

# BC Baptist Conference Policy

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**Title: Disciplinary Guidelines and Procedures Policy**

**Policy Number: 4.0**

**Approval Date: May 26, 2012**

**Approved by: Board of Directors**

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## **Purpose:**

The purpose of this policy is to outline the process for disciplinary action.

## **Scope:**

This policy applies to moral failure.

This document seeks to provide a framework for both the local church and the British Columbia Baptist Conference (BCBC) when faced with issues arising from moral failure by a member of the pastoral staff. Local congregations are strongly urged to incorporate appropriate policies in their Bylaws or Operations Manual, seeking legal advice as appropriate.

## **Policy:**

### **Purpose of the Process**

1. The purpose of disciplinary action is to draw attention to and deal with inappropriate behavior, but always with a desire for confession, repentance, forgiveness and restoration.
2. To provide protection for local churches from those whose actions may harm a congregation.
3. To provide an environment that makes restoration and healing possible for those individuals harmed by the actions of the offender.
4. To provide a restorative environment for the offender and his or her spouse and family. This may include a process leading to return to areas of ministry when and where appropriate.

## **Parameters of Moral Failure**

These policies seek to address a range of moral issues. It includes any action deemed by the local church or Canadian Law to be a breach of trust between persons of influence and their subordinates or peers.

1. Sexual misconduct, including extra-marital sexual relationships (adultery) and premarital sexual relationships (fornication).
2. Homosexual relationships.
3. Reading, viewing or distribution of pornographic materials.
4. Sexually abusive behavior, including sexual assault and sexual harassment. This may include sexual relations, touching of a sexual nature or unsolicited remarks of a sexual nature, particularly by a person in a position of authority under his or her influence.
5. Physical aggression.
6. Dishonesty, including theft or fraud, habitual lying and deceit.
7. Substance abuse, i.e. the abuse of alcohol and drugs.
8. Criminal activity.

## **Hearing the Accusation**

The Board or their representatives shall appoint one or more persons to investigate any signed written complaint of misconduct against the Pastor. Members who are aware of unethical or immoral behavior by a Pastor are encouraged, whenever possible, to speak with the individual alone and then with another person before making such a complaint of misconduct. This process provides for at least two witnesses to the response of the individual to the accusations. (*cf. 1 Timothy 5:19-20; Matthew 18:15-17*)

If confession and repentance follow either of these initial meetings, proceed to the section on "Restoration" below. If the accused denies the claims, the Board shall consider the report and determine whether a hearing is warranted. No disciplinary sanction shall be imposed without either confession or a hearing. The BCBC office should be notified by a local church of a hearing into accusations against a Pastor serving within a BCBC congregation.

## **Initial Hearing Required** (*1 Timothy 5:19-20; Matthew 18:15-17*)

A hearing before a tribunal appointed by the Board shall convene as quickly as possible. It is recommended that at least one (1) representative from the

BCBC office be present. It is preferred that both accused and complainant be present. Each may have one counselor present. All parties in this process shall ensure strictest confidence to protect privacy and reputation of all concerned. The purpose of this initial hearing is not necessarily to determine guilt, but rather to discern whether there is cause for further action; and possibly to reach an agreement at the personal level, thus establishing a proper course of action as required. Whether there is admission of guilt, claim of innocence or other response, the meeting must conclude with an initial outline of future process.

### **Suspension of the Pastor**

Following the Initial Hearing, if....

-there has been an admission of guilt

-a police investigation is on-going

-or if the Board feels there is a need to proceed to a Formal Hearing the Pastor shall immediately be relieved of his/her duties. While an internal investigation is ongoing the person's pay continues.

Note: There are a lot of "it depends" issues that arise. A church can terminate with cause or without cause. Each case has specific rules that apply relative to severance. If terminating with cause there is no severance pay required, but the onus of proof lies with the church, and the church is legally liable for anything said about the person. If a church cannot prove sexual misconduct, but suspect it to be true, then the person must be terminated without cause. In such a case the church must pay the corresponding severance requirements and the church can not say that the person did something wrong. If the internal investigation becomes confused, contentious, or potentially so, legal advice is highly recommended.

In light of the above note, an appropriate announcement to the congregation shall be prepared by the church Board and read by the chairperson in the next Sunday service.

### **Formal Hearing**

Within 90 days of the initial hearing a formal hearing will be held to seek to determine the legitimacy of the allegations made against the Pastor. Where legal charges are pending or determined by the courts, this formal hearing will not be necessary.

This formal hearing should consist of

- those directly involved in the allegations
- representatives from the Church (2-3) and
- representative(s) from BCBC, (up to 2)

Written presentations shall be received from both the accused Pastor and those who raised allegations. Care should be taken to ensure that gender concerns are addressed in choosing the members of this formal hearing panel.

### **BCBC Policy**

Since these accusations have implications for the licensing of the Pastor, the District Minister should be involved in this Hearing; and, in fact, may serve as Chairperson. This formal hearing committee will recommend to the local church governing board and the BCBC District what actions should be taken with regards to the ongoing ministry of the Pastor. This Committee shall also make recommendations to the church regarding appropriate responses to the complainant.

### **Conviction and Public Announcement**

When found guilty, the Pastor will be immediately removed from office. Appropriate measures must be taken to ensure all documents and evidence pertaining to the matter remain protected. Furthermore, the Baptist General Conference of Canada (BGCC) may deem it necessary to remove the Pastor's credentials for a determined time. As early as possible, a public announcement from the chair of the Board and the District Minister shall be made to the congregation. The church leadership may deem it suitable for the Pastor to make a statement in response, accepting blame and guilt. This announcement stage is painful for all. Emotions are intense and prayer support essential. A public request for forgiveness is sometimes appropriate, but at other times, premature.

### **Restoration Process**

1. The local congregation shall take responsibility for the care and restoration of the complainants and victims of the charged Pastor. The BCBC will assist wherever possible. At least one person from the congregation should be assigned to provide ongoing support to the offended person(s). The District may help at their discretion with counseling costs according to standard policies within the BCBC.

2. The District Minister shall take responsibility to work with the appointed leaders of the congregation to provide a restorative environment for the local church. This might include help with pulpit supply, transitional pastoral work and support for debriefing with appropriate groups within the congregation.

3. Church Affiliation of the Pastor: The Pastor must leave the congregation, but also remain under the authority and guidance of the local District. The Pastor and family shall be urged to attend another BCBC church or suitable congregation during the restoration process in order to find healing and support.

4. The congregation should arrange for an appropriate financial package for the Pastor and family. This would normally include up to six (6) months severance. Seeking wisdom regarding "Employment Insurance" and other resources is essential since clergy do not always fall under normal categories within these structures.

5. BCBC Policy: An "intervention team" will be formed by the BCBC to provide support and accountability for the Pastor and spouse. Generally, the District Minister will not serve on this Team. Its six (6) month mandate is:

a. To provide support and accountability to the clergy couple. This often includes intense emotions and feelings.

b. To ensure that counseling and other actions called for by the District are being continued by the Pastor and spouse.

c. To ensure that appropriate closure between the Pastor and the church family has occurred. Although this is difficult to achieve, this might include a letter of confession and a respondent letter of forgiveness, a public service of reconciliation or other appropriate action.

d. To provide to the District and BGCC National office a report of its recommendations regarding the future for this couple.

e. Refusal of the pastoral couple to continue in this support group will mean they have no intention of continuing in pastoral ministry. The District will be notified.

f. Members of the Intervention Team should include representatives from:

i. The congregation involved.

ii. The District.

iii. A trusted voice for the Pastor and spouse.

## **BCBC Policy**

After a period of six (6) months to a maximum of five (5) years, and with the endorsement of both the Intervention Team and the District Minister, the Pastor can be considered for restoration to his pastoral calling. It should be noted that this does not guarantee future pastoral employment. Restoration to this status should include the following:

- i. The Pastor has confessed to the sin and admitted responsibility.
- ii. The Pastor has complied with the counselling requirements of the Intervention Team.
- iii. The Pastor and spouse have received a good report from their counselors.
- iv. The Pastor and spouse have demonstrated consistent Christian character in the life of a local church.