

Canadian Baptists of Ontario and Quebec

Discipline Protocol

PROTOCOLS

**for DISCIPLINE and REINSTATEMENT
in situations of Moral or Ethical failure
of Accredited Ministry Leaders**

December 2010 edition

Approved by Ministerial Resources Committee



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PART I

GENERAL INTRODUCTION

I. A. PREAMBLE

Within Canadian Baptists of Ontario and Quebec (hereinafter referred to as CBOQ) it is our belief that the Christian Church is a body of believers who should exhibit Christian characteristics that always promote a climate of acceptance and trust. Those who give leadership within the church, or on behalf of the church, must always seek to create an atmosphere of trust and safety in the lives of those whom they are called to serve. Because of this, those who are accredited within CBOQ must always serve in ways, which reflect the highest ethical and moral standards. CBOQ must continually seek to provide a responsive environment in which those who have suffered harm will be heard and responded to, and those who are accused of wrongdoing will be justly treated.

This manual outlines protocol to be used in cases where allegations of behaviour that runs contrary to the expectations identified in the Statement of Ethical Pastoral Conduct have been made against those accredited by CBOQ.

The protocols within this manual involve an approved ECCLESIASTICAL process, which shall be conducted within the confines of CBOQ's structure and polity. It is NOT A LEGAL PROCESS. These protocols 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 principle 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 concerned. With regard to the disciplinary protocol in this manual it is CBOQ, which determines its own ecclesiastical standards, procedures, practices and rules that need not follow the standards, procedures, practices and rules of secular courts.

It is essential to be clear about this distinction in our litigious society, where lawyers will frequently be involved in ecclesiastical matters. While there may be civil or criminal implications (e.g., when a charge involves alleged abuse of minors, rape, or a complainant files a legal suit for compensation for emotional damage), the Ministerial Resources Committee (MRC) addresses itself only to ecclesiastical matters and to the question of behavior unbecoming persons accredited by CBOQ.

The hoped for end of any disciplinary investigation and action is reinstatement of accreditation and return to ministry where appropriate. To that end the protocols outlined 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 CBOQ.

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 (see Appendix B). Counsel and pastoral care should be offered wherever possible to victims, accused and the congregation that may be involved.

I. B. OVERVIEW of the Process

The following is an outline of the normative process when a complaint, allegation or confession occurs. Mitigating circumstances may call for some alterations.

Receive complaint, allegation or confession

Director of Leadership Development, or designate (Each time the title of “Director of Leaders Development occurs, it is assumed that “or designate” is implied as well.)

Determine response

Director of Leadership Development determines whether further investigation is warranted.

Respond and Offer Care

If YES, further investigation is required, the Director of Leadership Development assigns it to a Response Team

If NO, further investigation is not required, the Director of Leadership Development refers the matter to MRC Exec for further determination or closing of the matter.

Director of Leadership Development insures that suitable care is offered to victim/accused/congregation.

Take official action

Ministerial Resources Committee Executive (MRC Exec) determines exoneration/suspension/censure. (The MRC Exec is comprised of the Chair of the MRC, Chair of the Credentials Committee, the Executive Minister and the Director of Leadership Development.)

- Establish expectations
- length of suspension
- mentor accountability
- counseling
- reflection papers
- assessment of ministry suitability

If the accused contests any of the actions proposed, he/she may appeal to Executive Minister to launch a Review Hearing.

Monitor suspension or other implications

Director of Leadership Development monitors follow up during suspension term.

Review and respond

At conclusion of suspension term, the Director of Leadership Development and MRC Exec review and follow up.

I. C. STATEMENT OF ETHICAL PASTORAL CONDUCT

Each pastoral leader accredited with CBOQ is required to sign the following Statement of Ethical Pastoral Conduct at the point of beginning ministry with CBOQ. Those who began serving prior to the creation of this document are still considered to agree with this statement, as it reflects previous statements and understandings of ethical conduct by which we have historically functioned.

Statement of Intent

The Statement of Ethical Pastoral Conduct has been created to provide a clear standard of conduct for those who are accredited by CBOQ and serve within positions of leadership and influence within the Christian community. As followers of the Lord Jesus Christ, and leaders within the church we covenant with God and one another to abide to a high standard of morality and ethics within our lives and ministries.

Standard Principles and Expectations

All vocational ministers accredited by CBOQ are representatives of the wider Christian community and of CBOQ. As a visible role model and servant leader, I agree to:

Live as a follower of Jesus Christ in my actions, attitudes and behaviours, recognizing my daily need for Christ's grace and forgiveness in my life and in the lives of others.

Honour the high calling to Christian ministry and leadership and endeavour to lead a godly and exemplary life.

Study with diligence and teach the scriptures with integrity, presenting the whole counsel of God's word in matters of faith, doctrine, ethics and morality.

Endeavour to grow as a pastor and leader to offer ongoing effectiveness in ministry and leadership.

Maintain strict confidentiality when asked or required, except in cases where disclosure is necessary to prevent harm to persons and/or is required by law.

Accept responsibility for my own spiritual, emotional, physical and mental health. I will seek the help of others when I discover the need for support, encouragement, counselling or exhortation, and similarly act with due care towards my family and friends.

Follow the directives of Galatians 6:1, if I become aware that one of my CBOQ ministry colleagues is "caught in sin", to gently but courageously encourage him/her to confess sin and take the necessary steps of repentance and restoration. If the ministry colleague remains unrepentant or unchanged in regards to their sinful behaviour, I will follow the directives of Matthew 18, contacting church leaders of that minister's congregation or the Executive Minister of CBOQ (and police if required by law) and inform them of the situation.

Critical Expectations

All vocational pastors and ministry leaders accredited by CBOQ are expected to uphold a high standard in terms of their conduct and lifestyle. Breach of a critical expectation may result in suspension of credentials and further disciplinary action. Detailed protocols in regards to discipline, reinstatement and restoration can be found in the CBOQ Discipline Protocol. As a vocational minister accredited by CBOQ, I agree to:

Treat all people with dignity regardless of their gender, race, national origin, ethnicity, sexual orientation, age, marital status, physical impairment or disability.

Not engage in aggressive or abusive behaviour.

Not engage in criminal activity of any kind. (This is not to curtail the peaceful conscientious objection to potential government action.)

Maintain healthy physical and emotional boundaries with those to whom I minister and with those I work alongside. There will be no sexual touching, innuendo, sexual or physical harassment or sexual/crass joking. I will honour healthy and appropriate physical and emotional boundaries (not becoming emotionally intimate) understanding the power inherent in the role of a minister.

Maintain a God-honouring and pure sexuality. I will not engage in extramarital, pre-marital, or same-sex sexual relationships or behaviour. I will avoid pornography.

Understand and observe my responsibilities in regards to the protection of children and vulnerable persons within my care, the church I serve, and the community at large.

Conduct all personal and professional financial affairs ethically and responsibly.

Refrain from illegal drug use and abuse of alcohol (drunkenness) and will seek immediate help for any addictive behaviours (drugs - legal or illegal, alcohol, gambling, pornography etc).

Consistently seek to encourage congregation and congregants toward loyalty to and support of CBOQ.

Serve humbly and not abuse the inherent power of the ministry position. I will refrain from any form of conduct that exploits another for my own advantage or the advantage of any third person.

Upon my retirement or resignation, I will seek to support the ministry of my successor(s) by refusing to interfere in the ministry of the church I formerly served. I will refrain from pastoral involvement (including opinion on the incumbent's decisions) except upon the clear consent of my successor(s) and church board.

Review of Statement of Ethical Pastoral Conduct

This statement will be reviewed every three years by the Ministerial Resources Committee of CBOQ. Changes must be approved by the CBOQ Board of Directors.

WAIVER AND DECLARATION

I, the undersigned, recognizing that the information on the Reference Forms remains confidential between the referee and the CBOQ Credentials Committee, hereby voluntarily waive any right or privilege to inspect or challenge the content expressed by those whose names I provide. Furthermore I declare that, to the best of my knowledge, all of the foregoing information is correct and true and I understand the professional implications of accreditation with Canadian Baptists of Ontario and Quebec.

Signature of Applicant

Date

I. D. RESPONSIBILITIES

RESPONSIBILITY OF CHURCH LEADERS

When situations arise involving allegations of immoral or unethical behavior on the part of pastoral leaders, it is incumbent on the spiritual leaders of a church to involve CBOQ in the investigation and disciplinary process, since CBOQ is the body charged with the accreditation of our ministry personnel on behalf of the congregations.

RESPONSIBILITY OF CBOQ

CBOQ is responsible to respect and recognize the autonomy of the local church and its responsibility to resolve its own matters of concern.

However, with that acknowledgement, CBOQ has the responsibility and authority to take investigatory and disciplinary action when a written complaint is formally presented to the Director of Leadership Development concerning immoral or unethical behaviour in the life of a person accredited by CBOQ, which brings the Body of Christ into disrepute.

A written complaint may be forwarded to the Director of Leadership Development by:

- an individual who believes that he/she has no other recourse,
- the appointed spiritual leader(s) of a local church,
- an Association Ministry Committee (or its equivalent),

Complaints must be in writing, and signed by the person(s) making the complaint. The written statement may be a minute of an oral statement that is signed by the person making the complaint.

Information of immoral or unethical behaviour may also come in the form of a confession by an accredited individual.

This process emerges from the concept and expectations of a **“FIDUCIARY RELATIONSHIP.”** Fiduciary relationship refers to a special relationship or trust. This trust is normally granted to a person who holds a position of power, leadership or authority by virtue of their rank or position. In Christian ministry this refers to a relationship in which the Church Body trusts that those in positions of leadership will exercise loving, safe, enabling, enriching, non-abusive authority, care, guidance, and encouragement to every member without distinction.

In a Christian community setting this specifically relates to the trust that is normally granted to persons both training for and practicing Christian ministry.

We trust that those in positions of Christian leadership will exercise loving, safe, enabling, enriching, non-abusive authority, care, guidance and encouragement to every member without distinction, and that professional boundaries will not be over-stepped.

A breach of a Christian minister’s fiduciary responsibility towards those who place their trust in him/her is to be understood as a grievous act of ethical (if not also moral) misconduct.

PART II

CBOQ Protocol governing the Response to Allegations of Immoral and Unethical Behaviour

II. A. RECEIVE COMPLAINT, ALLEGATION OR CONFESSION

Complaints, allegations or confessions of immoral or unethical behaviour (as defined in the Statement of Ethical Pastoral Conduct) are to be written, signed and directed to the CBOQ Director of Leadership Development for response. The written statement may be a minute of an oral statement that is signed by the person making the complaint or confession. Any legal charge laid against an accredited individual is also deemed an allegation which warrants the determination of a response according to this protocol.

- a) The Director of Leadership Development shall have the responsibility to respond to all written complaints of immoral or unethical behaviour, which involve persons accredited by CBOQ.
- b) The Director of Leadership Development shall ensure that the complainant is made aware that the issue will be or is being addressed.
- c) The Director of Leadership Development shall inform the Executive of the MRC and the Executive Minister that a complaint has been registered.
- d) Within fourteen (14) days of receiving a written complaint of immoral or unethical behaviour the Director of Leadership Development, or designate, shall make a determination of the response level required in the situation. If appropriate, the Director of Leadership Development will initiate the calling of a Response Team (see definition in Appendix C) and the protocol outlined in Part II. C.
- e) The Director of Leadership Development shall keep the MRC Executive and the Executive Minister informed throughout the process.

II. B. DETERMINE RESPONSE

The Director of Leadership Development 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.

II. C. RESPOND PROCEDURES

If the Director of Leadership Development determines that further investigation is required (YES), a Response Team (see definition in Appendix C) is assigned to continue the exploration.

If the Director of Leadership Development determines that the information is complete and further investigation is not required (NO), the matter is referred to the Ministerial Resources Executive for action.

YES

The Director of Leadership Development shall begin to keep a detailed log of the proceedings, meetings and telephone conversations along with all correspondence.

Any action taken **must not** impede any Police investigation or be seen to prejudice the outcome of such an investigation.

- Step 1. The Director of Leadership Development shall immediately contact the Respondent and inform him/her of:
- the complaint (non-detailed),
 - the process taking place.

The Respondent shall be required to have no further contact with the alleged victim(s), pending the outcome of an investigation.

- Step 2. If the situation warrants such, the Director of Leadership Development may call for an immediate **temporary leave of absence** pending suspension of his/her accreditation.

Notation: Failure by the Respondent to comply with this arrangement for a temporary leave of absence will result in immediate suspension of the Respondent's accreditation.

Notation: A temporary leave of absence shall be deemed necessary if in the view of the Director of Leadership Development the respondent is unable to fulfill his/her responsibilities with credibility and effectiveness.

Notation: The church may continue to pay the Respondent's salary while he/she is on temporary leave of absence.

Notation: CBOQ may offer to underwrite the cost of interim ministry up to three (3) days per week for three (3) months at \$150.00 per day.

This arrangement will be re-negotiated if necessary at the end of ninety (90) days.

- Step 3. The Director of Leadership Development shall provide the Respondent with a copy of this Manual as quickly as possible.

- Step 4. The Director of Leadership Development shall immediately contact the Chair of the appropriate Board, which oversees the Respondent's ministry:
- to request that person's assistance in the investigation;
 - if necessary to arrange with the appropriate Board for the Respondent to take an immediate temporary leave of absence until the matter is resolved.

- Step 5. As soon as possible the Director of Leadership Development shall send the Respondent a letter by e-mail and/or regular mail:

The letter will include:

- a copy of the written complaint;
- notice of the arrangements made for his/her temporary leave of absence if such is required;
- a directive in writing that he/she have no further contact with the alleged victim(s), and/or the Complainant(s) 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 Director of Leadership Development within ten (10) days.

Copies of this notification shall be sent to:

- the Complainant,
- the Response Team,
- the Chair of the appropriate Board which oversees the Respondent's ministry.

Step 6. As soon as possible, normally within 48 hours, the Director of Leadership Development shall contact the 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.

Step 7. As soon as possible, the Director of Leadership Development shall advise the Executive Minister, the President of CBOQ and the MRC Executive of the complaint.

Step 8. As soon as possible, the Director of Leadership Development shall arrange for support and pastoral care to the Respondent and his/her family if they so wish.

Step 9. If the Respondent acknowledges his/her misbehavior and sin, expresses clear evidence of sorrow and repentance, and makes himself/herself available for remedial discipline, the Director of Leadership Development will work with the Executive Minister, and/or the MRC Executive, and/or, if warranted, the Association Ministry Committee (or its equivalent) to arrange remedial and restorative steps of discipline.

OR

Within fourteen (14) days of notification of the complaint the Executive Minister shall appoint three (3) members of the Response Team Panel to form a **Response Team** to conduct an initial inquiry and make recommendations.

Notation: The importance of gender balance should be considered in the appointment of the Response Team.

Notation: All participating members of the Response Team must have a clear arms length relationship (see definition in Appendix C) with the church and/or people involved.

Step 10. The Director of Leadership Development shall contact the Chair of the local Association Ministry Committee (or its equivalent) to enlist one of its members to serve as a member of the Response Team.

Step 11. The Director of Leadership Development shall ensure that the Response Team is provided with copies of the written complaint and the written response.

Step 12. The Response Team shall attempt to commence the investigation within fourteen (14) days of their enlistment.

Step 13. 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.

Notation: It must be clearly understood that any investigation or other action which is undertaken must not hinder any Police investigation which is occurring. It must be assumed that the police cannot be a source of substantiating information.

Notation: Both the Complainant and the Respondent shall be advised of their right to have a support person present at these meetings.

The Investigation shall include at the very least the following two (2) meetings.

Meeting 1. The Response Team shall meet with the Complainant: to clarify their written complaint(s) and respond to questions which may be raised; to discuss the written response.

The Response Team shall consider the support and pastoral needs of the Complainant and/or the alleged victim(s) and his/her family and shall make recommendations regarding the provision of such counseling and other help as may be deemed appropriate.

Meeting 2. The Response Team will, in a separate gathering, meet with the Respondent to examine the particulars of the written complaint(s), their response and to answer any questions, which might be raised.

The Respondent will be given an opportunity to present such additional information, evidence and response, as he/she feels necessary.

The Response Team shall consider the support and pastoral needs of the Respondent and his/her family and shall make recommendations regarding the provision of such counseling and other help as may be deemed appropriate.

Step 14. The Response Team must make one of the following recommendations:

That there is no warrant for disciplinary action and the Respondent should be exonerated and returned to his/her position of Christian ministry.

OR

The Respondent admits the truth of the complaint and agrees to submit to the appropriate disciplinary action to be determined by the MRC through its Executive in consultation with the Director of Leadership Development.

OR

Short of the admission by the Respondent to the truth of the complaint, there is still compelling evidence that the complaint is valid and that disciplinary action should be taken by the MRC Executive in accordance with these protocols.

Step 15. In the event of exoneration the Respondent and the Complainant shall be notified of the finding as quickly as possible.

Step 16. The Response Team shall prepare a written report, which will include:

- the complaint made,
- the Respondent's written response,
- a summary of the investigation conducted,
- the conclusion,
- recommendations.

Step 17. The Response Team shall ensure that a copy of the written report is given to:

- the Director of Leadership Development
- the Executive Minister
- the President of CBOQ
- the MRC Executive

Notation: In cases where the Respondent is exonerated by the Response Team but is found guilty in a separate court of law, the Executive Minister and the MRC Executive may reconsider further investigation and action.

NO

If the Director of Leadership Development determines that the information is complete and further investigation is not required (NO), the matter is referred to the Ministerial Resources Executive for action.

The Ministerial Resources Executive will consider the available evidence and take action as outlined in the next section.

II. D. TAKE OFFICIAL ACTION

The Ministerial Resources Committee Executive (MRC Exec) receives the report of the Director of Leadership Development or the Response Team and determines whether to exonerate, censure or suspend the accused individual. The Respondent, the Complainant and the Respondent's congregation should be informed in writing of their action as soon as possible.

Exonerate, officially stating that the MRC Executive feels there is no evidence for any disciplinary action, as the individual has not violated the Statement of Ethical Pastoral Conduct.

Censure is an official statement of the MRC expressing disapproval of a behaviour as unbecoming a person accredited with CBOQ.

Censure may be offered as a warning, indicating that further similar conduct is unacceptable and would lead to withdrawal of accreditation within CBOQ. 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 Churches or denominations or groups who inquire as to the ministry history of the person.

Suspend: Suspension of Accreditation is a removal of accreditation with CBOQ for a specific period of time in order to implement a program of discipline, reinstatement and restoration prescribed by the MRC.

The disciplinary act of suspensions allows for later reinstatement of the Respondent's accreditation, providing that he/she has given clear evidence of genuine repentance and has fulfilled all the requirements recommended by the MRC.

In all cases involving discipline, the Director of Leadership Development, in consultation with the MRC Executive, shall initiate the process of discipline.

The Director of Leadership Development, with the MRC Executive shall establish expectations concerning:

- the length of suspension
- mentor accountability
- counseling
- reflection papers
- assessment of ministry suitability

Notation:

Suspension Timelines

In all cases involving sexual immorality or sexual abuse of any kind (as defined by the Statement of Ethical Pastoral Conduct), suspension of ministry and accreditation with CBOQ **will** automatically occur for a period of time not less than two (2) years from the date of notification before any request for reinstatement will be considered in order to underscore the seriousness of the offence and to implement an appropriate program of discipline by the MRC.

Unless extended by the MRC at the end of the two (2) year period of time, the Respondent's accreditation with CBOQ **may** be either reinstated or permanently withdrawn.

In cases involving clear pastoral misconduct or unethical behaviour, suspension of ministry and accreditation with CBOQ **may** occur for a period of time not less than one (1) year and not exceeding three (3) 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 MRC.

Unless extended by the MRC at the end of the maximum three (3) year period of time, the Respondent's accreditation with CBOQ **must** be either reinstated or permanently withdrawn.

Suspension Regulations

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

Written notice of the suspension of accreditation must be given to:

- the Respondent,
- the leaders of the Church/organization involved.

Any suspension of accreditation must be reviewed at the end of two (2) years.

If the Respondent does not give clear evidence of genuine repentance or fails to fulfill the program of discipline prescribed by the MRC, a further period of suspension may be required, not to exceed one (1) year.

Pastoral Care

The MRC in co-operation with the Director of Leadership Development shall assign a "Mentor" to the Respondent for the period of time in which the Respondent's accreditation are suspended.

Consequences

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

Because the Respondent is no longer accredited by CBOQ during the said suspension, license(s) (i.e. to perform marriages) requiring denominational accreditation will be revoked.

The suspension of the Respondent's accreditation by CBOQ shall mean (unless otherwise indicated in writing by the MRC) that his/her name will not be listed as one available for ministry.

If the Respondent contests the suspension or any other action, he/she may appeal to Executive Minister to launch a Review Hearing.

II. E. MONITOR SUSPENSION OR OTHER IMPLICATIONS

Director of Leadership Development monitors follow up during suspension term.

II. F. REVIEW AND RESPOND

At conclusion of suspension term, Director of Leadership Development and MRC Exec review and follow up.

PART III

CBOQ Protocol governing the Response to Allegations of Child Abuse

III. A. PREAMBLE

All CBOQ Churches should be aware of the following legal responsibilities pertaining to child abuse.

1. **RESPONSIBILITY TO REPORT CHILD ABUSE IN ONTARIO**

- a) The Child and Family Services Act of Ontario (CFSA) requires **EVERYONE** who believes on reasonable grounds, that a child is, or may be, in need of protection, to report this information to the Children's Aid Society. A listing of local and regional Ontario Children's Aid Societies is found at <http://www.oacas.org>.
- b) The law places a heavier burden to report on those who, in the course of their professional or official duties, have reasonable grounds to believe a child is, or may have suffered abuse.

Persons in this category are required forthwith to report the suspicion and the information upon which it is based to the Children's Aid Society.
- c) Clergy are included in the list of those required to report, and this requirement applies even though the information may be considered confidential or privileged.

2. **RESPONSIBILITY TO REPORT CHILD ABUSE IN THE PROVINCE OF QUEBEC**

The Youth Protection Act in Quebec, Section 39, provides for similar reporting responsibilities. The link for reporting can be found at <http://www.cdpcj.qc.ca/en/home.asp?noeud1=0&noeud2=0&cle=0>.

III. B. OTHER RESPONSIBILITIES

1. **RESPONSIBILITY TO REPORT CHILD ABUSE TO CBOQ**

Allegations and complaints of child abuse, which involve persons accredited by CBOQ, must be reported in writing to the Executive Minister and the Director of Leadership Development (or their designates).

In fact, because of the sensitivity of such allegations and the likelihood of media attention ALL matters of alleged child abuse that in any way involve a member church of CBOQ should be immediately reported to the Executive Minister or designate.

2. **RESPONSIBILITIES OF CBOQ IN RESPONDING TO COMPLAINTS OF CHILD ABUSE**

It is important that any action by CBOQ does not interfere with the established protocols of the police or child and family service agents in their investigative work. Therefore, once allegations of child abuse have been reported to the appropriate authorities, any further

action will be delayed pending the outcome of those actions. Once a ruling has been made by Child and Family Services or a charge laid by the police, further action regarding accreditation can be taken by CBOQ.

3. **RESPONSIBILITIES OF CBOQ EXECUTIVE MINISTER OR DESIGNATE IN RESPONDING TO COMPLAINTS OF CHILD ABUSE**

- a) The Executive Minister, together with the Director of Leadership Development shall have the responsibility to receive and respond to all complaints of abuse, or suspected abuse, which involve accredited ministers.
- b) Upon receiving a complaint, whether anonymous or otherwise, of alleged abuse involving a child under the Age of sixteen (16) years, the Executive Minister, shall immediately advise the appropriate Children’s Aid Society, providing as complete information as possible.

In no instance shall there be a delay of more than twenty-four (24) hours in reporting to the Children’s Aid Society.

III. C. **PROTOCOL GOVERNING THE RESPONSE TO ALLEGATIONS OF CHILD ABUSE**

The following shall be the procedure for dealing with allegations of child abuse.

Any action taken **must not** impede any Children’s Aid Society or Police investigation or be seen to prejudice the outcome of the investigation.

- Step 1. Within twenty-four (24) hours of notification of a report or a written complaint (or a confession) of alleged child abuse involving a child under the age of sixteen (16) years, **the Executive Minister** shall immediately ensure that the appropriate Children’s Aid Society has been notified.

The Complainant should be encouraged to write out the allegation. It should be specific in content and should be signed.

- Step 2. The Executive Minister shall begin to keep a detailed log of the proceedings, meetings and telephone conversations along with all correspondence.

- Step 3. Once the Children’s Aid Society (or equivalent) has contacted the respondent, the Executive Minister shall contact the Respondent and confirm with him/her:
- the allegations made,
 - the process taking place,
 - the imperative for an immediate temporary leave of absence.

- Step 4. The Executive Minister shall take suitable steps, as soon as possible to provide the Respondent with a copy of this Manual. At this point, the Executive Minister will notify the Respondent that the responsibility for further disciplinary actions and process is passed to the Director of Leadership Development (or designate), who shall proceed according to the full process outlined in the previous sections of this manual.

Notation: It must be clearly understood that any investigation or other action, which is undertaken, must not hinder any Children's Aid Society or Police investigation, which is occurring. It must be assumed that the police and the Children's Aid Society cannot be a source of substantiating information.

Notation: The Director of Leadership Development and the Executive Minister shall take steps to provide whatever support and care are needed for the complainant, any other victims, the respondent and the local congregation, provided this in no way impedes or prejudices other investigations.

PART IV

CBOQ Protocol governing the Convening of a Review Hearing to Consider Allegations of Violations of the Statement of Ethical Pastoral Conduct

IV. PROTOCOL GOVERNING THE CONVENING OF A REVIEW HEARING

An appeal of a disciplinary decision of the MRC Executive may be made to the Executive Minister by the Respondent if he or she believes that the decision has not been fair. The Executive Minister may examine the case and ask the MRC to revisit their decision, or, in extraordinary cases, recommend that there be a Review Hearing.

A Review Hearing is an appeal process that may be initiated if the Respondent is not satisfied with the decision and action of the Ministerial Resources Committee Executive and wishes to challenge their decision.

Step 1. The President of CBOQ shall be responsible for selecting three (3) members from the Response Team Panel to form a Review Hearing Team.

Notation: No person shall serve on both the Response Team and the Review Hearing Team.

Notation: The importance of gender balance shall be considered in the appointment of members of the Review Hearing Team.

Step 2. The Review Hearing Team shall decide among them

- who will serve as Chairperson
- who will serve as Recording Secretary
- the date, time and place of the Review Hearing

Notation: The Review Hearing shall normally take place not less than thirty (30) days nor more than ninety (90) days following notification.

Step 3. The Chair of the Review Hearing Team shall make suitable arrangements (of place) to hold the Review Hearing and shall notify the Executive Minister of the same.

Step 4. The Executive Minister shall be responsible for notifying the Complainant and the Respondent of the following:

- the date, time and place of the Review Hearing,
- the procedure which will take place,
- their right:
 - to be present,
 - to present evidence, including witnesses,
 - to have a support person with them.

Step 5. The Executive Minister shall notify the appropriate church(es) or organization(s) of the date time and place of the Review Hearing for information only.

Step 6. The Review Hearing shall follow this format:

- 1) Opening statement by the Chair of the Hearing

- 2) Introduction of participants
- 3) A brief synopsis of the process to date
- 4) Statement of how the hearing will be conducted
- 5) Invocation Prayer
- 6) Reading of the written complaint by the Complainant
- 7) Reading of the written response by the Respondent
- 8) Presentation of information or testimony supporting the complaint.
- 9) Presentation of information or testimony refuting the complaint
- 10) Response of the Complainant or his/her representatives
- 11) Response of the Respondent or his/her representatives
- 12) Questions by the Review Hearing Team to any of those offering information, testimony, refutation or response
- 13) Closing statement by the Complainant or his/her support person
- 14) Closing statement by the Respondent or his/her support person
- 15) Closing prayer
- 16) Hearing ends

Step 7. The Review Hearing Team shall meet in private to deliberate.

Step 8. Within forty-eight (48) hours the Review Hearing Team shall decide on one of the following three (3) options:

A. To uphold and exonerate the Respondent.

OR

B. To uphold the Complainant and recommend that one of the following disciplinary steps be taken by the MRC.

Censure but allow accreditation to stand.

Suspension of accreditation with CBOQ.

Withdrawal of accreditation with CBOQ.

OR

C. To uphold neither the Complainant nor the Respondent but recommend that the MRC Executive develop a plan for addressing the issues short of censure or suspension of accreditation.

Step 9. The Review Hearing Team shall forthwith advise in writing the Executive Minister, the Director of Leadership Development, and the Chair of the MRC of its decision.

Step 10. In the event of exoneration the Respondent shall receive notification by telephone acknowledging this finding as quickly as possible.

Step 11. In the event of case “C” above, the Chair of the MRC shall convene a meeting of the MRC Executive to develop an appropriate plan of action.

- Step 12. Within twenty-one (21) days of the decision of the Review Hearing the Chair of the MRC shall notify all parties listed below of any and all final decisions:
- the Respondent,
 - the Complainant,
 - the church/organization being served at the time of the allegations,
 - the church/organization now being served,
 - any other bodies which have relied on CBOQ recognition for endorsement, approval or recognition if appropriate,

In the case of withdrawal of recognition of accreditation all CBOQ employment benefits shall cease.

- Step 13. Once the Review Hearing is completed, the final decision is made and appropriate action is taken, the MRC will ensure that continued effort is made to promote reconciliation and healing between all parties concerned.

Notation: In cases where the respondent is exonerated by the Review Hearing, but is found guilty in a separate court of law, a second Review Hearing may be convened by the President of CBOQ in consultation with the Executive Minister and the MRC Executive.

PART V

CBOQ Protocol governing the Process leading to Reinstatement following the Charges of Abuse or of Pastoral Delinquency

V. A. PREAMBLE

The pastoral office is a spiritual position of great trust, responsibility and power.

This Convention holds that any criminal, unethical or immoral act by an accredited minister or commissioned worker is a violation of that trust and may result in suspension of accreditation with CBOQ.

It needs to be understood that restoration to community may **not** necessarily also mean reinstatement of accreditation or restoration to the pastoral position.

Accreditation may be reinstated when the MRC is satisfied that appropriate restorative measures have been taken.

Any second offence involving any kind of immoral or unethical behaviour after reinstatement from a first offence will result in automatic permanent suspension of accreditation.

In regard to all the above, refusal to meet with either the MRC, or the Executive of the MRC, or a Response Team, or a Review Hearing, appointed in accordance with our Protocol, will be in itself sufficient reason for accreditation to be suspended.

While voluntary surrender of accreditation may be appropriate in some cases, the Convention reserves the right to refuse such an offer and impose such other discipline as deemed appropriate by the MRC.

Accreditation, when withdrawn, or suspended for any reason, will not be transferred to another Convention or Denomination.

Accreditation will not be reinstated so that a pastor may seek accreditation with another Convention or Denomination.

Disciplinary processes started under the jurisdiction of CBOQ must be completed under the jurisdiction of CBOQ.

The independent actions or accreditation by other Conventions will not be recognized.

Accreditation from another Convention or Denomination, which has been suspended or revoked by that body will not be recognized by CBOQ or transferred to CBOQ.

V. B. EXPECTATIONS OF THE MINISTERIAL RESOURCES COMMITTEE

1. Before any reinstatement of accreditation takes place it is expected that the following disciplinary steps will have been taken by the MRC:
 - a) CBOQ (MRC) will have suspended the person's accreditation for a period of one (1) to three (3) years as a result of immoral or unethical behaviour.

Notation: It is understood that this will be in effect from the date of the decision by the MRC.

- Notation:** This means:
- it will be a minimum of one (1) to three (3) years before any request for reinstatement will be considered.
 - that all and any ministry associated with Pastoral responsibilities in any form (i.e. preaching, teaching, counseling, etc.) within CBOQ, must not take place until such a time as the person is fully reinstated.
- b) Notice of rescinded accreditation will have been sent by the MRC to:
- the person,
 - the leaders of the Church involved.
- c) The MRC Executive will have assigned a Mentor to the person for the period of time in which his/her accreditation is suspended.
- d) The MRC will have taken steps to ensure that counseling from a Christian perspective is offered to the:
- person
 - at CBOQ expense if taken within the first year
 - after 1 year - at their own expense;
 - victims - if refused, this fact is to be officially recorded;
 - Church - if refused, this fact is to be officially recorded.

2. OF THE PERSON

Before any reinstatement of accreditation will be considered, the person will have:

- a) received personal Counseling from a Christian perspective.
- b) complied with the following:
- i) all conditions of suspension assigned by the MRC (and/or the MRC Executive), and one's Mentor (if assigned);
 - ii) all restrictions concerning professional activity (if assigned);
 - iii) the full number of counseling sessions required by the MRC Executive.
- c) given clear evidence of repentance, of confession, and of a genuine broken and contrite heart, as reasonably confirmed by his/her Mentor, counselor, and the victim(s).
- d) pursued reconciliation with his/her victim(s), and will have made every effort to provide restitution to all offended or affected parties as determined by the Response Team (see definition in Appendix C) and/or the Review Hearing.

Notation: If any of the above have not been accomplished in a manner satisfactory to the MRC Executive, the matter will be brought before the MRC recommending an extension of said suspension until such time as the disciplined party has accomplished these tasks.

V. C. PROTOCOL LEADING TO REINSTATEMENT

Stage 1. At some point in the reconciliation a process of face-to-face mediation will be offered by the MRC, if deemed appropriate.

Notation: Refusal by either the victim(s) or the person will be officially recorded.

A record of the event is to be made and filed.

Stage 2. Within the first year of suspension the MRC Executive shall request signed reports from:

- the person
- his/her Mentor
- his/her counselor (if assigned)

Stage 3. Within two (2) months following the first year of suspension the person will write a reflection paper for the MRC Executive to report on progress to that point.

Stage 4. At the end of the 2 year period of suspension the person will have the right to request an interview with the MRC Executive with a view to possible reinstatement of their accreditation.

Notation: If the steps outlined under “Expectations” (V. B.) have not taken place by this time, then all items outlined (with reports) will be required to have been completed before any interview takes place.

Stage 5. Before any interview takes place the MRC Executive will make every effort to receive reports from any or all of the following, as the MRC Executive deems appropriate:

- a) The person’s Counselor - particularly his/her recommendations
- b) The person’s Mentor
- c) The person’s Pastor
- d) The Association Ministry Committee (or equivalent) past and/or present
- e) Any former Executive Staff person involved in the suspension of the person’s accreditation
- f) The person’s Family:
 - in the form of an impact statement
 - (spouse)
 - (children (if of appropriate age))
- g) Leadership of the church where respondent was serving at the time of the event.

h) Victims and Complainants - identified in the investigation
- in the form of an impact statement

i) The person - outlining the steps he/she has taken in the whole process of repentance and reconciliation.

Stage 6. Invitations will be sent to all mentioned above in Stage 5 to attend the interview if they so wish.

Stage 7 The MRC Executive will insure that the following questions are covered in the interview.

- a) What was your response when your misconduct came to light?
- b) How have you addressed this matter with those you have harmed?
- c) How did you address this issue with the congregation at the time of the failing?
- d) How has your betrayal of trust impacted the lives of
 - i) your victim(s)
 - ii) your spouse? (if applicable)
 - iii) other members of your family
 - iv) your church and/or organization?

(These questions are intended to gauge whether or not the person has a realistic picture of the damage that has been caused.)

- e) Describe the turning point between your previous state of rebelliousness and denial and your repentant recognition of your sinfulness before God and all involved?
- f) Why do you currently believe your misconduct will not happen again?
- g) Why should you be allowed back into ministry?
- h) Why do you think you should have your accreditation reinstated?

Notation: No decision should be made by the MRC Executive at the Interview meeting. This is to allow for prayerful reflection and evaluation of all that has taken place.

Stage 8. A final meeting of the MRC Executive members will be held within seven (7) days of the interview to arrive at a decision.

Notation: A **unanimous vote** by the MRC Executive members involved in the interview will be required to reinstate the person's accreditation.

- Stage 9. The person will be notified of the decision and recommendation regarding reinstatement by telephone, as soon as possible.
- Notation:** The person should be informed that this decision will stand only after it is **ratified by the MRC** at its next meeting.
- Notation:** The person should be informed that upon the person's request, his/her accreditation with CBOQ will be reinstated for a **probationary period of no less than 2 years**
 - from the date of ratification by the MRC (if they are presently in ministry)
or
 -from the date of their commencement of ministry.
- Stage 10. The decision to reinstate the person's accreditation will be presented to the Ministerial Resources Committee for ratification.
- Stage 11. Upon ratification by the MRC a **follow-up letter** giving official notice of the reinstatement of accreditation will be sent to:
- a) the person reinstated
 - b) the Church(es) or organizations involved, past or present
 - c) the Association Ministry Committee (or equivalent) involved, past or present
 - d) the Moderator of the Associations involved, past or present
- Notification:** Official notification of Denominational reinstatement of accreditation shall include the following:
- the statement of reinstatement;
 - the date of the passing of the reinstatement;
 - a summary statement of explanation outlining the grounds for the reinstatement;
 - any conditions and/or restrictions concerning the persons professional activity during or following the two (2) year probationary period.
- Stage 12 The decision to reinstate the person's accreditation will be conveyed by the MRC Executive to:
- the family of the reinstated person, if deemed necessary
 - all victims involved
 - the person's Mentor
 - the person's Counselor

PART VI

Restoration following Charges of Abuse or of Pastoral Delinquency

VI. RESTORATION OF PERSONS DISCIPLINED BY CBOQ

In keeping with our understanding that God calls us to be a people of true justice, CBOQ believes that we must make clear our expectations regarding the ethical and moral standards we require of accredited personnel, that we must discipline delinquency, yet also and at the same time encourage both victim(s) and perpetrator(s) in a journey that will hopefully lead to healing and wholeness.

Trusting that acts of delinquency have been addressed appropriately through Protocol **III, IV** and **V**, CBOQ further wishes, wherever and whenever possible, to help facilitate “reconciliation” in the relationship between repentant perpetrators and the people they victimized and full “restoration” to ministry.

CBOQ will in no way attempt to *force* reconciliation between disenfranchised parties. It will, however, do all that it can to encourage “interpersonal reconciliation” and “ministry restoration” throughout the disciplinary process, particularly in Part V dealing with reinstatement of accreditation. We recognize that the restoration process is a matter of the heart between the individual and his/her relationship to God and others who have been affected.

APPENDICES

APPENDIX A: LEGAL CONSIDERATIONS

THE LAW OF DEFAMATION

The Law of Defamation (i.e. slander and libel) is concerned with redressing, by way of civil suit, the damage to reputation, which results from the publication and communication of a false statement, which tends to lower a person in the estimation of right-thinking members of society.

Complaints made against church officials for infractions against church discipline are protected from civil liability by a “qualified privilege”. Any member of a congregation may forward information to an appropriate official of the church regarding the behaviour of a clergy person without fear of civil suit, provided he or she is acting honestly and in good faith. This means that a person forwarding a complaint cannot be sued for defamation unless he is acting maliciously or recklessly.

Church officials empowered to investigate such matters who circulate information about the charged during the course of their investigation will in turn be protected by a qualified privilege. However the communication must be done with a view to discipline or as a step in the investigation, and not with a purpose to injure or spread malicious gossip. The privilege will be lost if the information is spread maliciously or recklessly without regard to whether it is true or false. Care must be taken not to communicate the information beyond those who need to know.

The law of defamation accords complete immunity from liability to persons who make statements in the course of judicial or quasi-judicial proceedings. Such statements are “absolute privilege” and cannot be made the basis of an action for defamation. The immunity extends not only to statements made at the actual hearing but also to occasions preparatory to the hearing.

However the Courts have been cautious in extending this “absolute immunity” to such disciplinary bodies. The question, in every case, is whether the hearing in question has similar attributes to a court of justice. As stated by one author, “At least some of the trappings of formalities of the ordinary courts must be present”. Professional disciplinary bodies satisfy this test if there are adequate procedures in place to ensure that the principles of natural justice are adhered to.

THE ONTARIO HUMAN RIGHTS CODE (OHRC)

Persons and organizations situated in Ontario are obliged to conduct themselves in accordance with the **Ontario Human Rights Code**. It is imperative that all persons know the rights, privileges and obligations imposed by the OHRC. (Parallel statutes are applicable in Quebec.)

Relevant Provisions of the OHRC are as follows.

Section 4 (1):

“Every person has a right to equal treatment with respect to employment without discrimination because of race, creed, sex, age, record of offenses, mental status, family status or handicap.”

Section 4 (2):

“Every person who is an employee has a right to freedom from harassment in the work place by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, record of offenses, mental status, family status, or handicap.”

In matters dealing with sexual harassment the code stipulates:

Section 6 (2);

“Every person who is an employee has a right to freedom from harassment in the work place because of sex by his/her employer, or agent of the employer, or by another employee.”

Section 6 (3):

Every person has a right to freedom from:

A sexual solicitation or advance made by a person in position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advancement knows or ought reasonably to know that it is unwelcome: Or

A reprisal or threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person - 1981 C535b.

Notification: The Respondent shall be supplied a written copy of the allegations subject to the limitations of Sec. 14 of the Freedom of Information and Privacy Act.

The Quebec Charter of Human Rights and Freedoms has similar provisions, which cover these issues in slightly different manners. Due to the greater length of the relevant provisions, it is recommended that you consult the document directly at <http://www.cdcdj.qc.ca/en/commun/docs/charter.pdf>. The most relevant articles are 4 regarding protection of dignity and honour, 9 regarding confidentiality, 10 regarding discrimination, 16-20 regarding employment conditions, and 46 regarding health and safety at work.

APPENDIX B: CONFIDENTIALITY

On the part of those who participate in the Protocols of Discipline of Canadian Baptists of Ontario and Quebec

It is imperative that all participants in the disciplinary protocol of Canadian Baptists of Ontario and Quebec adhere to the strictest standard of confidentiality.

Restraint must be taken by all who are involved, to share information with anyone except on a very strict, clear and narrow “need to know” basis.

Care should be taken to avoid and refrain from discussing with any one, (including one’s spouse), any information about the participants, the accusation(s), the process, or the outcome.

Members of the Response Team (see definition in Appendix C) or a Review Hearing must furthermore have a very clear “arms length” relationship with the Church; the Complainant(s); and the Respondent involved. By this we mean the members of the Response Team or a Review Hearing must not have any family, business, friendship links or relationship with the Complainant or Respondent.

**Covenant of
CONFIDENTIALITY**

**Of Response Team Members or Review Team Members who participate in the
Canadian Baptists of Ontario and Quebec Discipline Protocols**

I have read the statement regarding confidentiality set out above and covenant to keep its commitment to the best of my ability.

I acknowledge that it is imperative that all participants in the disciplinary protocol of Canadian Baptists of Ontario and Quebec (CBOQ) adhere to the strictest standard of confidentiality.

I will seek to exercise restraint to the best of my ability from sharing information with anyone except on a very strict, clear and narrow “need to know” basis.

I will exercise great care to avoid and refrain from discussing with anyone, (including my spouse, if applicable), any information about the participants, the accusation(s), the process, or the outcome.

I will seek to ascertain that that I have a very clear “arms length” relationship with the Church; the Complainant(s); and the Respondent involved and will maintain that relationship throughout the process.

Signature

Date

Printed Name

FURTHER ISSUES AROUND CONFIDENTIALITY

It is imperative that all participants in the process adhere to the strictest standard of confidentiality as defined in the MRC Policy and Procedures Manual. Care must be taken by all participants in the process to share information only on a “need to know” basis.

Response Team Members (see definition in Appendix C) will be required to sign a Covenant of Confidentiality as outlined in Appendix B.

Confidential Information

General personnel information including letters and notes will be retained in locked filing cabinets in CBOQ Offices.

When a disciplinary investigation and response has been concluded, the confidential information shall be retained in sealed and dated envelopes and placed in the personnel files. Information on the front of the envelope should contain the following

- a. The date on which the envelope was sealed and placed in the file
- b. The name of the person
- c. Names of those who have access to the envelope’s contents
- d. Circumstances under which the envelope may be opened

In the case where the personal file of an individual contains information regarding moral failure which resulted in legal charges or loss of accreditation, the only information which may be divulged is the statement that the persons ministry was terminated for moral failure.

If reinstatement of accreditation has taken place the information to be divulged is that there was a disciplinary issue.

Access to Information (MRC Policy and Procedures Manual, section “A”)

- a. **Files:**
 1. In normal circumstances the only people who shall have access to the personal files of CBOQ will be:
 - i. the Executive Minister
 - ii. the Director of Leadership Development
 - iii. the Administrative Assistant of the MRC
 2. Access by anyone else to the personal files shall only occur in the presence of either:
 - i. the Executive Minister
 - ii. the Director of Leadership Development
 - iii. the Administrative Assistant of the MRC, at the request of the Director of Leadership Development or the Executive Minister.with notification being left in the file identifying the date, the person and the purpose for accessing the file.

Copies of personal files are not to be sent to other Conventions or Denominations.

b. **Sealed envelopes:**

Sealed envelopes will be opened only in the presence of either

- i. the Executive Minister
- ii. the Director of Leadership Development

with notification being left on the envelope identifying the date, the person and the purpose for accessing the file and envelope.

RECORD KEEPING

The Executive Minister or Director of Leadership Development must ensure that accurate, complete and confidential records are kept of all allegations, of any form of abuse or of immoral or unethical behaviour within CBOQ including all documentation of how the allegations were handled and the final outcome. These records must include the hand written notes of any involved person.

WRITTEN COMPLAINTS

All complaints (allegations of immoral or unethical behaviour) must include a written statement, or the preparation of a minute of an oral statement, and be signed by the person making the complaint.

APPENDIX C: DEFINITIONS AND CLARIFICATIONS

- 1) **IMMORAL AND UNETHICAL BEHAVIOUR** (see Part I)
The Statement of Ethical Pastoral Conduct defines the expectations for moral and ethical behaviour of accredited ministry individuals.
- 2) The **CANADIAN BAPTISTS OF ONTARIO AND QUEBEC (CBOQ)**
is the official name of the body (denomination) which is committed to abide by the protocol contained within this manual. (See General By-laws, Article 1).
- 3) The **PRESIDENT OF CBOQ**
is entrusted with the responsibility of exercising general oversight of the affairs of CBOQ. (See General Bylaw, Article 2.1.1.)
- 4) The **EXECUTIVE MINISTER**
is the Chief Executive Officer of CBOQ. (See General Bylaw, Article 2.1.4.)
In all instances, when Executive Minister is referenced, read “Executive Minister or designate”.
- 5) The **DIRECTOR OF LEADERSHIP DEVELOPMENT**
is the CBOQ Executive Staff person primarily responsible for leading the processes described in these Protocols. In all instances, when Director of Leadership Development is referenced, read “Director of Leadership Development or designate.”
- 6) The **MINISTERIAL RESOURCES COMMITTEE (MRC)**
is that part of the structure of CBOQ which is charged with the overall responsibility for assessment of credentials, accreditation, determination of ordination procedures, ordination of new pastors, discipline involving accreditation, and maintenance of confidential records and files. (See General Bylaws, Article 4.4.4.)
- 7) The **EXECUTIVE OF THE MINISTERIAL RESOURCES COMMITTEE**
is made up of the Chair of the MRC, the Chair of the Credentials Committee, the Director of Leadership Development and the Executive Minister.

The MRC Executive is responsible for the overall conduct and work of the Ministerial Resources Committee and may be called upon to advise and assist the Executive Minister in dealing with pastoral matters requiring any kind of discipline.
- 8) The **CREDENTIALS COMMITTEE**
is accountable to the MRC and is specifically charged with the responsibility for any process of accreditation and recognition of a person’s credentials with CBOQ. (See General Bylaw, Article 4.5.1.)
- 9) The **ASSOCIATION MINISTRY COMMITTEE (AMC)**
is a committee appointed in each Association of CBOQ to, in addition to other duties,
 - assist the Director of Leadership Development or the MRC in dealing with pastoral matters requiring any kind of discipline:
 - assist the Director Of Leadership Development in providing pastoral care to the accused person(s) and victims of alleged pastoral misconduct:
 - assist the MRC in any process of reconciliation and restoration.

- Some Associations use other names for the group serving with these responsibilities. Throughout this document, the phrase “or equivalent” suggests working with the group best suited to carry out the functions described.

- 10) An **ACCREDITED INDIVIDUAL** is any person who has been accredited by CBOQ.
- 11) A **COMPLAINANT** is a person who has lodged a written complaint of child abuse or immoral or unethical behaviour against an accredited individual of CBOQ.
- 12) A **VICTIM** is a person who may or may not be the complainant, but who has sustained harm as a result of the alleged violation of the Statement of Ethical Pastoral Conduct.
- 13) A **RESPONDENT** is a person accused of some form of child abuse or immoral or unethical behaviour.
- 14) The **RESPONSE TEAM PANEL** is a standing panel of at least twelve (12) members who are recommended by the Executive Minister, appointed by the MRC and approved by CBOQ Board bi- annually (September).

From this Panel the Director of Leadership Development will appoint the two (2) members of any Response Team and the President of CBOQ will appoint the three (3) members of any Review Hearing.

Notation: Members of the Response Team Panel must not be current members of the MRC or the Credentials Committee.

Members of an Response Team or a Review Hearing must have a clear arms length relationship (see definition in Appendix C) with the church, the complainant(s) and the respondent involved. By “arms length” we mean that members of the Response Team or the Review Hearing must not have any family, business, friendship links or relationship with the complainant(s) or respondent.

Notation: Members of the Response Team Panel will be asked to attend an orientation seminar at CBOQ office to review procedures and preferred methods of investigations.

- 15) The **RESPONSE TEAM** shall be appointed by the Director of Leadership Development and shall consist of no less than two (2) members of the standing Response Team Panel.

The task of the Response Team is to quickly investigate a complaint (normally within fourteen (14) days of notification) and make recommendations through the Director of Leadership Development to the Ministerial Resources Committee Executive.

- 16) **The REVIEW HEARING** shall consist of three (3) members of the Response Team Panel who are appointed by the President of CBOQ to form a Review Hearing to carry out a full investigation of a complaint against a Respondent and to render a decision either for or against the Respondent.

This Review Hearing shall not include persons involved in the initial Response Team investigation.

- 17) **DISCIPLINARY ACTION** on the part of the MRC Executive shall refer to one of the actions listed below.

The cause, conditions, program and expectations of the discipline must be clearly stated in writing by the MRC Executive.

Notation: See also Section A. “Accreditation Review” in the Policy and Procedures Manual for situations, which would prompt disciplinary action by the MRC.

The implications of such disciplinary actions are outlined in Part V. B. of this Protocol.

- a) **TEMPORARY LEAVE OF ABSENCE FROM MINISTRY**
by the Respondent may be immediately arranged by the Director of Leadership Development upon receiving notice of any allegation of abuse or immoral or unethical behaviour.
Its intention is protective not punitive.
Its purpose is immediately to remove the Respondent from the situation while the investigative and decision making process of the protocol proceeds.
CBOQ will work with the affected Church for as long as it takes in providing for interim pastoral care.
- b) **TEMPORARY LIFTING OF ACCREDITATION**
may immediately take place when a Respondent contests the finding of the Response Team who agree that there is reasonable cause for the calling of a Review Hearing to carry out a full investigation of allegations against a Respondent and to render a decision either for or against the Respondent.

If the allegations are found by the Review Hearing to be without cause, the temporary lifting of accreditation shall be immediately rescinded.

If the allegations are found by the Review Hearing to be factual the temporary lifting of accreditation shall immediately become a “suspension of accreditation”.
- c) **CENSURE**
is an official statement of the MRC expressing disapproval of a behavior as unbecoming a person accredited with CBOQ.

Censure may be offered as a warning, indicating that further similar conduct is unacceptable and would lead to withdrawal of accreditation within CBOQ.

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 Churches or denominations or groups who inquire as to the ministry history of the person.

- d) **SUSPENSION OF ACCREDITATION**
is a removal of accreditation with CBOQ for a specific period of time in order to implement a program of discipline, reinstatement and restoration prescribed by the MRC.

The disciplinary act of suspension allows for later reinstatement of the Respondent's accreditation, providing that he/she has given clear evidence of genuine repentance and has fulfilled all the requirements recommended by the MRC.

In all cases involving discipline, the Director of Leadership Development in consultation with the MRC Executive shall initiate the process of discipline.

Suspension Timelines

In all cases involving sexual immorality or sexual abuse of any kind, suspension of ministry and accreditation with CBOQ **will** automatically occur for a period of time not less than two (2) years from the date of notification before any request for reinstatement will be considered in order to underscore the seriousness of the offence and to implement an appropriate program of discipline by the MRC.

Unless extended by the MRC at the end of the two (2) year period of time, the Respondent's accreditation with CBOQ **may** be either reinstated or permanently withdrawn.

In cases involving clear pastoral misconduct or unethical behaviour, suspension of ministry and accreditation with CBOQ **may** occur for a period of time not less than one (1) year and not exceeding three (3) 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 MRC.

Unless extended by the MRC at the end of the maximum three (3) year period of time, the Respondent's accreditation with CBOQ **must** be either reinstated or permanently withdrawn.

Suspension Regulations

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

Written notice of the suspension of accreditation must be given to:

- the Respondent,
- the leaders of the Church/organization involved.

Any suspension of accreditation must be reviewed at the end of two (2) years.

If the Respondent does not give clear evidence of genuine repentance or fails to

fulfill the program of discipline prescribed by the MRC, a further period of suspension may be required, not to exceed one (1) year.

Pastoral Care

The MRC in co-operation with the Director of Leadership Development shall assign a “**Mentor**” to the Respondent for the period of time in which the Respondent’s accreditation are suspended.

Consequences

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

Because the Respondent is no longer accredited by CBOQ during the said suspension, license(s) (i.e. to perform marriages) requiring denominational accreditation will be revoked.

The suspension of the Respondent’s accreditation by CBOQ shall mean (unless otherwise indicated in writing by the MRC) that his/her name will not be listed as one available for ministry.

- e) **WITHDRAWAL OF ACCREDITATION**
is an official act of permanent withdrawal of accreditation with CBOQ.

Withdrawal of accreditation means:

- that the Respondent will never again be accredited by CBOQ,
- that the Respondent’s name will not be included in CBOQ Listing of Accredited Ministers in its next printing,
- that any license(s) requiring denominational accreditation (such as a license to perform marriages) will be revoked,
- that all CBOQ employee benefits will cease,
- that the privilege of performing any pastoral function on behalf of Canadian Baptists of Ontario and Quebec will be removed.

Written notice of withdrawal of accreditation will be sent to:

- the Respondent,
- the leaders of the Church/organization involved,
- any other bodies which have relied on CBOQ accreditation for endorsement, approval or recognition.

- 18) **REINSTATEMENT OF ACCREDITATION**
will occur only when the MRC is fully satisfied that the Respondent is clearly repentant and has fulfilled all the requirements prescribed by the MRC.

The MRC may reinstate accreditation with or without continuing restrictions.

The MRC will decide on a case by case basis whether or not disclosure of disciplinary action will be required on resumes, etc.

- 19) **RESTORATION**

the restoration process is a matter of the heart between the individual and his/her relationship to God and others who have been affected.

20) **An ARMS LENGTH RELATIONSHIP**

means that there must be no family, business or friendship links or relationship with either the Respondent or the Claimant(s).

21) **“FIDUCIARY RELATIONSHIP”**

refers to a special relationship or trust. This trust is normally granted to a person who holds a position of power, leadership or authority by virtue of their rank or position. In Christian ministry this refers to a relationship in which the Church Body trusts that those in positions of leadership will exercise loving, safe, enabling, enriching, non-abusive authority, care, guidance, and encouragement to every member without distinction.

In a Christian community setting this specifically relates to the trust that is normally granted to persons both training for and practicing Christian ministry.

We trust that those in positions of Christian leadership will exercise loving, safe, enabling, enriching, non-abusive authority, care, guidance and encouragement to every member without distinction, and that professional boundaries will not be over-stepped.

A breach of a Christian minister’s fiduciary responsibility towards those who place their trust in him/her is to be understood as a grievous act of ethical (if not also moral) misconduct.

22) **COMPLIANCE**

In all matters relating to the disciplinary process, refusal to meet with the Executive of the Ministerial Resources Committee (MRC) or a Response Team or a Review Hearing will be in itself sufficient reason for accreditation to be suspended or removed.

23) **MULTIPLE OFFENSES**

Following any disciplinary action, whenever another offense occurs, the level of discipline will become increasingly stronger.

e.g. Where the previous offense warranted censure, the next offence will warrant suspension of accreditation at the least.

Where the previous offense warranted suspension of accreditation, the next offense will warrant withdrawal of accreditation.