

IX ORDAINED LOCAL MINISTRY ACT (ACT IX 2011) (AS AMENDED BY ACTS XII 2012, XIII 2014, VIII 2015, XI 2016, II AND VIII 2017, XII 2018, I, IV AND V 2019, X AND XVI 2020 AND XVI 2022)

Edinburgh, 26 May 2011, Session VI

The General Assembly enact and ordain as follows:

1. Definitions

In this Act the following definitions apply:

- (a) “The Forum” is the General Assembly’s Faith Nurture Forum responsible for recruitment, selection and training for the ministries of the Church.
- (b) *This definition was repealed by Act XVI 2022.*
- (c) “The Assessment Conference” is the body of trained Assessors to which the Forum delegates authority to assess the calling and fitness of applicants for Ordained Local Ministry, and to accept as Prospective Candidates those deemed appropriate.
- (d) *This definition was repealed by Act XIII 2014.*
- (e) “Applicants” are persons who are seeking to be recognised as Candidates for the Ordained Local Ministry.
- (f) “Prospective Candidates” are persons who have been accepted by the Forum at an Assessment Conference and who are awaiting the outcome of their application to Presbytery for nomination.
- (g) “Candidates” are persons who have been both accepted by the Forum and nominated by their Presbytery. The term “Candidate” may not be used of or by any person who has yet to be, or who has failed to be, nominated by Presbytery.
- (h) “Presbytery of the bounds” is the Presbytery containing the larger or largest part of the area of the Ordained Local Minister’s responsibilities.

2. General

- (1) An Ordained Local Minister is a person who has been ordained for life to a Ministry of Word and Sacrament exercisable on a non-stipendiary and normally a part-time basis, supporting the Ordained National Ministry of the Church.
- (2) Except insofar as qualified by the terms of this Act, an Ordained Local Minister is hereby declared to be a Minister of the Church of Scotland. An appointment to a designated appointment is to an office of the Church of Scotland.
- (3) No person by virtue of his or her status as an Ordained Local Minister shall be eligible for induction to a Charge.

3. Entrance Qualifications

- (1) Applicants must be persons:
 - (i) who are possessed of such professional, vocational or educational experience as shall be acceptable to the Forum, and
 - (ii) who have demonstrated the potential to cope with and benefit from the academic course involved in training for the Ordained Local Ministry.
- (2) Proficiency in spoken and written English will be required.

4. Discernment conversation and Initial Screening process

- (1) A person wishing to apply for the Ordained Local Ministry of the Church of Scotland shall have a discernment conversation with a staff member of the Forum’s Recruitment Team to determine how they will proceed, and should they subsequently make application, this will be followed by an Initial Screening process arranged by the Forum.

- (2) A person deemed ready to proceed after that screening process shall be entitled to apply in terms of section 6 to be recognised as a Candidate for the Ordained Local Ministry. Any person who makes such an application shall be known as an Applicant.
- (3) A person who is not deemed ready to proceed after that screening process must wait a period of between one and three years, as notified to that person by the Forum in writing, before they may again participate in an Initial Screening process. Forum.
- (4) The outcome of each Initial Screening process shall be final and not subject to any form of review or appeal.
- (5) The provisions of this section are subject to those of section 5.

5. Age, Time and Membership Limits

- (1) The Forum will not consider an application from any person who has not attained the age of eighteen years by the date on which the Forum receives the application. No upper age limit shall apply to application for acceptance for training.
- (2) The acceptance of a person as a Candidate may be reviewed by the Forum if that person's prescribed course of training has not been begun within three years of that acceptance.
- (3) The Forum will not normally consider an application from any person who has not been either a member or adherent of the Church of Scotland, or who has not been actively involved in a congregation of the Church of Scotland, or who has not been a member of a denomination belonging to the World Communion of Reformed Churches (WCRC), in any case for a period of three years immediately prior to receipt of the application.

6. Submission of Application

- (1) The Forum will, on request, issue to each Applicant who has fulfilled the requirements as set out in sub-section 4(2) and section 5 the relevant application, which shall be completed by the Applicant and sent to the Forum by the date determined and supplied by the Forum.
- (2) The Forum will inform Presbyteries of Applicants within their bounds, the appropriate Presbytery being determined according to section 9(2) of this Act.

7. Period of discernment and Local Review

- (1) Following the Forum's receipt of their application, the Applicant will enter a period of discernment with a Mentor. During the period of discernment, the Applicant and the Mentor shall explore together the nature of the Applicant's call and gifting. The period of discernment shall last for three to six months. The Mentor will be chosen by the Forum and shall undertake such training as may from time to time be specified by the Forum. The Mentor shall be responsible for supervising the period of discernment according to the guidelines and standards established by the Forum, and shall produce assessment materials as required using such *Indicators for Assessment* document as may be from time to time in use by the Forum. During the period of discernment the Applicant shall also meet regularly with a representative (or representatives) of Presbytery.
- (2) At the end of the period of discernment the Applicant shall proceed to a Local Review. The Local Review will be undertaken by a group consisting of a National Assessor appointed by the Forum, the Mentor and a representative appointed by the Presbytery. In the event that one of the three individuals undertaking the Local Review cannot attend the Local Review, it may still proceed if the Applicant consents.
- (3) In addition, before the end of a period of discernment, the Presbytery or the Forum may require that an early Local Review takes place. Such a Review shall

be undertaken by the same group as specified in section 7(2) but may only reach a decision in terms of section 7(4) (ii), (iii) or (iv). Sections 7(5) and 7(6) shall still apply.

- (4) Subject to the provisions of section 7(3), arising out of the Local Review, one of the following written decisions shall be reported by the Review to the Forum:
 - (i) That the Applicant is ready to proceed to National Assessment in terms of section 8;
 - (ii) That the Applicant should undergo a further period of discernment of such length as may be determined by the Local Review before a decision to proceed to National Assessment can be made;
 - (iii) That the Applicant is not yet ready to proceed to National Assessment in terms of section 8;
 - (iv) That the Applicant is not suitable to proceed to National Assessment in terms of section 8.
- (5) Applicants in respect of whom a decision is made in terms of paragraph 7(4)(iii) shall be subject to the terms of section 8A below.
- (6) Applicants in respect of whom a decision is made in terms of section 7(4)(iv) may have a right of appeal in terms of section 8 below, subject to the terms of section 8B.
- (7)
 - (i) All materials received by the Forum from the Local Review in terms of sub-section 7(4) shall be available to those making consideration in terms of sub-section 8(1).
 - (ii) No individual shall serve as an Assessor for the same Applicant more than once.

8. **National Assessment**

- (1) National Assessment shall consist of a conference at which there shall be careful consideration of the Applicant's character and beliefs, vocation, motivation and general suitability for Ordained Local Ministry in the Church of Scotland. The conference shall normally be an in-person residential event but the Forum reserves the right to hold an Assessment Conference online should circumstances make this necessary or desirable. At the Assessment Conference a decision shall be made as to whether or not the Applicant shall be accepted as a Prospective Candidate for the Ordained Local Ministry and the Presbytery shall be informed of the decision.
- (2) All Applicants who attend an Assessment Conference shall receive, as part of their training and development, feedback in the form of a report.
- (3) An Applicant who is accepted as a Prospective Candidate shall, following Assessment Conference, undergo a medical check and a Disclosure Scotland check in the form prescribed by the Forum and may only proceed as a Prospective Candidate if these checks are, in the opinion of the Forum, satisfactory. There shall be no appeal against the Forum's decisions on these matters.
- (4) An Applicant who has not been accepted as a Prospective Candidate shall be subject to the terms of section 8A below.
- (5) An Applicant who has not been accepted at Local Review in terms of a decision under section 7(4)(iii) or (iv) or who has not been accepted as a Prospective Candidate by an Assessment Conference may have the right to appeal to the Ministries Appeal Panel, subject to the provisions of section 8B. Notification of the intention to appeal shall be made to the Forum and to the Principal Clerk within 14 days of the date upon which Local Review or the Assessment Conference's decision, as the case may be, was intimated to the Applicant. At the Appeal Hearing the Applicant shall be entitled to appear either online or in

person, as determined by the Forum, and to address the Panel. He or she may be accompanied by a companion, who shall not be entitled to speak to the Panel, but who may confer with the Applicant. A representative of the Forum shall also appear to present the case for the decision under appeal. All parties will be in possession of the reports from the Local Review and/or the Assessment Conference, as the case may be.

- (6) An appeal to the Ministries Appeal Panel can only be brought on one or more of the following grounds: (a) that in the course of the Local Review or Assessment Conference there were irregularities in the process, (b) that the final decision of the Local Review or Assessment Conference was influenced by incorrect material fact, or (c) that the Local Review or Assessment Conference acted contrary to the principles of natural justice.
- (7) The outcome of an appeal shall be either to uphold the decision of the Local Review or the Assessment Conference, as the case may be, or to annul that decision, in which case sub-sections (8) and (9) below will apply.
- (8) If the outcome of the appeal is to annul a decision, whether at Local Review or Assessment Conference, the person shall be treated as if they had not attended that Local Review or Assessment Conference, as the case may be, and shall be entitled to enter the Assessment process again on one occasion only at the stage of attending one further Local Review (and, if accepted there, one further Assessment Conference) or one further Assessment Conference, as the case may be. Such re-entry into the process must commence within one year of the appeal decision. Any further “non-accept” decision on that next occasion at either stage shall terminate that person’s eligibility to enter the Assessment process under this Act and there shall be no further right of appeal.
- (9) If the outcome of the appeal is to uphold the decision of the Local Review or the Assessment Conference, as the case may be, that shall terminate the Assessment process for that person and they may not re-enter into it at any time.

Opportunities to become a Prospective Candidate

- 8A. (1) A person applying under this Act shall have three opportunities in total to progress through Initial Screening, Local Review and Assessment Conference to become a Prospective Candidate. Each time the person is not accepted shall count as one “non-accept” decision. Once a total of three “non-accept” decisions have occurred, no further entry into the Assessment process, at any stage, will be possible for that person, save that a fourth application may be submitted only with the prior approval of the Forum. A person will however have rights of appeal as set out in section 8 above, subject to the terms of section 8B.
- (2) Following a “non-accept” decision at any stage, a person must wait for the period specified by the Forum, being a minimum period of one year, before being assessed again.
 - (3) After any “non-accept” decision at any stage, a person who chooses to re-enter the Assessment process shall start again at section 4 ie at the stage of discernment conversation and Initial Screening.
 - (4) For the purpose of this section, a decision at Local Review in terms of section 7(4)(iii) and also section 7(4)(iv) would each count as a “non-accept” decision.

Appeal at third “non-accept” decision only

- 8B. A person shall have the right to appeal to the Ministries Appeal Panel following a third “non-accept” decision, whether that is at Initial Screening, Local Review or Assessment Conference.”

9. **Nomination by Presbytery**

- (1) A Prospective Candidate seeking nomination by the appropriate Presbytery as a Candidate for the Ordained Local Ministry of the Church of Scotland shall apply in writing to that Presbytery as soon as, but not before, the Forum indicates acceptance as a Prospective Candidate for the Ordained Local Ministry.
- (2) Application for nomination shall normally be made to the Presbytery within whose bounds is situated the congregation of which the Prospective Candidate is a communicant member, or with reference to section 5(3), in exceptional circumstances where the person is not yet a member of the Church of Scotland, to the Presbytery in which the Applicant is resident.
- (3) If satisfied with the Prospective Candidate's character, beliefs, vocation, motivation and general suitability, the Presbytery shall then nominate him or her as a Candidate for the Ordained Local Ministry and shall give notice of such nomination to the Forum forthwith.
- (4)
 - (a) A Prospective Candidate who has been refused nomination by the Presbytery has the right of appeal to the Ministries Appeal Panel. The Prospective Candidate may in any event submit a re-application for nomination on up to two further occasions, provided that at least one year elapses between each application.
 - (b) Notification of the intention to appeal to the Ministries Appeal Panel shall be made to the Forum and to the Principal Clerk within 14 days of the date upon which the Presbytery's decision was made. At the Appeal Hearing the Prospective Candidate shall be entitled to appear either online in person, as determined by the Forum, and to address the Panel. He or she may be accompanied by a companion, who shall not be entitled to speak to the Panel, but who may confer with the Prospective Candidate. Such an appeal can only be brought on one or more of the following grounds: (a) that there were irregularities in the process, (b) that the final decision was influenced by incorrect material fact, or (c) that the Presbytery acted contrary to the principles of natural justice.

10. **Content of Academic Course**

The Candidate's course of study shall always include:

- (1) the interpretation and use of Holy Scripture, both Old and New Testaments;
- (2) the development and growth of the Christian Church including special reference to the Church of Scotland;
- (3) the principal doctrines of the Christian faith, their interpretation, their defence and their application, in particular, the history and theology of the Sacraments;
- (4) the principles of Christian ethics;
- (5) the practice of ministry with attention being given to such topics as may be specified from time to time by the Forum; and
- (6) such other academic and practical topics as may from time to time be considered as part of the Candidate Conference programme provided by the Forum.

11. **Nature and Duration of Academic Course**

- (1) Study will normally be undertaken on a part-time basis. A Candidate for the Ordained Local Ministry will be required to undergo the course of training as prescribed by the Forum.
- (2) Each Candidate shall be required to attend such periods of residential or day training as the Forum may from time to time deem appropriate.

- (3) The course of training shall extend over a period to be determined from time to time by the Forum.
- (4) The content of the said academic course and its duration may be varied at the discretion of the Forum, but only where a Candidate has already attained a qualification in theology deemed appropriate by the Forum in the context of the academic course prescribed for the Ordained Local Ministry.

12. **Placements**

- (1) As part of the Church requirements, three periods of placement work shall be undertaken by the Candidate, and must be completed to the satisfaction of the Forum which shall determine the length and content of each placement. The placements shall normally include two during the academic course which shall be part-time and shall last not less than twenty-five weeks and one part-time probationary placement of twelve months normally commencing on the first day of October following satisfactory completion of academic requirements; the Forum shall have power in exceptional circumstances to vary this arrangement. During the probationary placement the Candidate may be permitted to engage in some academic study.
- (2) The supervisor of each placement will be chosen by the Forum and shall undertake training as specified by the Forum. The supervisor shall be responsible for supervising the placement according to the guidelines and standards established by the Forum, and shall produce assessment materials as required.
- (3) The assessment materials shall be assessed by the Forum. It shall be competent for the Forum to refuse to sustain a placement.
- (4) The Forum shall obtain from the Candidate evidence that he or she has satisfactorily completed the prescribed course of study, whereupon the Candidate will be permitted to commence the final placement.

13. **Supervision during Course**

Throughout the course of training a Candidate must remain under the oversight and pastoral supervision of a Presbytery, initially the Presbytery which nominated him or her, and shall inform the Presbytery of any change of address.

14. (1) Where a Candidate's permanent place of residence changes following nomination so that the oversight and pastoral supervision of the nominating Presbytery is no longer possible, the Candidate shall, within two months of changing residence, apply in writing to the nominating Presbytery, to be transferred to the supervision of the Presbytery within whose bounds he or she now resides. On granting such application the Presbytery shall forward an Extract Minute to that effect to the Candidate, to the Presbytery within whose bounds the Candidate now resides, and to the Forum.
- (2) Prior to each official meeting with the Candidates under its supervision the Presbytery shall initiate consideration of the circumstances of any Candidate who has thus changed his or her permanent place of residence but who has not made formal application to transfer. The Presbytery shall thereafter raise with the Candidate concerned the question of which Presbytery might most appropriately be responsible for the continuing supervision, and shall have power to effect a transfer to that Presbytery within whose bounds the Candidate now has permanent residence. When such a transfer is effected an Extract Minute to that effect shall be sent forthwith to the Candidate, to the Presbytery within whose bounds he or she now resides, and to the Forum.

15. Initial Course Meeting

- (1) At the outset of the Candidate's course an Initial Course Meeting shall be held, attended by the candidate and whichever member of the staff of the Forum has been allocated responsibility for the care of the Candidate.
- (2) At the Initial Course Meeting the Candidate will receive a personalised training plan, training policies (including the performance review policy) and an outline of expectations and responsibilities. Academic, practical and personal goals for the first year of training will be agreed. At the beginning of each placement a Learning Covenant will be agreed by the supervising minister and the Candidate on placement.
- (3) Other tasks of the Initial Course Meeting, and its structure and procedure, shall be determined from time to time by the Forum.

16. Annual Appraisal

- (1) An Annual Appraisal Meeting shall take place at the end of each academic year in which training has been undertaken, whether or not a Candidate has undertaken academic study during that year, and shall be carried out in terms of this section except during the final, probationary placement when the provisions of section 17 shall apply. The functions of each Meeting shall be to confirm satisfactory progress, to set formation and learning goals through a facilitated conversation and discussion, and to implement the performance review policy if applicable.
- (2) The member of staff of the Forum who has been allocated responsibility for the Annual Appraisal Meeting shall receive written reports from the Candidate, the supervising minister (if any) and the College (if academic study has been undertaken during the year); and shall use them along with the Formation Framework to prepare a Pre-Appraisal Form, to be circulated to all those attending the Annual Appraisal Meeting, containing a positive or negative recommendation regarding the Candidate's progress. A copy of the Pre-Appraisal Form shall also be sent to the Forum, for oversight purposes.
- (3) A positive recommendation on the Candidate's progress shall include a recommendation that one of the following conclusions be reached after the Annual Appraisal Meeting:
 - (a) that progress is entirely satisfactory; or
 - (b) that pieces of work require to be completed, or areas of work require to be improved, within a period of time to be specified in the report.
- (4) A negative recommendation on the Candidate's progress shall include a recommendation that one of the following conclusions be reached after the Annual Appraisal Meeting:
 - (a) that pieces of work require to be completed, or areas of work require to be improved, within a period of time to be specified in the report; or
 - (b) that an extension of training requires to be arranged by the Forum and a further, final Annual Appraisal conducted (this option may be exercised only once in any academic year); or
 - (c) that the candidature should be terminated.
- (5) At the Annual Appraisal Meeting the following shall apply:
 - (i) The Candidate may be accompanied by a companion, who may be the supervising minister of the candidate's most recent placement; the companion shall not be entitled to speak.
 - (ii) No-one may act as a representative of Presbytery who has not received the appropriate training as shall be determined and provided by the Forum.
 - (iii) The representative appointed by Presbytery shall be appointed with powers to make decisions on behalf of Presbytery; the member of staff appointed by the Forum shall be appointed with powers to make decisions on behalf of the Forum.

- (iv) In the case of a Pre-Appraisal Form containing a positive recommendation, in attendance shall be the Candidate, the member of staff of the Forum who has been allocated responsibility for the Appraisal and a representative of Presbytery.
- (v) In the case of a Pre-Appraisal Form containing a negative recommendation, in attendance shall be the Candidate, the member of staff of the Forum who has been allocated responsibility for the Appraisal, a member or representative of the Forum and a representative of Presbytery. In this situation, the Candidate shall be notified prior to the Annual Appraisal Meeting that there are concerns regarding their performance and that a member of the Forum shall be present.
- (vi) The Meeting shall be co-convened by the member of staff of the Forum and the representative of Presbytery.
- (6) At the Annual Appraisal Meeting the Candidate's progress shall be confirmed, and learning and formation goals for the following year shall be set with reference to the Formation Framework.
- (7) Following the Annual Appraisal Meeting, an Appraisal Report will be prepared by the member of staff of the Forum who has been allocated responsibility for the Appraisal and circulated within 3 working days of the Meeting to all those who attended the Meeting. If the Candidate dissents from the Report or any part thereof, his or her dissent and the reasons for it shall be recorded in the Report, but shall not alter the status of the Report of the purposes of this Act.
- (8) The Appraisal Report shall contain one of the following decisions:
 - (a) that progress is entirely satisfactory; or
 - (b) that pieces of work require to be completed, or areas of work require to be improved, within a period of time specified in the Report.
 - (c) that an extension of training requires to be arranged by the Forum and a further, final Annual Appraisal conducted (this option may be exercised only once in any academic year); or
 - (d) that the candidature should be terminated.
- (9) The Candidate may appeal to the Ministries Appeal Panel against a decision in terms of sub-sections 16(8) (c) or (d) on one or more of the following grounds: (a) that in the course of the Annual Appraisal there were irregularities in the process, (b) that the final decision was influenced by incorrect material fact, or (c) that the Annual Appraisal was conducted contrary to the principles of natural justice. Notification of the intention to appeal shall be made to the Forum and to the Principal Clerk within 14 days of the date upon which the Appraisal Report was intimated to the Candidate. At the Appeal Hearing the Candidate shall be entitled to appear in person and the representative of Presbytery who co-convened the Annual Appraisal Meeting shall also appear to present the case for the Annual Appraisal decision. The Candidate may be accompanied by a companion, who shall not be entitled to speak.
- (10) Other tasks of the Annual Appraisal Meeting shall be as determined from time to time by the Forum.
- (11) Notwithstanding the above provisions, at any time during candidature, an Appraisal Meeting with full powers may be held.

17. **Final Appraisal and sustaining the course**

The review process during the final probationary placement shall be as follows:

- (1) After six months, an Informal Appraisal of the Candidate's progress shall take place, conducted by the member of staff of the Forum who has been allocated responsibility for the Informal Appraisal. Prior to the Informal Appraisal, the member of staff shall informally consult with the supervising minister and the

- Presbytery. Any concerns shall be addressed either informally or by recourse to the procedures set out in section 18.
- (2) The Final Appraisal shall be held in the twelfth month. The Final Appraisal shall follow the procedure described in section 16; and in addition to the decision reached in terms of sub-section 16(8), it shall be decided whether the final placement can be sustained and whether the Candidate is fit to be ordained in due course. The Presbytery representative shall be appointed in such a way as to have powers to indicate the final approval of the Presbytery at this stage; the member of staff of the Forum who has been allocated responsibility for the Final Appraisal shall be granted power to indicate the final approval of the Forum at this stage.
 - (3) Where such approval has been given, the Forum shall satisfy itself that the requirements of sections 10, 11 and 12 have been fulfilled, including all academic requirements. Provided all such requirements are satisfied, the Forum shall have the power to issue an Exit Certificate upon completion of the probationary placement, at which point the Candidate shall become a Graduate Candidate and shall then remain under the supervision of the Presbytery within whose bounds the final placement was undertaken, pending ordination to an appointment.
 - (4) The Presbytery shall in each calendar year assess in terms of the criteria set out in section 9(3) above, the general suitability of each Graduate Candidate and, if satisfied, shall issue a Graduate Candidate's Certificate confirming continuing approval, and shall advise the Forum by 31 December. Candidates will have a right of appeal in the event of the Presbytery declining to issue a Certificate.
 - (5) A Presbytery must obtain a current Graduate Candidate's Certificate for any Graduate Candidate whose call or appointment is to be sustained by that Presbytery after 31 December of the year in which his or her Exit Certificate was awarded.

18. **Complaints Procedure**

Subject always to the provisions of the Discipline Act (Act I 2019), which shall apply in respect of a Disciplinary Complaint (as that term is defined in the Discipline Act) relating to a Candidate, Probationer or Graduate Candidate (as those terms are used in this Act), the provisions of this section shall apply:

- (a) where any party to an *Expectations and Responsibilities* document claims that another party is in breach thereof; or
- (b) where the Presbytery or the Forum claim that a Candidate has failed to fulfil his/her obligations under the agreed *Learning Covenant*; or
- (c) where a material complaint is made to the Forum or Presbytery about the Candidate's conduct during training.

Any such claim or complaint shall be intimated by lodging with the Leader of the Training Task Group a written statement providing specific details thereof. The Leader of the Training Task Group shall intimate the statement to all parties to the document or covenant, and the statement shall be retained by the Forum for a period of one year.

19. (1) As soon as is reasonably practicable after receipt of the statement referred to in section 18, one of the Forum's staff shall meet with all relevant parties and seek to resolve such claim or complaint to the satisfaction of all concerned.
- (2) In the event that such resolution is not possible, any party to the document or covenant may request a formal meeting of all parties in order to determine what is required to effect resolution.

- (3) Such a formal meeting shall be attended by up to two representatives of each of the parties to the document or covenant, and shall be called by the Forum and shall be convened by a staff member of the Forum, who will notify all parties in writing of the conclusions of the meeting. Such notification shall provide details of the consequences that will ensue in the event of failure by any parties to adhere to the conclusions of the meeting.
 - (4) The provisions of this section 19 shall not apply where the Forum makes a resolution in terms of section 20(2) below.
20. (1) In the event that no agreement is reached between parties at such a formal meeting as to the facts, or no agreed resolution is reached; or in the event that any party fails to adhere to the agreed conclusions, the Convener of the Forum shall convene a Hearing of all relevant parties.
- (2) Furthermore, the Forum shall have power to resolve that it will not be possible to reach a resolution under a section 19 process, in which case the Convener of the Forum shall convene a Hearing of all relevant parties without recourse to the procedure set out in section 19.
- (3) The Hearing shall be held as soon as is reasonably practicable. At such a Hearing the Candidate shall be present and may be accompanied by a companion who shall not be entitled to speak. The panel for the Hearing, in addition to the Convener, shall comprise two representatives of Presbytery and two representatives of the Forum, none of whom shall have had prior personal involvement with the claim or complaint giving rise to the Hearing. The two representatives appointed by Presbytery shall be appointed with powers to make decisions on behalf of Presbytery. A Forum staff member shall attend as an adviser.
- (4) In the event that the claim giving rise to the Hearing relates to a breach by the Forum, or that the failure is by the Forum, the Hearing shall be convened by the Convener of the Forum and not as in sub-section (1) hereof.
- (5) At the Hearing all parties thereto shall be entitled to present evidence, to question witnesses and to make a concluding statement. At the conclusion of the Hearing, or as soon as may be practicable thereafter, the panel shall issue its decision and advise all parties. Such a decision shall be final and binding on all parties, subject only to appeal to the Ministries Appeal Panel in terms of Act VI 2007 on the following grounds: (a) an error in Church law; (b) breach of the principles of natural justice or material irregularity of process; (c) decision influenced by incorrect material fact; and (d) the severity of any sanction imposed. The intention to appeal shall be intimated to the Forum within 21 days of the panel's decision.
21. **Ordination and Notification**
- (1) A Presbytery may not ordain any Candidate into a designated Ordained Local Ministry appointment until it has received an Exit Certificate from the Forum.
 - (2) Presbyteries shall be responsible for sending to the Forum and to the Editor of the Year Book extract Minutes certifying the ordination of Ordained Local Ministers. Similar notification must be sent for each new designated appointment undertaken by an Ordained Local Minister.
 - (3) After ordination the Forum shall cease to be responsible for the supervision of the Candidate concerned.
22. **Appointments and Reviews**
- (1) An Ordained Local Minister may serve in one or more Presbyteries of the Church of Scotland, undertaking such designated appointments as the Presbyteries may

from time to time determine. If the appointment is to a particular charge or charges, the approval of the Kirk Session(s) will also be sought.

- (2) The conditions regulating each designated appointment shall be defined in writing by the Presbytery of the bounds in consultation with the Ordained Local Minister and all interested parties (including any relevant Kirk Sessions).
- (3) The Presbytery of the bounds shall be entitled at any time to carry out a review of any designated appointment, and in the light of such review to
 - (i) suspend or terminate the appointment;
 - (ii) renew the appointment;
 - (iii) vary the conditions regulating the appointment.
- (4) When an Ordained Local Minister ceases to serve in a designated appointment he or she shall become subject to section 19 of the Registration of Ministries Act (Act II 2017).

23. **Relationship with Courts of the Church**

- (1) An Ordained Local Minister shall be associated with the Kirk Session of any Parish or Parishes within which he or she is to operate. He or she shall be entitled to membership of Presbytery. Where an Ordained Local Minister serves in more than one Presbytery, he or she shall have membership of the Presbytery of the bounds. Where there is an equal division of responsibilities between designated appointments, the Ordained Local Minister shall choose the Presbytery of which he or she is a member, but shall be subject to both or all Presbyteries.
- (2) When an Ordained Local Minister moves from one Presbytery to another he or she shall be subject to the terms of section 26 of the Registration of Ministries Act (Act II 2017).

24. **In-Service Training**

While in active service, Ordained Local Ministers shall engage in regular in-service training. For those who have completed the basic course of academic training in theology, this will normally mean continuing part-time study towards diploma or degree standard. The individual course of study will be determined by the Presbytery in consultation with the Forum. If an individual has achieved degree standard in theology, an individual learning plan will be negotiated to ensure an ongoing commitment to continuing ministerial development. This will be approved annually by the appropriate Committee of Presbytery, who shall liaise with the Forum on availability of courses and appropriate funding.

25. **Remuneration**

- (1) Ordained Local Ministry is a non-stipendiary form of ministry and no remuneration shall be offered which is directly related to the appointment as an Ordained Local Minister.
- (2) An Ordained Local Minister shall be entitled to a regular Pulpit Supply Fee when conducting worship other than in his or her regular appointment.
- (3) Remuneration for any other appointment, for example as a *Locum* or in chaplaincy which the Presbytery has approved in addition to the designated appointment, shall be at the normal rates set by the Church from time to time.
- (4) Reasonable expenses incurred wholly and necessarily in the course of duties shall be reimbursed at the rates printed annually in the report of the Forum to the General Assembly.
- (5) The Forum shall offer to every Ordained Local Minister in a designated appointment an annual resource grant at an amount to be fixed annually by the Forum and reported to the General Assembly. The grant will be available for the purchase of resources (eg. books; computer hardware or software; periodicals) to be used in the fulfilment of ministerial duties. The grant shall be awarded on the

production of receipts. The Forum shall be entitled to seek contributions towards such grants from the Presbytery or Presbyteries designating the Ordained Local Minister's appointment.

26. **Transfer to the Ordained National Ministry**

This section was deleted by Act V 2019.

27. **Transfer from Auxiliary Ministry to Ordained Local Ministry**

(1) From the date on which this Act comes into force, no new applications for Auxiliary Ministry will be received by the Forum.

(2) Auxiliary Ministers currently serving may make application to the Forum for transfer to Ordained Local Ministry without the need for further assessment or training.

(3) Candidates currently in training for the Auxiliary Ministry shall transfer immediately to Ordained Local Ministry training.

28. **Transfer from Auxiliary Ministry to Ordained National Ministry**

This section was deleted by Act V 2019.

29. **Transfer from Readership to Ordained Local Ministry**

(1) *This section was deleted by Act V 2019.*

(2) *This section was deleted by Act XII 2018.*

30. **Repeal**

Sections 3 – 14 of Act XIII 2003 are hereby repealed.