

# Sexual Misconduct Response Policy and Procedures

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Office of / Bureau de la  
**vocation**

The United Church of Canada/L'Église Unie du Canada

The United Church of Canada/L'Église Unie du Canada  
Sexual Misconduct Response Policy and Procedures (October 2023)



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## **I. Theological Statement**

- [1] The United Church of Canada (the Church) believes that God intends for all life freedom from abuse and injustice; God desires for all human beings, created in God's image, mutual respect, care, protection, and empowerment.
- [2] Sexual misconduct, exploitation, and abuse are acts that violate persons and break relationships of trust and vulnerability. Sexual misconduct occurs when one uses one's power to take advantage of the vulnerability of another. These actions are contrary to God's desire for life in all its fullness for all people and will not be tolerated by the Church.
- [3] The Church is called to create safer spaces, to engage in healing, and to restore right relationships. To do so in situations of sexual misconduct, exploitation, and abuse, the Church must hold its leaders (and itself) accountable. Where there has been abuse, the Church seeks restorative justice and healing. Jesus taught God's way of mutuality and respect, calling people to create and sustain life-giving relationships based on the dignity of each person.

## **II. Purpose of This Policy**

- [4] This Policy has procedures for individuals who have experienced betrayal of trust within the Church, in the context of activities that occur within a religious community and/or as a workplace, because of sexual misconduct, which includes sexual harassment, pastoral sexual misconduct, sexual assault, child abuse, and sexual abuse in the context of all sexual orientations.
- [5] This Policy is updated annually to implement changes from various sources, including relevant provincial and territorial legislation. This Policy is fully revised every three years.

## **III. Two Criteria Must Be Met for This Policy to Apply**

- [6] First, this Policy applies to any person in the Church who has either allegedly demonstrated or experienced behaviour that is sexual misconduct. Any person in the Church includes:
  - members, adherents, lay people, ministry personnel, staff, or volunteers in pastoral charges; communities of faith; regional councils; General Council Office; and institutions, agencies, organizations or bodies that operate under the name and/or control of the Church.
- [7] Second, the alleged sexual misconduct must have occurred in the performance of one's work, duty, and/or obligation for the Church:

- through virtual communities, platforms, and networks (e.g., Teams, Zoom), electronic means (e.g., telephone, fax), and other modes of communication, including social media platforms; and/or
- in a physical environment of work, worship, and/or study.<sup>1</sup>

**Note: These environments may include bodies that have a relationship with the Church and have adopted the Policy, including incorporated bodies, KAIROS, and The United Church of Canada Foundation. In the event of a complaint of sexual misconduct, these bodies may use the Church’s Policy or their own internal policy on sexual misconduct provided that it is consistent with provincial or territorial legislation.**

#### **IV. Those Who Can Lodge a Complaint**

[8] There are three categories of Complainants:

- **First category:** A person who has allegedly experienced sexual misconduct by a person to whom this Policy applies.
- **Second category:** A person who has seen, heard, and/or has evidence of a person being an alleged victim of sexual misconduct by a person to whom this Policy applies. This may include an employer, minister, or someone the victim has confided in. The alleged victim of the complaint will be offered the opportunity to participate in the investigation and become the Complainant at any time.
- **Third category:** A parent or guardian of a child who has allegedly experienced sexual misconduct by a person to whom this Policy applies.

#### ***Anonymous Complaints***

[9] An organization is required to conduct a fair investigation. A fair investigation requires, among other things, that the Respondent in a complaint has a right to know the case before them, which includes notice of the allegations and who is making them. Therefore, as a general rule anonymous complaints will not be pursued. However, given the history of sexual misconduct in religious institutions, the Church may enquire whether the alleged victims will become Complainants. In the absence of a Complainant or Complainants, the Church is not able to proceed with a formal investigation of the complaint.

#### **V. This Policy is Required by Law**

[10] Sexual misconduct, including workplace sexual harassment, is prohibited by the Church

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<sup>1</sup> The policy applies to alleged abuse on non-church property and/or affiliated organizations provided that the alleged abuse occurred in the performance of one’s work, duty, and/or obligations for the Church—for example, a Bible study at a private home, a church activity at a park, a fundraising event at a museum, or a hospital visit to someone who is ill.

and/or by provincial, territorial, and federal law. See Appendix B: Sexual Harassment Definitions.

- [11] By law, the Church is required to have a Policy that addresses workplace sexual harassment. Communities of faith may use this Policy or develop their own customized Policy. If a community of faith chooses to develop its own Policy, the procedure for complaints must be similar to this Policy to ensure consistency in the complaints process in the Church. In addition, any customized Policy must comply with provincial and/or territorial legislation related to sexual workplace harassment.

## **VI. Options for Making a Complaint Outside this Policy**

- [12] If the complaint is regarding sexual misconduct in the workplace, complainants have an option to make a complaint under Occupational Health and Safety legislation. However, complainants must choose their forum to make a complaint. They cannot make a complaint at the same time under this Policy and other relevant legislation.
- [13] You can refer to the [Workplace Discrimination, Harassment, and Violence Response Policy](#) for a list of legislation related to sexual misconduct in the workplace.

## **VII. Individuals Shall Not Fear Retaliation from the Church**

- [14] Individuals who share concerns about sexual misconduct shall not be subjected to any form of retaliation from the Church. Retaliation includes firing, suspending, intimidating, imposing a penalty, and denying a right or benefit.
- [15] There shall not be any retaliation for individuals who:
- report an incident, make a complaint, or might make a complaint under this Policy;
  - are named in a complaint or might be named in a complaint;
  - participate or cooperate in an investigation related to this Policy; and
  - are associated with a person who has made a complaint under this Policy and/or any other process or procedure.

## VIII. Definitions Related to Sexual Misconduct

The definitions below are for reference only and may vary across applicable jurisdictions. In the event any of the definitions outlined below conflict or are inconsistent with applicable legislation, the applicable legislative definition will be used.

[16] *Child Sexual Abuse*: Child sexual abuse includes sexual assault, sexual interference, invitation to touching, sexual exploitation, procurement, and indecent acts to a child under the age of 16. If someone is in a position of trust or authority, they are responsible for not taking advantage of anyone under the age of 18 years.

[17] *Consent*: Consent is a voluntary agreement to engage in an activity by an individual in a position to make such a choice. No consent will be deemed to be given in the following circumstances:

- the application of force to the Complainant or another person;
- threats or fear of the application of force;
- the exercise of authority;
- fraud; or
- the Respondent being in a position of trust with the Complainant.

### *Consent involving children*

- Under the Criminal Code of Canada, the age of consent for sexual activity is 16 years.
  - The age of consent is 18 years when the sexual activity occurs in a relationship of authority, trust, or dependency (e.g., teacher, coach).
  - There are exceptions for sexual relationships for people close in age. A person as young as 14 can legally consent to sexually activity with someone who is less than five years older than them as long as there is no relationship of trust, authority, or dependency or any other exploitation.
  - A 12- or 13-year-old can consent to sexual activity with another young person who is less than two years older and with whom there is no relationship of trust, authority, or dependency or other exploitation.
- In addition to criminal laws against sexual abuse and exploitation of children, each province and territory has its own laws to protect children against sexual abuse and other forms of exploitation. Refer to [Provincial and territorial child protection and legislation and policy - 2018](#) for more information.

[18] *Pastoral Sexual Misconduct*: Pastoral sexual misconduct is a sexual action, including sexual harassment, sexual abuse, or other sexual activity or conduct, by a person designated as ministry personnel where the person takes advantage of the vulnerability of a person under their pastoral care. It includes consensual actions initiated by an individual who is under the pastoral care of the minister. However, if a minister experiences sexual

misconduct by a person under their pastoral care, this is not pastoral sexual misconduct. This would be sexual misconduct and can be dealt with under this Policy. For pastoral sexual misconduct to occur, the ministry personnel is the perpetrator of the sexual misconduct.

[19] Assault, [including sexual assault], is defined in section 265.(1) and (2) of the *Criminal Code of Canada*, which reads as follows:

- (1) A person commits an assault when
  - (a) without the consent of another person, he [sic] applies force intentionally to that other person, directly or indirectly;
  - (b) he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
  - (c) while openly wearing or carrying a weapon or imitation thereof, he accosts or impedes another person or begs.
- (2) This section applies to all forms of assault, including sexual assault, sexual assault with a weapon, threats to a third party or causing bodily harm and aggravated sexual assault.

Sexual assault also includes intercourse with children under the age of 16, incest, bestiality, and gross indecency.

### **Sexual Harassment**

[20] Sexual harassment means engaging in a course of improper or unwelcome comments or conduct because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or should reasonably be known to be unwelcome. Sexual harassment can also be a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant, or deny a benefit or advancement to the recipient, and the person knows or should know that the solicitation or advance is unwelcome.

[21] Sexual harassment can include unwelcome remarks, jokes, innuendo, propositions or taunting, persistent unwanted attention, physical contact of a sexual nature, or sexual assault.

[22] Sexual harassment in the workplace can occur in any location, permanent, temporary or virtual, where an employee, a contractor, or a volunteer performs any duty, task, or obligation for the Church.

[23] The definition of sexual harassment may vary across applicable jurisdictions and may be subject to legislative change. Individuals are encouraged to review their applicable legislation, in their respective jurisdiction (See [Appendix B: Sexual Harassment Definitions](#)).



## Sexual Misconduct

- [24] Sexual misconduct within this Policy includes (workplace) sexual harassment, pastoral sexual misconduct, sexual assault, and child sexual abuse.
- [25] Sexual misconduct is demeaning, exploitive behaviour of a sexual nature ranging from jokes, to unwanted touching, to forced sexual activities and/or threats of such behaviour in person, by text, e-mail, and through social media sites and other digital/Web platforms. Sexual assault, sexual harassment, pastoral sexual misconduct, and child sexual abuse are forms of sexual misconduct that are often primarily acts of power by one individual over another.

## IX. Definitions for Procedures to Respond to Complaints

The following definitions apply to the procedures outlined in this Policy:

- [26] **Applicable ministry:** This refers to communities of faith, regional councils, National Indigenous Organization, and other ministries in which ministry personnel are employed.
- [27] **Authority:** Law enforcement agency of a country, province, territory, or other self-governing structure that has the responsibility for preventing, detecting, investigating, combatting, and/or punishing criminal offences.
- [28] **Bad faith, trivial, or vexatious complaints:** These types of complaints may themselves be a violation of this Policy. A bad faith complaint is one that the Complainant knows is false or is made for a purpose other than gaining a satisfactory remedy. The decision can be made to refuse to deal with such matters at any stage of the complaint or investigation process. Anyone who is found to have made such a complaint may subject themselves to a range of penalties.
- [29] **Business days:** For this Policy, business days refers to Monday to Friday.
- [30] **Child:** For the purpose of this Policy, a child is someone who is 16 years and younger. The definition of child increases to 18 years old and younger when the alleged sexual misconduct occurs with someone in a position of trust, authority, and/or dependency.
- [31] **Complainant:** The Complainant is usually someone who is a victim of sexual misconduct by someone to whom this Policy applies. See [IV. Those Who Can Lodge a Complaint](#) for categories of Complainants.
- [32] **Complaint:** A complaint is one or more accusations of sexual misconduct made by the person who allegedly experienced the misconduct. An admission of misconduct is also treated as a complaint. Complaints cannot be anonymous.
- [33] **Confidentiality:** Refers to a party providing information to another party with the expectation that it will not be shared with anyone else except as required by law.

- The Church may need to share confidential and/or personal information in the course of an investigation.
    - For example, information obtained about an incident or complaint, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purpose of investigating or taking corrective action on the incident or complaint, or is otherwise required by law.
- [34] **Conflict Resolution Facilitator:** An individual retained by the Church to assist in mediating disputes. The Office of Vocation maintains a list of trained Conflict Resolution Facilitators, which you can access by contacting [complaintresponse@united-church.ca](mailto:complaintresponse@united-church.ca).
- [35] **Consultant:** Consultants are neutral and independent trained individuals. Both the Complainant and the Respondent are each assigned their respective Consultant to help them understand the Policy and may assist them in drafting and/or responding to complaints. A list of Consultants can be found on the [Safe Spaces for Worship and Work page](#) of the Church's website.
- [36] **Investigation plan:** A document that sets out the issues, the parties, and potential witnesses to interview. It may also set out what challenges may arise and the strategies to deal with them. It will detail what resources are required to complete investigations within a reasonable time.
- [37] **Investigator:** An individual retained by the Church to conduct the formal investigative process associated with submitted complaints. The Policy Writer and Human Resources Specialist at the General Council Office can assist in retaining Investigators.
- [38] **Legal representative:** The parties have a right to retain, at their own cost, a paralegal, lawyer or other paid or unpaid advocate.
- [39] **Ministry personnel:** A general term that refers to members of the Order of Ministry, designated lay ministers, candidates serving under appointment, admission ministers serving under appointment, diaconal supply, and ordained supply.
- [40] **Pastoral care:** Comfort and support provided to a Complainant or Respondent by a ministry personnel, Indigenous Elder, or Traditional Knowledge Keeper.
- [41] **Policy Writer and Human Resources Specialist:** This position supports the Responsible Body to administer this Policy and assists with retaining Consultants, Investigators, and Conflict Resolution Facilitators.
- [42] **Reasonable Accommodation:** The organization will accommodate the accessibility needs of everyone involved in the process within the Church to ensure full access and participation. Accommodation includes providing documents in alternative formats, off-site and after-hours meetings, interpretation, and translation.

[43] **Records:** All materials related to the complaint, including the investigation and outcome, are retained in confidence according to the Church's retention policies.

[44] **Respondent:** The person alleged to have been the perpetrator of sexual misconduct against someone to whom this Policy applies.

[45] **Responsible Body:** The Responsible Body is the individual or group of individuals that deals with the complaint. The Responsible Body changes according to the position of the Respondent in the Church ([Appendix A: Responsible Bodies](#)). In the event the Responsible Body is not able to act for any reason, they must establish to whom to delegate this responsibility. The following are some situations where the Responsible Body may decide to delegate its authority to receive and handle complaints:

- If an individual in the Responsible Body is a Complainant, if there is no bias and/or apprehension bias, the complaint may be received by another individual in the Responsible Body.
- Alternatively, the Responsible Body may decide to delegate their responsibility to the individual or body that it is accountable to. For example, if the Responsible Body is the Ministry and Personnel Committee, the complaint will be received by the governing body because the Ministry and Personnel Committee is accountable to them.
- If a Responsible Body does not have the expertise and/or resources to handle a complaint, they are encouraged to delegate their responsibility to an appropriate body. For example, a community of faith may want to collaborate with or even delegate their responsibility to receive and handle a complaint to the Executive Minister of the regional council, who may be in a better position to handle the complaint.

[46] **Social media:** The online means of interactions among people in which they can create, share, or participate in virtual communities, applications, and networks, including Facebook, Instagram, SnapChat, Whatsapp, and Texts.

[47] **Support person:** A Complainant or Respondent can bring a person of their choice (friend, family, or colleague) with them to support them during the investigation process.

## X. Cases Involving Children

### Reporting Requirements for Children regarding Sexual Misconduct

[48] When a complaint of sexual or physical misconduct toward a child designated by provincial or territorial law as a minor is disclosed, or where there are reasonable grounds to suspect misconduct, the person to whom the disclosure is made or who suspects such misconduct shall immediately report the suspicion and the information on which it is based to the authority or agency as defined in provincial or territorial laws in the jurisdiction in which the misconduct is alleged to have occurred.

- [49] These procedures also apply in cases where time has elapsed and the individual who is the subject of the misconduct has reached the age of an adult. The person reporting is encouraged to record the details of the disclosure or the reasonable grounds of suspicion and relevant dates and times.
- [50] The person reporting is to keep the information confidential, except as required by law. The authority or agency to which suspected sexual or physical misconduct toward a minor is reported has the responsibility of investigating the suspected misconduct. In order that such investigation is not hindered, no representative of The United Church of Canada will question the alleged victim, the alleged perpetrator, or any potential witness concerning the investigation while the investigation by the provincial or territorial agency, authority, and/or police is being undertaken or until such time as those authorities indicate such questioning may proceed.
- [51] When the alleged perpetrator is in an accountable relationship with The United Church of Canada, and the matter has not been reported appropriately to the United Church by the legal authorities, the matter should also be reported, as soon as it is permitted by provincial/territorial legislation, to the United Church by the person who has taken the allegations to the authorities.

#### **A. Procedures to Respond to Complaints: Lay People**

- [52] This procedure is to be used where the Respondent (or Respondents) is an employee, a member, an adherent, a congregational designated minister, a licensed lay worship leader, or a volunteer of an applicable ministry.
- [53] Where urgent intervention is required, the Responsible Body will alert the appropriate people in the applicable ministry to take steps to ensure the Complainant is safe and not subjected to further sexual misconduct. If there is a concern for the safety of the alleged victim and/or the community as a whole, the Respondent, if an employee, should be placed on paid administrative leave.
- [54] If the Respondent is a volunteer or attends the applicable ministry as a member or adherent and the Complainant attends the same applicable ministry in person, they should be asked to not physically attend the applicable ministry and may be subject to further restrictions deemed appropriate for that situation.

#### **Informal Resolution Process ([Appendix C: Informal Resolution Process](#))**

*The process is identified by the letter L, which stands for layperson, followed by the number in the process (for example, L1, L2, and so on).*

##### ***Consultant is assigned***

L1. When a Complainant presents their complaint to the Responsible Body, that body ensures that a Consultant is assigned to the Complainant to help them understand the process, including the option to approach the Respondent without a written complaint

(but only if it safe and practical to do so) and to assist in writing their complaint, if required. If the Complainant is unable or unwilling to write a complaint, the notes made by the Consultant of the conversation with the Complainant will serve as the written record of the complaint with the permission of the complainant

***Complaint is sent to the Respondent***

L2. Once there is a written complaint with sufficient details, another Consultant will be assigned to the Respondent and will forward the complaint to the Respondent, usually either in person or by e-mail. The Consultant discusses pastoral care for the Respondent and family and reviews the Policy with the Respondent. The Respondent should respond to the allegations, including possible resolutions, within 10 business days of receiving the complaint. If the Respondent is unable or unwilling to write a response to the complaint, the notes made by the Consultant of the conversation with the Respondent may serve as a response to the complaint with the permission of the Respondent.

***Pastoral care is made available to both parties***

L3. If a party or parties are working with a Consultant, the Consultant will discuss how they can access pastoral care. In other cases, the Regional Council Executive Minister or designate will make the offer of pastoral care. Employees of the Church have access to counselling and support through the Employee and Family Assistance Program (EFAP) with TELUS Health.

***Informal resolution is encouraged if appropriate***

L4. Before any options of informal resolution are implemented, both parties must agree to it. The Complainant is encouraged to speak directly with the Respondent, but only if it is safe and practical to do so. The Complainant should tell the Respondent that their behaviour or comment is unacceptable, unwelcome, and being experienced as (workplace) sexual harassment and ask the Respondent to stop.

L5. This approach may be most effective in situations where the Complainant believes the Respondent is unaware of the impact of their actions and/or conduct. Otherwise, cases of sexual misconduct should follow a formal resolution process. Depending on the severity of the allegations of sexual misconduct (for example, cases involving rape and/or sexual exploitation), the matter may need to first be reported to the authorities before a formal resolution process may begin.

***Support person***

L6. The Complainant and Respondent can be accompanied by a support person at any meeting in the process.

***Other informal options before making a formal complaint***

L7. These options include:

- a facilitated conversation with the assistance of an agreed-upon third party or a

- Conflict Resolution Facilitator;
- mediation; and/or
- conflict coaching through the Employee and Family Assistance Program (EFAP) through TELUS Health.

### Formal Complaint Process ([Appendix D: Formal Resolution Process](#))

#### *Complainant writes detailed complaint*

L8. If a matter remains unresolved for any reason, or if it is determined that informal efforts are not appropriate given the circumstances, the Complainant is encouraged to set out a detailed written complaint using the Sexual Misconduct Response Policy and Procedures Complaint Form ([Appendix E: Complaint Form](#)). A Consultant can assist with this process. If the complaint is not sufficiently detailed, further details will be requested.

#### *Complaint is sent to the Responsible Body*

L9. The Complainant sends the complaint to the Responsible Body ([Appendix A: Responsible Bodies](#)). Alternatively, a complaint can be submitted to the confidential complaints e-mail address ([ComplaintResponse@united-church.ca](mailto:ComplaintResponse@united-church.ca)). The position that the Respondent holds in the applicable ministry determines the Responsible Body to which the complaint is submitted.

The regional council and/or the Policy Writer and Human Resources Specialist will act as a resource to the applicable ministries in dealing with complaints.

**Note: If the complaint concerns the Regional Council Executive Minister or any employee, volunteer, or person who is accountable to a regional council or General Council Office, please see the procedures in the next section under [C. Procedures to Respond to Complaints: Regional and General Council Offices](#).**

#### *Complaint is forwarded to the Respondent*

L10. Once a complaint is received, it is forwarded to the Respondent within 10 business days by a Consultant who is assigned to that individual. The Consultant usually delivers the complaints by e-mail or in person. The Respondent should submit a written response to the complaint within 10 business days of receiving the complaint. If needed, the Respondent can request more time to respond. It is at the discretion of the Responsible Body to disclose all, part, or a summary of this written response to the Complainant. The Respondent is informed that their written response may be provided in part or in a summary for clarity and to ensure that language in the response will not further revictimize the Complainant.

#### *Pastoral care is made available to both parties*

L11. If a party or parties are working with a Consultant, the Consultant will discuss how they can access pastoral care. In other cases, the Regional Council Executive

Minister will make the offer of pastoral care. Employees of the Church have access to counselling and support through the Employee and Family Assistance Program (EFAP) with TELUS Health.

***Another attempt is made at dispute resolution***

L12. If practical, parties should be given another opportunity to resolve the complaint informally before a formal process begins. Options for an informal process include assigning a neutral third party, such as a Conflict Resolution Facilitator or mediator; a no-blame conciliatory meeting; a facilitated conversation; or Indigenous alternative approaches to dispute resolution.

***Investigator is assigned***

L13. The Responsible Body assesses the complaint and the response. If there are discrepancies between the complaint and response and/or any other concerns are identified by the Responsible Body, an Investigator will be assigned.

L14. The Investigator will provide an investigation plan to the Responsible Body before it starts the investigation to ensure that there is consensus in the direction of the investigation. As the investigation proceeds, the Investigator will consult the Responsible Body regarding possible changes to the investigation plan resulting from information learned from the investigation.

L15. The Investigator arranges to interview the parties and any witnesses. If possible, the interviews are held in person, but may be conducted over the phone or using other technology. The investigation occurs whether or not the Respondent is away from their position for any reason, including medical leave initiated by the Respondent. Even if the Respondent is on medical leave, they may still be able to participate in the investigation.

***Investigator writes a report***

L16. The Investigator writes a report for the Responsible Body that includes their findings of fact and, if requested, recommendations. The Responsible Body can accept all, some, or none of the recommendations of the investigator.

***Responsible Body informs the parties of the outcome***

L17. The report is sent to the Responsible Body. The Responsible Body will meet with the parties before making any findings. It may accept all, some, or none of the findings of the investigation report. If the Responsible Body accepts findings that the Respondent engaged in sexual misconduct, it will take appropriate corrective action. If the findings are not substantiated, the Responsible Body will likely not take any further action. The action is based on the findings of the Investigator, the nature of the complaint, and all relevant circumstances, including any previous discipline.

L18. If the Respondent is an employee, options for actions include no further action;

progressive discipline, including termination; or a directed program, such as counselling.

L19. If the Respondent is a member, an adherent, or in a position of responsibility within the community of faith or other applicable ministry, options for actions include no further action, removal or suspension from the office the Respondent holds in the applicable ministry and/or considering the revocation of membership(s) of the person in the applicable ministry.

L20. The Responsible Body could also decide to hold a formal hearing to deal with more complex matters. This applies where the Respondent is a congregational designated minister, an adherent, or a lay member other than a ministry personnel. In a formal hearing of a formal complaint, the Formal Hearing Committee is responsible for deciding whether the formal complaint has been proven. See section J.9.5 of [The Manual](#) for more information on formal hearings in this context.

L21. The Responsible Body will provide the Complainant and Respondent with a written letter with the findings and outcomes that the Responsible Body has accepted. For confidentiality and privacy reasons, the parties are not provided a copy of the investigation report. The Responsible Body will meet with the parties before making their findings and may also choose to follow up with an in-person meeting to discuss the outcomes with each party separately.

L22. The Responsible Body will bear the costs associated with the investigation.

***Confidentiality is maintained except as required by law***

L23. Confidentiality regarding the findings of an investigation is maintained, except to the extent necessary to implement or defend the corrective or disciplinary action taken, or as required by law. Where corrective or disciplinary action is taken against either the Complainant or the Respondent, the other party is advised of the general nature of the action, but is not provided with the particulars of that action.

***Request for reconsideration***

L24. The parties of the investigation can ask that a final decision be reconsidered by the Responsible Body within 30 calendar days from the date of the decision.

L25. A request for reconsideration must include:

- reasons for the reconsideration;
- submissions in support of the reconsideration; and
- remedy or relief desired.

L26. The Responsible Body will grant a request for reconsideration if it is satisfied that

- there are new facts or evidence that could not have been produced earlier that



- could change the outcome of the final decision;
- the decision was not in accordance with the rules of natural justice that impacted the outcome of the investigation (such as the Respondent not being aware of the allegations against them and not having an opportunity to be heard or to respond); and
- other factors exist that the Responsible Body needs to give greater weight.

L27. New evidence, such as facts that happened after the completion of the investigation, will not be considered for reconsideration.

L28. The Responsible Body has 30 calendar days to respond in writing to the reconsideration.

L29. If the Responsible Body finds that there are grounds for the reconsideration, it will take corrective action as required.

***No appeal process***

L30. There is no appeal process for a final decision regarding the disposition of a complaint.

***Investigations are completed within three months***

L31. All of the procedures should be carried out in a timely fashion—in most cases within a three-month period. Exceptions do occur, however, and in cases that require more time the parties are informed of the delay and, if appropriate, the reasons for the delay. Except in exceptional circumstances, the Responsible Body will decide how to move forward and will communicate its decision to the parties within 30 calendar days of receiving the investigation report.

**B. Procedures to Respond to Complaints: Ministry Personnel**

[55] The Responsible Body that manages complaints of sexual misconduct for ministry personnel is the Office of Vocation. See [Office of Vocation: Structure and Responsibilities](#), Appendix A: Procedure to Address Concerns about Ministry Personnel, for procedures related to sexual misconduct of ministry personnel.

**C. Procedures to Respond to Complaints: Regional and General Council Offices**

[56] The following process applies when Respondent (s) are employees, contract workers, or volunteers of the General Council Office, including ministry personnel. For ministry personnel, the outcome of the complaint will be shared with the Office of Vocation, which may take additional actions. For staff members who belong to other professional bodies, their respective regulatory bodies may be informed of the outcome of a complaint.

[57] If the Respondent is ministry personnel working for the regional and General Council offices and the complaint against them stems from a pastoral relationship, [B. Procedures](#)

[to Respond to Complaints: Ministry Personnel](#), above, applies.

- [58] The Responsible Body may implement interim measures to ensure the Complainant is safe and not subjected to further sexual misconduct. If there is a concern for the safety of the alleged victim and/or the workplace as a whole, the Respondent may be placed on paid administrative leave.

**Note:** The other processes in this Policy were established for communities of faith and the Office of Vocation, and in practice, these processes have not worked well for employees of the regional and General Council offices because the relationship between employees is usually not pastoral, and therefore requires a different approach.

*The process is identified by the letter G, which stands for regional and General Council Office, followed by the number in the process (for example, G1, G2, and so on).*

***Complaint submitted to employer***

G1. The Complainant can communicate their concerns to their direct supervisor, Director of Human Resources and Payroll Manager, and/or their Responsible Body. They can communicate it informally. Once the Complainant communicates their concerns to the Responsible Body, the Complainant can submit a formal written complaint. Alternatively, complaints can be submitted to [complaintresponse@united-church.ca](mailto:complaintresponse@united-church.ca), which is monitored by the Policy Writer and Human Resources Specialist and forwarded to the Responsible Body to review.

***Complaint Response Team***

G2. The Responsible Body will form a Complaint Response Team, which may include the Respondent's and Complainant's supervisors, if applicable; Director of Human Resources and Payroll Manager; Policy Writer and Human Resources Specialist; and General Counsel. They will review the complaint and ask the Respondent to respond within 10 business days of receiving the allegations and their expected outcomes.

***Pastoral care is made available to both parties***

G3. The Complaint Response Team can arrange pastoral care for the parties. Employees of the Church also have access to counselling and support through the Employee and Family Assistance Program (EFAP) with TELUS Health.

***Complaint Response Team develops a tailored process***

G4. Whether or not the Respondent responds, the Complaint Response Team will determine the best way to address the complaint. As each complaint is unique, the Complaint Response Team will outline a specific and tailored process with timelines to address the complaint. A Consultant or designate is assigned to both the Respondent and Complainant to explain the process and assist, if requested, with writing the complaint or response to the complaint. The Consultant may also use their written notes of their conversation with the Complainant or Respondent as the written complaint or response

to the complaint provided that it is approved by the person to whom they are assigned. The Consultant will inform them of their right to legal representation, but it will be at their own expense.

G5. The Complaint Response Team determines the issues and how they will be addressed. Some issues may be resolved informally and others more formally. The Complaint Response Team may also decide to make preliminary inquiries to determine whether a formal investigation is necessary.

***Investigator is retained***

G6. If the Complaint Response Team retains an Investigator, the Investigator will provide an investigation plan to the Complaint Response Team before starting the investigation to ensure that there is consensus on the direction of the investigation. If there are proposed changes to the investigation plan, the Investigator informs the Complaint Response Team before proceeding further with the investigation.

G7. The Investigator arranges to interview the parties and any witnesses. If possible, the interviews are held in person, but may be conducted over the phone or using other technology. The investigation occurs whether or not the Respondent is away from their position for any reason, including medical leave initiated by the Respondent. Even though the Respondent is on medical leave, they may be able to participate in the investigation.

***Investigator writes a report***

G8. The Investigator writes a report that includes their findings and, if requested, recommendations. The report is provided to the Complaints Response Team who then communicates the findings and resolution to the parties.

***Action is taken by Complaint Response Team***

G9. The Complaint Response Team can decide to take no further action; progressive discipline, including termination; or a directed program, such as counselling.

G10 The Complaints Response Team will forward the disposition and resolution of the complaint to the Office of Vocation for ministry personnel. If the Respondent belongs to a professional body, other than the Office of Vocation, the Complaints Response Team will decide whether it will forward the complaint to the applicable professional body.

***Request for reconsideration***

G11. The parties to the investigation can ask that a final decision be reconsidered by the Responsible Body within 30 calendar days of the date of the decision.

G12. A request for reconsideration must include:

- reasons for the reconsideration;

- submissions in support of the reconsideration; and
- remedy or relief desired.

G13. The Responsible Body will grant a request for reconsideration if it is satisfied that

- there are new facts or evidence that could not have been produced earlier that could change the outcome of the final decision;
- the decision was not in accordance with the rules of natural justice that impacted the outcome of the investigation (such as the Respondent not being aware of the allegations against them and not having an opportunity to be heard or to respond); and
- other factors exist that the Responsible Body needs to give greater weight.

G14. New evidence, such as facts that happened after the completion of the investigation, will not be considered for reconsideration.

G15. The Responsible Body has 30 calendar days to respond in writing to the reconsideration.

G16. If the Responsible Body finds that there are grounds for the reconsideration, it will take corrective action as required.

***No appeal process***

G17. There is no appeal process for a final decision regarding the disposition of a complaint.

***Ideally the investigation is completed within three months***

G18. All of the procedures should be carried out in a timely fashion—in most cases within a three-month period. Exceptions do occur, however, and in cases that require more time, the parties are informed of the delay and, if appropriate, the reasons for the delay.

## **XI. This Policy Applies to International Complaints**

[59] This Policy applies to anyone or any organization, as well as other bodies that have a direct affiliation with the Church, that is carrying out a responsibility or activity on behalf of the Church in international locations.

[60] The criteria set out in [III. Two Criteria Must Be Met for This Policy to Apply](#) apply to incidents occurring in international locations.

[61] Below is the process for complaints that occur in international locations (excluding the community of faith in Bermuda, which will follow the process outlined for all other complaints in this Policy):

### **Complainant or Respondent Works/Volunteers with The United Church of Canada**

- (a) The Church supports global programming outside of Canada initiated by the General Council Office, congregations, and other communities of faith. In the event a complaint arises involving inappropriate behaviour in the workplace, in worship, or while studying, Church in Mission Unit, specifically the Church in Partnership and Identity and Mission clusters,<sup>2</sup> must be notified as appropriate.
- (b) The Church in Mission Unit will direct the Complainant and Respondent to [complaintresponse@united-church.ca](mailto:complaintresponse@united-church.ca) to lodge their complaint and/or receive additional support and resources to manage the situation.

### **Complainant or Respondent Is from the Global Partner or Someone from the Community Participating in the Global Partner Project**

- (c) The Human Resources person or equivalent of the Global Partner collaborates with the Church in Mission Unit on how to lodge a complaint and will provide support and resources to deal with the complaint as appropriate.

### **Complaint Process**

- (d) Once the Church receives a complaint, it is sent to the appropriate Responsible Body. The appropriate Responsible Body will depend on the position/role of the Respondent at the Church ([Appendix A: Responsible Bodies](#)). In the case where the Respondent is not part of the Church, the Responsible Body will be the Executive Minister of the regional council the Complainant is associated with.
- (e) The Responsible Body determines which legislation, international or provincial/territorial, applies. The Responsible Body works with the Human Resources department or equivalent of the organization where the alleged incident took place to review their Workplace Safety and/or Sexual Misconduct Policy and legislation to determine which legislation and Policy will take precedence. If a complaint arises in an international location that does not have legislation on sexual misconduct, the complaint is usually reviewed under the appropriate law of the province/territory the Respondent is from.
- (f) In all circumstances, the incident will be reviewed under the legislation and/or Policy that is more comprehensive.
- (g) The Responsible Body collaborates with the Church in Mission Unit and the Global

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<sup>2</sup> The Church in Mission Unit provides support and leadership to The United Church of Canada to participate in God's mission of justice, peace, and transformation in the world through its various ministries and partners in their contextual response to God's invitation and partnership. The Church in Mission has three collaborative staff teams: Church in Partnership, Identity and Mission, and Executive Minister Cluster. Church in Mission provides supports and leadership to The United Church of Canada in seeking to be an intercultural and anti-racist church that is welcoming, relational, adaptive, justice seeking, intentional, and mission-centred.

Partner to talk about resource sharing to address the complaint.

- (h) If it is established that the jurisdiction is either provincial/territorial within Canada, the procedure set out in this Policy will be used to resolve the complaint.

## **XII. Procedures for Indigenous Communities**

[62] This Policy may be tailored for the purposes of Indigenous communities. It is recommended that, where a Respondent is an Indigenous ministry personnel, the prescribed processes outlined under sections A, B or C, as appropriate, be followed. In terms of reconciliation processes, the Indigenous ministry personnel may be subject to both prescribed remedial processes (under the Office of Vocation's processes) and reconciliation processes in alignment with their respective Indigenous communities.

[63] Where a Respondent is Indigenous non-ministry personnel, the applicable ministry may consider following a process that honours their restorative culture and practices, or consult with the respective regional council, National Indigenous Council, or the Office of Vocation for further support.

## **XIII. Restoration of Relationship: Communities of Faith**

[64] Restoration of relationship, where possible, may be explored to examine whether parties to a complaint can resume participating in the life and ministry of the Church after a complaint is concluded. This consideration is weighed based on the circumstances of each complaint.

[65] The suggestions that follow offer different ways to restore relationships for the Complainant and Respondent in their communities of faith.

### **Communication**

- Clear and transparent information should be provided to the Church community, as much as possible, throughout the process and when the process has concluded. It is expected that information shared will be held in confidence by all who are part of the process. If all interested parties (Complainant, Respondent, and pastoral charge or ministry site) have the same information, it will be easier once the formal complaint procedures are concluded to resume a relationship that may have been interrupted by administrative leave or time away from work for directed programming ordered by the Church.
  - The Responsible Body will meet with the Complainant after the process is concluded. Reflect with them on their experience of the process. Ask:
    - Did they feel heard throughout the process?
    - Were they supported throughout the process?
    - How can they be further supported as they continue to participate in the

life of the Church?

- Meet with the Respondent after the process is concluded: Reflect with them on their experience of the process. If they are returning to the position they held when the complaint was brought, can they identify any place where assistance can be provided for their return to the position?
- Counselling for the Respondent may be ordered as part of a directed program or the decision of a formal hearing panel (formal hearings may occur if the Respondent is ministry personnel, a congregational designated minister, an adherent, or a lay member). Counselling may also be recommended for the Complainant. Please talk to the Policy Writer and Human Resources Specialist or the regional council Executive Minister for details about what is available through the Church.
- For a Respondent returning to a community of faith or other applicable ministry, a meeting with a representative of the Ministry and Personnel Committee and then the Committee as a whole may be helpful to facilitate their return to work. Again, the goal is to ensure that the Committee has all the information it needs to work with the Respondent for the return to the pastoral charge to go as smoothly as it can.
- For a Respondent who is not returning to the position they previously held, it is important for the Office of Vocation or regional council Executive Minister to ensure that clear information is provided and received from the ministry personnel so that their status within the Church is understood by all parties.
- A service of worship may be held with church leaders where the focus could be on beginning the process of healing over the loss of a minister, leader, staff, or member.

#### Debrief

- Contact the parties following the conclusion of the formal process (this could be done by their pastoral care provider or their Consultant) to find out if they would like to be part of a debriefing conversation.

#### Trauma Team

Your Office of Vocation or regional council ministers can provide information about a trauma team that may be available to come in and work with you and the affected group.

## XIV. Notes to the Policy

This Policy should be read along with the following resources:

- [Workplace Discrimination, Harassment, and Violence Response Policy](#)
- [The Manual](#)
- [Office of Vocation: Structures and Responsibilities](#), Appendix A: Procedure to Address Concerns about Ministry Personnel

## Appendices

### Appendix A: Responsible Bodies

Which Responsible Body receives the complaint?	The Responsible Body is determined by the position of the Respondent in the Church
Community of Faith	Respondent is a United Church of Canada member, adherent, lay employee, congregational designated minister, licensed lay worship leader, or volunteer of a community of faith.
Office of Vocation	Respondent is a United Church minister (ordained, diaconal, and/or designated lay minister) or Candidate.
Executive Minister of the Regional Council	Respondent is the chair of the M&P Committee and/or council/board of a community of faith, a volunteer, or any person accountable to that regional council.
Director of Human Resources and Payroll	Respondent is a staff member of a regional council or the General Council Office.
Executive Officer of Shared Services	Respondent is the Director of Human Resources and Payroll Services, or an Executive Minister.
General Secretary	Respondent is the Moderator
General Secretary Supervision Committee	Respondent is the General Secretary

**NB: A Responsible Body may delegate its authority in the event it is unable or unwilling to act, to another appropriate Responsible Body. For example, a community of faith can delegate its responsibility to a regional council.**



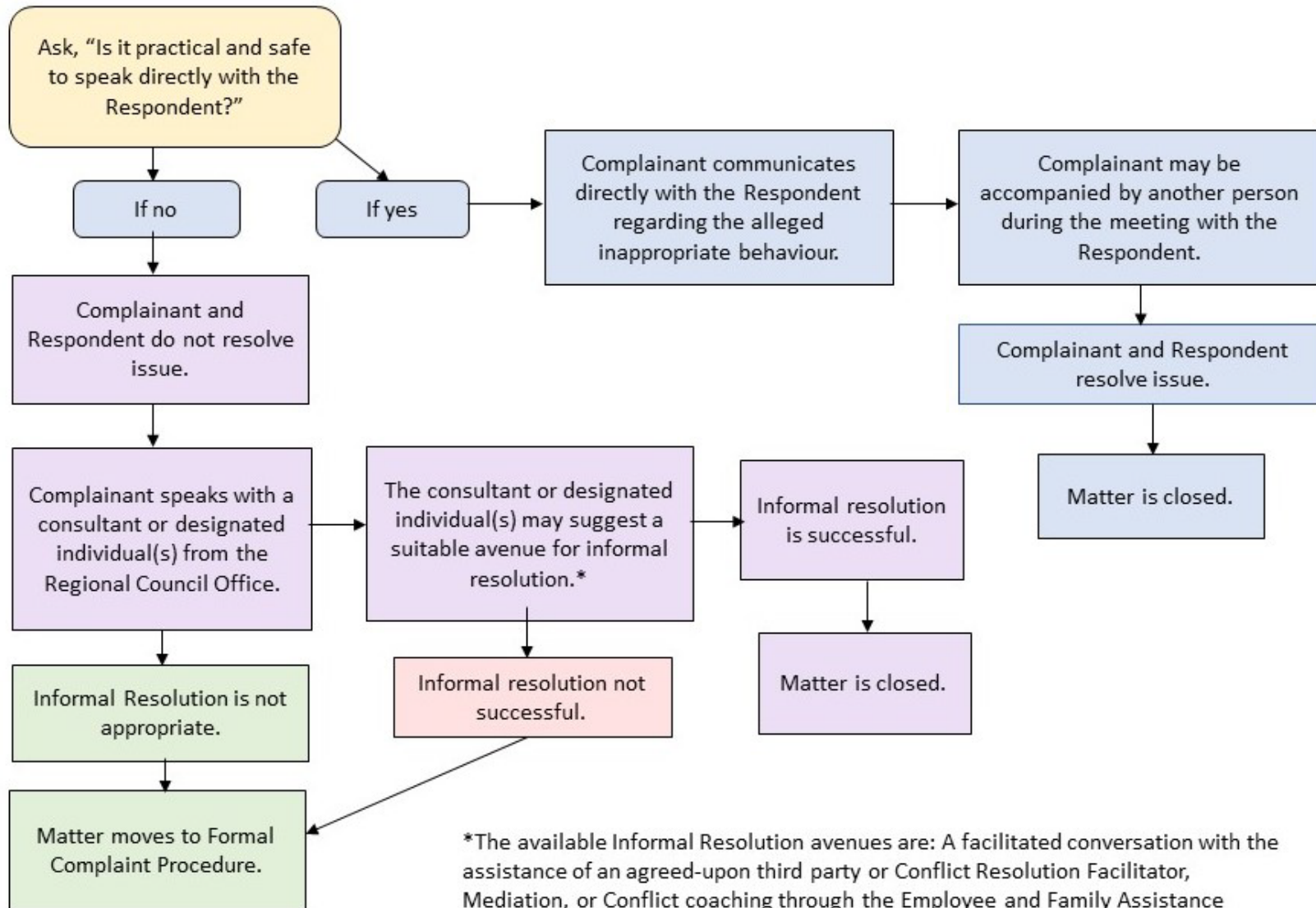
## Appendix B: Sexual Harassment Definitions

Province	Definition
British Columbia	<p><b>Human Resources Policy 11 - Discrimination and Harassment in the Workplace</b></p> <p>Sexual harassment is a form of discrimination and is defined as any unwelcome comment or conduct of a sexual nature that may detrimentally affect the work environment or lead to adverse job-related consequences for the victim of the harassment.</p>
Manitoba	<p><b><i>Manitoba Human Rights Code CCSM c H175</i></b></p> <p><b>19(2)</b> In this section, "harassment" means</p> <p>(a) a course of abusive and unwelcome conduct or comment undertaken or made on the basis of any characteristic referred to in subsection 9(2); or</p> <p>(b) a series of objectionable and unwelcome sexual solicitations or advances; or</p> <p>(c) a sexual solicitation or advance made by a person who is in a position to confer any benefit on, or deny any benefit to, the recipient of the solicitation or advance, if the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or</p> <p>(d) a reprisal or threat of reprisal for rejecting a sexual solicitation or advance.</p>
Ontario	<p><b><i>Human Rights Code, RSO 1990, c H.19</i></b></p> <p><b>7(2)</b> Every person who is an employee has a right to freedom from harassment in the workplace because of sex, sexual orientation, gender identity or gender expression by his or her employer or agent of the employer or by another employee.</p> <p><b>7(3)</b> Every person has a right to be free from,</p> <p>(a) a sexual solicitation or advance made by a person in a position to confer, grant or deny a benefit or advancement to the person where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome; or</p> <p>(b) a reprisal or a 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.</p> <p><b><i>Occupational Health and Safety Act, RSO 1990, c O.1</i></b></p> <p><b>1(1)</b> "workplace sexual harassment" means,</p>

	<p>(a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or</p> <p>(b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.</p>
<b>New Brunswick</b>	<p><b><i>Human Rights Act, RSNB 2011, c 171</i></b></p> <p>“sexually harass” means engage in vexatious comment or conduct of a sexual nature that is known or ought reasonably to be known to be unwelcome.</p>
<b>Prince Edward Island</b>	<p><b><i>Employment Standards Act, RSPEI 1988, c E-6.2</i></b></p> <p><b>24.</b> “sexual harassment” means any conduct, comment, gesture or contact of a sexual nature</p> <p>(a) that is likely to cause offence or humiliation to any employee; or</p> <p>(b) that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.</p> <p><b>25.</b> Every employee is entitled to employment free of sexual harassment.</p> <p><b>26.</b> Every employer shall make every reasonable effort to ensure that no employee is subjected to sexual harassment</p>
<b>Nova Scotia</b>	<p><b><i>Human Rights Act, RSNS 1989, c 214</i></b></p> <p><b>3(o)</b> “sexual harassment” means</p> <p>(i) vexatious sexual conduct or a course of comment that is known or ought reasonably to be known as unwelcome,</p> <p>(ii) a sexual solicitation or advance made to an individual by another individual where the other individual is in a position to confer a benefit on, or deny a benefit to, the individual to whom the solicitation or advance is made, where the individual who makes the solicitation or advance knows or ought reasonably to know that it is unwelcome, or</p> <p>(iii) a reprisal or threat of reprisal against an individual for rejecting a sexual solicitation or advance</p>

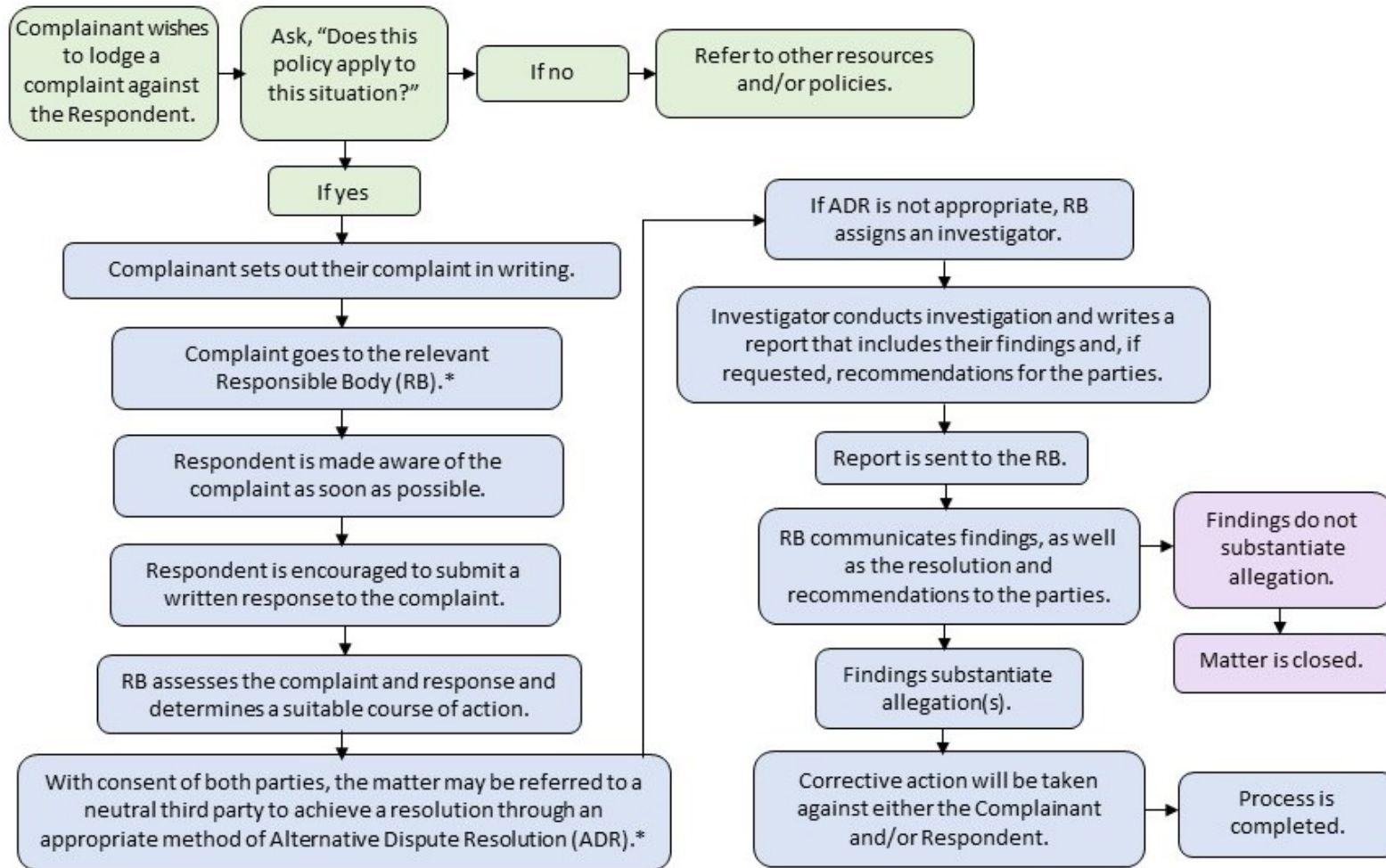
**\*Any legislation listed in Appendix B may be amended from time to time and is not intended to be legal advice. Please consult the current provincial legislation.**

Appendix C: Informal Resolution Process



\*The available Informal Resolution avenues are: A facilitated conversation with the assistance of an agreed-upon third party or Conflict Resolution Facilitator, Mediation, or Conflict coaching through the Employee and Family Assistance Program (EFAP) through TELUS Health.

Appendix D: Formal Resolution Process



\*See **Responsible Bodies** (Appendix A).

\*If both Complainant and Respondent are employees, counselling and support are available through Employee and Family Assistance Program (EFAP). If any party does not have access to EFAP, pastoral care is available upon request.

\*Applicable ADR methods include Mediation, No Blame Conciliatory Meeting, and Facilitated Conversation.



Please list any documents that may be relevant to your complaint, including documents, notes, e-mails and/or other records.

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Please describe the resolution that you are seeking.

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### Witness Information

List names of possible witnesses.

Name	Position	Contact Phone Number

### Declaration

I confirm the statement(s) contained in this complaint are true to the best of my knowledge. I understand a copy of this complaint will be provided to the Respondent for the purpose of investigating this complaint.

Signature: \_\_\_\_\_ Date (dd/mm/yyyy): \_\_\_\_\_

## **Appendix F: Administrative Leave**

The following criteria must be considered (in addition to any others that may be relevant) when making the decision on whether the Respondent to the complaint should be placed on administrative leave, as provided for in the Sexual Misconduct Response Policy.

Where any one or more of the first four factors are present, it is strongly recommended that the Respondent be placed on administrative leave pending investigation.

1. Is administrative leave required in order to ensure that there is no undue contact with the Complainant, family, supporters, or advocates?
2. Is the Respondent making a request to be placed on administrative leave?
3. Is there a vulnerable sector in the relevant work community that may be at ongoing risk?
4. Do the allegations include any level of violence?
5. Is the person being investigated by the authorities?
6. Is the ministry site where the Respondent is currently carrying out their duties close to or some distance from where the Complainant is now residing and from where the complaint is alleged to have occurred?
7. Are concerns for the health and welfare of the parties or ministry site best served by placing the Respondent on administrative leave pending investigation?

## Appendix G: Role of Consultants

The United Church of Canada recruits and equips a pool of individuals, of diverse background and skill sets, to serve as Consultants to the Sexual Misconduct Prevention and Response Policy (as well as the Workplace Discrimination, Harassment, and Violence Prevention Policy), supported by the Office of Vocation. Their role is as follows:

### Responsibilities

1. Act as a guide on the processes of the Policy for either a Complainant or a Respondent.
2. Be familiar with The United Church of Canada's policies and procedures on sexual misconduct, be familiar with issues involved in all forms of sexual misconduct, and be committed to keeping up to date on related issues.
3. Conduct the work in a confidential and respectful manner, while demonstrating sensitivity and discernment.
4. Offer pastoral care, or direct to Employee and Family Assistance Program as applicable.
5. Ensure that the individual to whom they are assigned receives a complete copy of the Sexual Misconduct Prevention and Response Policy, whether printed or electronic copy, and review the Policy and procedures with that individual.
6. Encourage the Complainant or Respondent to have a support person present with them at all meetings.
7. Use the Complaint Form (see [Appendix E](#)) to help the Complainant detail their complaint. Also, inform Complainants who have observed or have first-hand knowledge of a complaint that the matter will not be pursued under this Policy if the complaint is not in writing.
8. Prepare a written account of the meeting with a Complainant, and provide a copy of the account, along with the written signed complaint and/or response, to the appropriate Responsible Body.
9. Inform the party to whom they are assigned not to have direct or indirect contact with the other party, including their family and friends.
10. Advise the individual to whom they are assigned that they do not act as an advocate for them.
11. Advise the Complainant or Respondent that they can retain legal counsel (at their own cost) to assist them with the process.
12. Provide information to the Complainant or Respondent concerning the Investigator and other required information.



## **Appendix H: Role of Pastoral Care**

Pastoral care is the extension of Christian love, help, and support by providing comfort and caring to those experiencing life transitions, illness, grief, and family or personal crisis. For the purposes of this Policy, this ministry is offered to both Complainant and Respondent within our formal resolution process. The individual who provides the pastoral care is a trained and experienced United Church of Canada minister, in good standing, whose role is to:

1. Provide support and care, often through pastoral counseling.
2. Uphold the integrity of the ministry relationship in which they serve.
3. Honour the dignity, culture, and faith of all persons.
4. Respect personal boundaries, such as those of space and touch.
5. Use the power and influence of their office appropriately.
6. Be sensitive to the needs and vulnerabilities of all, while clarifying and maintaining the professional nature of the relationship.
7. Advise the Responsible Body or Policy Writer and HR Specialist, as appropriate, should there be any breakdown in the pastoral care relationship.

## Appendix I: Checklist for Receiving a Complaint of Sexual Misconduct

**Note: This checklist is not exhaustive and may not address all situations.**

*Working with a complaint of sexual misconduct:*

- q If you are the correct person (Responsible Body) to receive the complaint, acknowledge receipt of the complaint from the Complainant and inform them that they will be assigned a Consultant to explain the process and to assist them with writing the complaint, if necessary.
- q If you are not the correct person to receive the complaint, identify the correct Responsible Body and forward the complaint to them. Refer to [Appendix A](#) of this Policy for guidance. If you are still unsure who is the Responsible Body, you can consult with the Policy Writer and Human Resources Specialist.
- q Work with the Policy Writer and Human Resources Specialist to assign a Consultant to the Complaint and identify a potential Consultant for the Respondent.
- q Once the Complaint is sent to the Respondent, assign a Consultant to the Respondent.
- q Determine whether (paid) administrative leave is necessary. Consult [Appendix F](#) for criteria for administrative leave.
- q For ministry personnel, consider the applicability of the Personnel Emergency Fund and/or counselling funds as appropriate.
- q If the matter is to be resolved informally, consult with the Policy Writer and Human Resources Specialist to retain a mediator or conflict resolution facilitator as requested by the parties.
- q If the matter is to be resolved formally, the Policy Writer and Human Resources Specialist will assist in retaining an Investigator. The point of contact for the Investigator will usually be the Policy Writer and Human Resources Specialist, but it could be someone else if that is more practical.
- q If you are the point of contact for the Investigator, provide the Investigator with any information relevant to the investigation.
- q Ask the Investigator for an investigation plan, and be in regular contact with the Investigator on the progress of the investigation.
- q Provide the investigation report to the Responsible Body.
- q Responsible Body should meet with the parties before deciding on the findings of fact.
- q Maintain confidentiality throughout, except as provided for in the Policy and procedures and as may be required by law.

## Appendix J: List of Policy Revisions

Policy Name, Number, and Holder of Policy	Date Approved	Approving Body	Date Revised	List of Revisions
The Sexual Misconduct Response Policy Held by: GCO OV Dept.	October 11, 2023	Sub-Executive of the General Council	September 2023	<ul style="list-style-type: none"> <li>- Expanded use of headings and section numbers</li> <li>- Expanded definitions for procedures to Respond to Complaints</li> <li>- Expanded section on Appendices, including: <ul style="list-style-type: none"> <li>- Complaint form (Appendix E)</li> <li>- Checklist for receiving a complaint of sexual misconduct (Appendix I)</li> </ul> </li> <li>- Use of Responsible Bodies (Appendix A: Responsible Bodies)</li> <li>- Identification of criteria that must be met for the policy to apply</li> <li>- Expanding those who can lodge a complaint)</li> <li>- Practice regarding dealing with anonymous complaints</li> <li>- Policy is required by law</li> <li>- Options for making a complaint outside of this Policy</li> <li>- Individual shall not fear retaliation from the Church</li> <li>- Changes to cases involving children</li> <li>- The policy applies to international complaints</li> <li>- Procedures for Indigenous communities</li> <li>- Change to Procedures to Respond to Complaints to align with Workplace Discrimination Harassment and Violence Policy</li> </ul>