ANGLICAN DIOCESE OF BRITISH COLUMBIA

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Respectful Conduct Policy

I GENERAL PROVISIONS

1. The Diocese of British Columbia undertakes to ensure that all activities and work in which it is engaged uphold the values of love, truth and justice proclaimed in the Gospel of Jesus Christ.
2. The Diocese welcomes diversity and strives to provide an environment in which each individual is treated fairly and with dignity and respect.
3. Each employee and volunteer has the right to work in an atmosphere which promotes equal opportunity, prohibits discriminatory practices and is free from bullying, harassment, discrimination and sexual misconduct.
4. Violations of this policy (including bullying and harassment, discrimination and sexual misconduct) will not be tolerated and all reasonable complaints will be investigated.
5. The Review Team is appointed by the Bishop and coordinates the evaluation and investigation of all concerns, reports and complaints of violation of this policy.
6. In all responses, the Diocese will recognize the vulnerability of those involved and will act with empathy, trustworthiness and transparency.
7. Pastoral care is available to any complainants, respondents, their families, or others affected within the diocesan community.
8. It is not the intention of this policy to prohibit normal social interaction, nor to prevent the Diocese from exercising, in good faith, its normal managerial/supervisory rights and responsibilities.
9. This policy applies to every bishop, priest, deacon, or lay person under the jurisdiction of the Bishop of the Diocese of British Columbia. The Canons of the Diocese of British Columbia, the Ecclesiastical Province of British Columbia and Yukon, and of the General Synod of the Anglican Church of Canada which have been, or shall be from time to time, passed, as these bear on Oaths, Licensing, Discipline, and the Exercise of Ministry, and the Bishop's Letter of Appointment and License govern the discharge of this policy.
10. All clergy, employees and volunteers are required to be familiar with this policy, and to agree in writing to adhere to it. Other organizations functioning in the name of the Church or on its property are required to adhere to this policy or an equivalent one.
11. When new clergy are appointed or diocesan and parish staff are hired, agreement to comply with all personnel policies of the church including this respectful conduct policy is required in writing as a condition of employment or appointment.
12. When volunteers for diocesan or parish boards or committees or other councils are chosen, agreement in writing to comply with this respectful conduct policy is required as a condition of volunteering.

Updated: August 2026

13. The Bishop's office oversees the orientation and ongoing training of clergy and synod office employees and volunteers concerning the workplace issues of harassment, discrimination, sexual misconduct and ethical behaviour. Churchwardens and incumbents of parishes and those in charge of other diocesan ministries are responsible for ensuring that lay employees and volunteers consent to adhere to this policy.

14. This policy statement will be reviewed every year. An updated copy will be made available on the diocesan website.

15. Any word or phrase not defined below has the same meaning as used in the Constitution, the Canons and Regulations.

II PROCEDURE

1. Reports of concerns, incidents or complaints of workplace bullying and harassment, or discrimination may be made orally or in writing. Allegations of sexual misconduct must be made in writing. All concerns, reports and concerns should be addressed to the Review Team at: Intake@bc.anglican.ca

Or

Review Team

Anglican Diocese of British Columbia

900 Vancouver Street

Victoria, BC V8V3V7

Confidential

2. It is the responsibility of the Diocese to investigate all complaints and will do so in a fair and impartial manner, providing both the Complainant and Respondent fair and equal treatment in evaluating the allegations. Allegations of conduct contrary to this policy and involving persons who are not employees or volunteers of the Diocese will be addressed on a case-by-case basis.

3. Investigations will be trauma informed, aimed to create an environment of safety and respect.

4. The procedure for issues of sexual misconduct is set out on page 6 below.

III BULLYING AND HARASSMENT

1. Bullying and harassment

a) includes any inappropriate conduct or comment by a person towards another that the person knew or reasonably ought to have known would cause the other to be humiliated or intimidated, but
b) excludes any reasonable action taken by an employer or supervisor relating to the management and direction of employees or volunteers, or the place of employment.

Examples of conduct or comments that might constitute bullying and harassment include verbal aggression or insults, calling someone derogatory names, or harmful hazing, initiation practices, vandalizing personal belongings, and spreading malicious rumors.

Bullying and harassing behavior does not include expressing differences in opinion; offering constructive feedback, guidance or advice about work-related behavior; and reasonable action taken relating to the management and direction of employees or volunteers (e.g., managing performance, taking reasonable disciplinary actions, assigning work).

2. Employees and volunteers must:

- not engage in the bullying and harassment of others
- report if bullying and harassment is observed or experienced

3. Application

This policy statement applies to all employees, including permanent, temporary, casual, contract, student workers, and to volunteers. It applies to interpersonal and electronic communications, such as email.

Individuals found guilty of bullying or harassment will be disciplined. Discipline may include suspension or dismissal and barring from attendance at any property in the diocese for a defined term or indefinitely.

4. Reporting and Investigation Procedures

The investigation process and reporting procedures are described in the link provided. Additional resources can be found at www.worksafebc.com/bullying/.

IV DISCRIMINATION

1. Discrimination includes differences in treatment of individuals on the basis of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, age, gender expression, gender identity, indigenous identity or criminal conviction that is unrelated to the employment of the individual.
2. The Diocese is committed to maintaining a fair and just work environment with employment equity. The Diocese strives to eliminate discrimination in all levels of employment.
3. Individuals will be entitled to be considered for employment, hired, trained, and promoted in a way that is free of discrimination that is unrelated to employment, including any systemic or deliberate practices and policies that may discriminate.

V SEXUAL MISCONDUCT

Definitions

Review Team
The members of the Review Team are appointed by the Bishop and coordinate investigations of complaints received under this sexual misconduct policy.

Complainant and Respondent
"Complainant" and "Respondent" are terms which describe the person bringing the complaint and the person who is accused of sexual misconduct.

Consent
Consent means giving permission for something to happen. Consent must be voluntary. Consent has not been given if an individual agrees to any sexual activity under threat, or if consent is obtained by fraud or through the influence of a person in authority over that person. Children cannot give consent. Consent for sexual activity is not possible in a pastoral or fiduciary relationship.

Pastoral Relationship
A pastoral relationship is a fiduciary relationship carried out in the name of or on behalf of the Diocese, Parish Church, or place of ministry, as the case may be, between a member of the Clergy, Lay Employee or Volunteer and any person to whom such Clergy, Lay Employee or Volunteer provides pastoral counselling, pastoral care, instruction in sacred music, spiritual direction, spiritual guidance or from whom the Clergy, Lay Employee or Volunteer has received confession, or confidential or privileged information. In assuming responsibility for such a relationship, the Clergy, Lay Employee or Volunteer acknowledges responsibility for the well-being of the other person, intends to respect that individual's personal integrity and determines not to abuse the power inherent in the relationship. Any sexual activity or conduct in which a person in a pastoral relationship with another takes advantage of the vulnerability of the person under their pastoral care or other guidance or leadership, regardless of who appears to have initiated it, shall be deemed to be sexual misconduct.

Safe Church
The Safe Church program is administered by the synod office staff in collaboration with parish safe church liaisons. Safe Church training is proactive in prevention by offering resources and education that covers relevant subject matter, including but not limited to sexual misconduct and/or harassment, bullying, abuse, and social media safety. The Safe Church program also includes a screening process which requires specific persons to obtain a Police Information Check with a Vulnerable Persons Sector check and provide it to the synod office.

Sexual Assault
Sexual assault is any intentional use of force or threat of use of force and involving some form of sexual activity against another person without their consent. Sexual assault may be criminal in nature.

Sexual Exploitation
Sexual exploitation is any form of sexual contact or invitation to sexual contact, with any person by a professional person, cleric or anyone in a position of authority, trust or power over that person whether

or not there is consent from the individual (please see Consent). It may be a criminal offence. Sexual exploitation refers to the act of taking advantage of the vulnerability of a person, with whom there is a fiduciary and/or pastoral relationship (please see Pastoral Relationship), for one's own pleasure/gain.

Sexual Harassment
Sexual harassment includes engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome. Sexual harassment is behaviour that has the effect of undermining, coercing, intimidating, humiliating or demeaning an individual on the basis of gender. It may have the effect of creating a place of ministry or workplace which is hostile or offensive. Such behaviour may consist of a single incident or several incidents over a period of time. The harasser could be of the same or different gender as the person harassed and may be a supervisor, co-worker/minister, client, parishioner, volunteer or an external person providing service. Sexual harassment can occur in or outside the office or church building but is not limited to a work-related activity.
Examples:

- threats or verbal abuse
- unwelcome sexual remarks, jokes, innuendo or taunting about a person's body or sexual orientation
- distribution by mail, fax or other electronic means of material of a sexual nature which potentially could be offensive
- displaying sexist, pornographic or derogatory pictures
- unwelcome invitations or requests or sexually suggestive remarks
- leering or other sexual gestures
- unnecessary physical contact, such as patting or pinching

Sexual Misconduct
Sexual misconduct for the purposes of this Policy is sexual exploitation, sexual harassment, or sexual assault.

Principles

1. All employees, volunteers, parishioners and others participating in parish or diocesan activities or events have the right to an environment that is free of sexual misconduct.
2. Clergy and those responsible for liturgical, pastoral, educational or recreational activities in the Diocese of British Columbia are expected to maintain ethical standards of mutual respect, responsibility and caring, as well as modelling wholeness and healthy sexuality in all their relationships with those for whom they have responsibility.
3. Professional counsellor/client relationships must be respected and maintained by all clergy and other professionals in the service of the diocese or parish in every pastoral or counselling situation. Exploitation of this trust through sexual activity, touching for sexual purposes, or the suggestion or depiction of any such activity, will not be tolerated.
4. An accused person is presumed innocent until proven guilty. The fact that either formal or informal procedures have been initiated does not create an inference of guilt.
5. As a first principle, every effort will be made on the part of all parties concerned to hold in confidence information obtained in the process of a complaint made under this policy.

6. Preserving the safety and well-being of a complainant, or others who might be affected, is a priority.

7. Whenever possible, the Diocese is committed to a trauma-informed approach to all complaints. In all responses, the Diocese will recognize the vulnerability of those involved and will act with empathy, trustworthiness and transparency.

8. Anonymous complaints will generally not be investigated or acted upon. The Bishop, however, may initiate an investigation under the procedures of this policy into any situation where there is reasonable suspicion of sexual misconduct, whether or not a complaint has been made.

Prevention

1. This sexual misconduct policy is intended

    a. to help prevent sexual misconduct from occurring;

    b. to provide workable and fair procedures for responding to complaints of sexual misconduct; and

    c. to provide a basis and framework for ongoing training and education on issues of sexual misconduct and the implementation of the policy.

2. The Diocese of British Columbia actively strives to prevent sexual misconduct and deal with every accusation promptly, seriously and systematically, in cooperation with the proper authorities, where appropriate. We co-operate with investigations being undertaken under the Criminal Code, B.C. Human Rights Code, or the Child, Family and Community Service Act. Nothing will be done to interfere with any of these investigations.

3. Appropriate Safe Church training and screening must be completed by all clergy and all paid parish staff. Lay persons wishing to volunteer must complete Safe Church training and screening according to their volunteer role. These roles include but are not limited to: parish council members; wardens; choir director or organist and choral scholars; treasurer, envelope secretary and all others who handle money; children and youth workers, camp leaders and volunteers; honorary assistants; pastoral visitors; refugee volunteers; volunteers at parish events; volunteers in leadership roles; and social media assistants and tech support.

Procedure

1. Any person who wishes to voice a concern, make a report or file a complaint, is encouraged to come forward without fear of retaliation or reprisals.
2. The Bishop may initiate an investigation under the relevant procedures of this policy where there is reasonable suspicion of sexual misconduct, whether or not a complaint has been made.
3. If a person wishes to make a formal complaint under this Sexual Misconduct Policy, they must notify the Review Team in writing either by email or by mail at the addresses set out on page 2 of this policy. Any complaint against the Bishop should be addressed to the Metropolitan of the Ecclesiastical Province of British Columbia and the Yukon.

4. All complaints under this policy are dealt with confidentially, However, confidentiality may be limited as necessary for the administration of this policy, or as required by law, or where anyone is at risk, or if confidentiality is waived by the parties.
5. This policy is not intended to preclude a complainant from seeking legal counsel or seeking a criminal or civil remedy.
6. No person or persons shall knowingly make a false or vexatious complaint.
7. The Review Team is responsible for the scope of the investigation, which may include appointing an independent investigator. The Bishop reviews the investigative report and makes the final decision. An appeal of the Bishop's decision may be initiated to the diocesan court within thirty days. A complaint against the Bishop will be handled by the Metropolitan and the decision of the Metropolitan may be appealed to the diocesan court within thirty days.
8. Individuals found guilty of sexual misconduct will be disciplined. Discipline may include suspension or dismissal and barring from attendance at any property in the diocese for a defined term or indefinitely.
9. The nature and type of discipline will be determined by the Bishop.
10. Sexual misconduct may be criminal in nature and, if so, will be dealt with seriously.
11. Where a person suspects on reasonable grounds that a child is or may be in need of protection, this suspicion must be reported to child protection authorities.
12. Where the complaint involves abuse that allegedly occurred when the adult complainant was a child, no report will be made pursuant to paragraph 11 above without the consent of the complainant unless either there is suspicion that other children are currently being abused or the person receiving the report has grave concerns for the safety of other persons.