those entering into it should demonstrate a sense of calling; and all parties involved, whether ministers, congregations, or courts of the church, shall give full regard to the values of Christian Service, Christian Fellowship, and Christian Endeavour, as indicated in the Scriptures of the Old and New Testament.

With regard to the profession of the Christian ministry, it is noted that while the nature of this work may not be physically demanding, it is however, highly demanding in intellectual and emotional terms. The hours can be lengthy and unpredictable. There are many challenges in supporting, comforting, and assisting a broad range of people; and the minister will carry the burdens of those people on his/her shoulders. While the ministry does bring deep spiritual satisfaction, it presents a challenge of life and work which is continuous.

Therefore, the minister must at all times seek the blessing and strength of the Holy Spirit, as should all who feel obliged to apply the following policies and procedures.