
Discipline and Reconciliation

Manual

Be In Christ Church of Canada
2019 EDITION



BE IN **CHRIST**
CHURCH OF CANADA

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DISCIPLINE AND RECONCILIATION MANUAL

PREAMBLE

PROTOCOLS for DISCIPLINE and REINSTATEMENT in situations of potential moral or ethical failure of persons credentialed by Be in Christ Church of Canada as either licensed or ordained.

This manual outlines the protocol to be used in cases where an allegation has been made of behaviour that runs contrary to the expectations identified in the Articles of Government, Articles of Faith and Doctrine, and/or other credentialing documents acknowledged and signed by the credential holder against an individual credentialed by Be in Christ Church of Canada.

The protocols and procedures within this manual involve an approved ECCLESIASTICAL process, which shall be conducted within the confines of Be in Christ Church of Canada's structure and polity. It is NOT A LEGAL PROCESS. These protocols and procedures stand separate from the legal process and the parties involved are not bound by the dictates of the judicial system but will not act to condone any activity that may be illegal. The principles of natural justice, however, must be evident in the entire process and all parties shall be bound by a common commitment to see that justice and fairness are expressed for all parties. With regard to the disciplinary protocol in this manual, the Be in Christ Church of Canada determines its own ecclesiastical standards, procedures, practices, and rules, which need not follow the standards, procedures, practices, and rules of secular courts.

This manual serves the ecclesiastical and doctrinal reconciliation process, but does not exclude the possibility that other actions or third-party involvement may be required with respect to any complaint or complaints received. At the discretion of the Team Leader, Executive Director and/or the Disciplinary Committee, the Executive Director may involve legal counsel as appropriate. Where any employee and/or the Disciplinary Committee reasonably believes there to be a criminal aspect to a complaint received, or where there is an allegation of sexual misconduct involving minors, the police will be notified.

The hoped for end of any disciplinary investigation and action is reinstatement of credentials with the possibility of a return to ministry as appropriate and determined by denominational leaders and normal local church hiring processes. To that end the protocols and procedures outlined in this manual are intended to be redemptive. There is a further dimension of restoration that is the work of the individual in addressing his or her relationship with God and other people who have been affected. That restorative work is important but beyond the scope of the official responsibility of Be in Christ Church of Canada.

Complainants, victims, and those accused all face vulnerable circumstances during investigative and disciplinary activities. It is important to protect confidentiality and to be as fair as possible in each situation. Counsel and pastoral care should be offered wherever possible to victims, accused(s), and the congregation(s) that may be involved.

OVERVIEW OF THE PROCESS

The following is an outline of the standard process to be followed when a complaint, allegation, or confession occurs. Mitigating circumstances may call for some alterations, at the discretion of Be in Christ Church of Canada leadership or the Disciplinary Committee.

- 1. Receive complaint, allegation or confession**
- 2. Determine response**
- 3. Respond and Offer Care**
- 4. Take official action OR Close matter**
- 5. Monitor suspension or other implications**
- 6. Review and respond**

RESPONSIBILITY OF CHURCH LEADERS

When situations arise involving allegations made against any credentialed person in a position of pastoral leadership in a congregation, it is incumbent on the spiritual leaders of a local church to involve Be in Christ Church of Canada in the investigation and disciplinary process, since Be in Christ Church of Canada is the body charged with the credentialing of the ministry personnel on behalf of the congregation.

RESPONSIBILITY OF Be in Christ Church of Canada

Be in Christ Church of Canada will respect and work with the local church and its responsibility to resolve its own matters of concern wherever possible. However, Be in Christ Church of Canada has the responsibility and authority to take investigatory and disciplinary action when a written complaint is formally presented to Be in Christ Church of Canada concerning pastoral misconduct, or immoral or unethical behaviour in the life of a person credentialed by Be in Christ Church of Canada.

Where a formal complaint is made in writing to Be in Christ Church of Canada, Be in Christ Church of Canada will consider itself charged with the matter and will take action in accordance with the procedure outlined in this manual.

RESPONSIBILITY OF THE INDIVIDUALS INVOLVED

It is the responsibility of all individuals involved in the disciplinary process, including complainants, respondents, and members of the local congregations, to adhere to the protocol and procedures outlined in this manual. Every effort will be made to maintain confidentiality where appropriate, and to address each allegation in a timely and professional manner, in accordance with this manual, the Articles of Government, the Articles of Faith and Doctrine, and the principles of fairness and natural justice.

PROCEDURE FOR DEALING WITH COMPLAINTS

Complaints, allegations, or confessions of immoral or unethical behaviour are to be written, signed and directed to Be in Christ Church of Canada for response. Any legal charge laid against a credentialed person is also deemed an allegation which warrants the determination of a response according to this protocol.

I. RECEIVE COMPLAINT, ALLEGATION OR CONFESSION

The Executive Director of Be in Christ Church of Canada shall have the responsibility to respond to all written complaints that involve persons credentialed by Be in Christ Church of Canada. The Executive Director shall ensure that the applicable Team Leader from the Senior Resource Team has been informed that a complaint has been registered.

The Executive Director shall ensure that the complainant is made aware that the issue will be or is being addressed.

II. DETERMINE RESPONSE

Within fourteen days of receiving a written complaint, the Executive Director in collaboration with the Team Leader, shall make a determination of the response level required in the situation.

The Team Leader in consultation with the Executive Director will consider the evidence presented in order to determine whether further investigation is warranted and whether the written documents are complete and clear enough for taking action.

If appropriate, the Executive Director will initiate the calling of the Disciplinary Committee. If this happens the Executive Director shall keep the Disciplinary Committee informed throughout the process.

III. RESPONSE PROCEDURES

If the Executive Director determines that further investigation is required, a Response Team is assigned to continue the exploration.

If the Executive Director determines that the information is complete and further investigation is not required, the matter is referred to the Senior Resource Team for action.

a. Further investigation

The Executive Director shall keep a detailed log of the proceedings, meetings, and telephone conversations along with all correspondence, from the receipt of the written complain to the end of the disciplinary process.

Within 48 hours of receiving the complaint:

Step 1. The Executive Director shall advise the Board of Be In Christ Church of Canada and the appropriate members of the Senior Resource Team of the complaint.

If the situation warrants such, the team leader may, in consultation with the Executive Director require an immediate temporary leave of absence, with pay, pending suspension of his or her credentials. This arrangement will be re-negotiated if necessary at the end

of ninety days. Failure by the respondent to comply with any arrangement or terms for a temporary leave of absence will result in immediate suspension of the respondent's credentials, and an immediate leave of absence without pay.

Step 2. The Team Leader or the Executive Director shall contact the respondent and inform him or her of the nature of the complaint being investigated. The Team Leader shall provide the respondent with a copy of this manual and review the involved procedures. The respondent is to have no further contact with the complainant or any connected individuals at this point. Failure to comply with the disciplinary process or continued contact with the complainant may result in immediate termination.

Step 3. The Team Leader or Executive Director shall immediately contact the chair of the board which oversees the respondent's ministry to request that person's assistance in the investigation, and, if necessary, arrange for the respondent to take an immediate temporary leave of absence until the matter is resolved.

Step 4. The Team Leader or Executive Director shall contact the complainant(s) or alleged victim(s) (preferably in person or by telephone) to offer the provision of pastoral care and to make them aware of the steps which have been and will be taken. The Executive Director or their designate shall arrange for support and pastoral care to the respondent and his or her family if they so wish.

Within 12 days of receiving the complaint:

Step 5. The Executive Director shall send the respondent a letter by email and/or regular mail. The letter must include the following:

- a copy of the written complaint;
- notice of the arrangements made for his or her temporary leave of absence, if required;
- a directive in writing that he or she have no further contact with the complainant(s) and any related parties, pending the outcome of an investigation;
- any additional information on the procedure which will take place;
- a request for a written response to the complaint to be sent to the Executive Director or their designate within 5 days of the receipt of the letter. The Executive Director may grant an extension up to another 10 days if circumstances warrant it.

Copies of this letter shall be sent to:

- the complainant;
- the Response Team; and
- the chair of the appropriate board which oversees the respondent's ministry.

If the respondent acknowledges at this point her or his misbehaviour, expresses clear evidence of sorrow and repentance, and makes himself or herself available for remedial discipline, the Executive Director or their designate will work with the Disciplinary Committee, and the board of the local church to arrange remedial and restorative steps

of discipline. It is recognized that the particular circumstances of an acknowledged misbehaviour may make restoration of employment impossible.

Step 6. The Executive Director shall appoint a Response Team to conduct an initial inquiry and make recommendations. The Response Team should be composed of individuals at arm's length from both the complainant(s), the respondent, and any other connected individuals.

Step 7. The Response Team should be provided with copies of the written complaint and the written response, and shall make every effort to commence the investigation within 5 days of receiving their appointment. The Response Team shall consider the complaint and shall conduct such investigation and gather such information as it considers necessary in order to assess whether the complaint can or cannot be substantiated, always seeking to maintain appropriate confidentiality.

Step 8. The Response Team shall conduct their investigation. Any investigation or other action which is undertaken must not hinder any police investigation which may occur. During the course of its investigation, the Response Team must meet separately with both the complainant and the respondent. Both the complainant and the respondent shall be advised of their right to have a support person present at these meetings.

At the meeting with the complainant, the Response Team shall clarify the written complaint(s) and discuss the written response by the respondent. The Response Team shall consider the support and pastoral needs of the complainant and/or the alleged victim(s) and their family and shall make recommendations regarding the provision of such counseling and other help as may be deemed appropriate.

At the meeting with the respondent, the Response Team will examine the particulars of the written complaint(s) and the response and address any other questions or issues that have been raised. The respondent will be given an opportunity to present such additional information, evidence and response, as he or she feels necessary. The Response Team shall consider the support and pastoral needs of the respondent and his or her family and shall make recommendations regarding the provision of such counseling and other help as may be deemed appropriate.

At the conclusion of its investigation the Response Team must make one of the following recommendations:

ONE: There is no cause for disciplinary action and the respondent may be returned to his or her position of Christian ministry.

OR

TWO: The respondent admits the truth of the complaint and agrees to submit to the appropriate disciplinary action to be determined by the Executive Director and Team Leader in consultation with the Disciplinary Committee.

OR

THREE: Although the respondent does not admit to the truth of the complaint, there is still compelling evidence that the complaint is valid and that disciplinary action should be taken in accordance with these protocols.

The Response Team may make other findings or recommendations, if appropriate.

Step 9. The Response Team shall prepare a written report detailing its findings, which will include:

- the complaint made;
- the respondent's written response;
- a summary of the investigation conducted;
- the conclusion reached, including the reasons; and
- the recommendation(s) of the Response Team.

The report shall be delivered to the Executive Director, who will distribute it to the Team Leader, the board chair of the respondent's congregation and the Disciplinary Committee

IV. TAKE OFFICIAL ACTION

The Disciplinary Committee shall receive and review the report of the Response Team and shall determine whether to recommend to the Executive Director **exoneration, censure, suspension and/or conclusion of employment immediately**. The respondent, the complainant and the respondent's congregation shall be informed in writing of the Disciplinary Committee's recommendation and subsequent response by the Executive Director as soon as possible.

The Disciplinary Committee may recommend one of the following actions:

Exonerate. The Disciplinary Committee feels there is no evidence for any disciplinary action, as the individual has not violated the Articles of Government, the Articles of Faith and Doctrine or other credentialing requirements.

Censure. The Disciplinary Committee expresses disapproval of a behaviour as unbecoming a person credentialed with Be in Christ Church of Canada.

Censure may be offered as a warning, indicating that further similar conduct is unacceptable and would lead to withdrawal of credentials with Be in Christ Church of Canada. Notice of censure shall be placed in the respondent's personal file. Without revealing details, if they are known, information that a letter of censure was sent to the person may be shared with congregations or groups who inquire as to the ministry history of the person.

Suspension of Credentials. The Disciplinary Committee recommends a removal of credentials with Be in Christ Church of Canada for a specific period of time in order to implement a program of discipline, reinstatement, and restoration. The disciplinary act of suspension allows for the potential reinstatement of the respondent's accreditation, providing that he or she has given clear evidence of genuine repentance and has fulfilled all the requirements recommended by the Disciplinary Committee. When credentials are restored the credential holder will be subject to all requirements of holding credentials (place of assignment, etc.). Restoration of credentials does not guarantee employment or a pastoral position.

Suspension Timelines

In all cases involving sexual misconduct or sexual abuse of any kind, suspension of ministry and credentials with BIC Canada will automatically occur for a period of time not less than two years and not exceeding three years from the date of notification before any request for reinstatement would be considered in order to underscore the seriousness of the offence and to implement an appropriate program of discipline and restoration by the Disciplinary Committee.

Unless extended by the Executive Director in consultation with the Senior Resource Team at the end of the suspension period, the respondent's credentials with Be In Christ Church of Canada may be either reinstated or permanently withdrawn.

In cases involving clear pastoral misconduct or unethical behaviour, suspension of ministry and credentials with Be In Christ Church of Canada may occur for a period of time not less than one year and not exceeding three years from the date of notification in order to underscore the seriousness of the offence and to implement an appropriate program of discipline by the Disciplinary Committee.

Unless extended by the Executive Director in consultation with the Senior Resource Team at the end of the suspension period, the respondent's credentials with Be In Christ Church of Canada must be either reinstated or permanently withdrawn.

Suspension Regulations

The conditions of the suspension of credentials must be clearly stated in writing.

Written notice of the suspension of credentials must be given to both the respondent and the leaders of the church congregation or organization involved.

Any suspension of credentials must be reviewed at the end of the stated suspension period.

If the respondent does not give clear evidence of genuine repentance or fails to fulfill the program of discipline recommended by the Disciplinary Committee, and accepted by the Executive Director a further period of suspension may be required, not to exceed one year, or credentials may be permanently revoked.

Pastoral Care

The Team Leader in co-operation with the Executive Director may choose to assign a "mentor" to the respondent for the period of time in which the respondent's credentials are suspended.

Consequences

Any and all ministry associated with pastoral care in any form (i.e. preaching, counseling, teaching, and visiting) within Be In Christ Church of Canada must not take place until such time as the person is fully reinstated.

Because the respondent is no longer credentialed by Be In Christ Church of Canada during the said suspension, license(s) (i.e., to perform marriages) requiring denominational credentials will be revoked.

The suspension of the respondent's credentials by Be in Christ Church of Canada shall mean (unless otherwise indicated in writing by the Executive Director) that his or her name will not be listed as one available for ministry.

If the respondent contests the suspension or any other action, he or she may appeal to the denominational Board of Directors for a review hearing. This is a right. The decision of the board of directors in the review hearing will be final and without provision for further review or appeal.

MONITOR SUSPENSION OR OTHER IMPLICATIONS

The Executive Director monitors follow up during the suspension term.

V. REVIEW AND RESPOND

At the conclusion of the suspension term, the Executive Director and the Team Leader will review, follow up, and make any necessary and appropriate decisions related to ongoing ministry and reinstatement of credentials, if appropriate.