

# **All Saints' Metropolitan Community Church**

P.O. Box 24 065, Eastgate, Christchurch, New Zealand  
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## **Safe Congregation Policy Statement**

All Saints' Metropolitan Community Church, Christchurch, New Zealand, is committed to promoting a safe and welcoming environment supportive of personal and spiritual growth. This church recognises the rights of its pastors, employees, contractors, members, and guests to have an environment free of interpersonal violence such as harassment and abuse of a physical, psychological, or sexual nature.

We believe that harassment and abuse are not the fault of the victim. A person who has been harassed or abused needs support, empowerment, and a structure which provides an effective, safe, and prompt response to his/her complaint.

We understand that harassment and abuse may not be intentional, and may, in fact, arise through miscommunication or lack of awareness. When uncomfortable and/or unacceptable behaviours occur, an individual can sometimes resolve the situation himself/herself through direct discussion with the responsible party. Since this direct approach is not always appropriate, a Safe Congregation Team shall be formed to provide the church with a means of safely and effectively resolving such situations.

We recognise the right of an individual who is accused of inappropriate behaviour to respond to allegations, unless the panel deems informing that individual of the allegations unnecessary, unhelpful or unsafe to panel members or the complainant.

Along with this policy statement are Safe Congregation Procedures which include guidelines for the formation and functioning of the Safe Congregation Team.

The church also supports the Bylaws of The Universal Fellowship of Metropolitan Community Churches as revised at General Conference XX, Toronto, Ontario (Canada) and at the March 2002 Meeting of General Council, effective January 2003, regarding professional behaviour which are not part of this document.

This Safe Congregation Policy Statement and the Safe Congregation Procedures are also considered to include prohibitions against all criminal behaviours.

Adopted, ACM, 7 December 2003

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## **Safe Congregation Procedures**

### **1. Safe Congregation Team - Formation and Functioning**

The Board of Directors shall appoint a Safe Congregation Team of three members consisting of the pastor, a board member, and a member of the congregation to serve for one year. The three will include at least one woman and one man, and replacements will be appointed by the Board as necessary or as terms expire. The team shall handle complaints according to the following guidelines:

- a) All complaints shall be given prompt and fair consideration.
- b) Persons presenting complaints shall be free of coercion, restraints, interference, discrimination, or reprisal.
- c) The Safe Congregation Team shall act with sensitivity, objectivity, and fairness in handling these complaints.
- d) Decisions of the team must reflect a quorum of at least two persons.
- e) The team will appoint a chairperson and a back-up chairperson to fill in if the chairperson is unavailable.
- f) A complaint can be made verbally or in writing to any member of the Safe Congregation Team. That member will then contact the chairperson who will arrange for a formation of a panel consisting of at least two members, one of whom will be a man, the other to be a woman, to address the complaint.
- g) Except under extenuating circumstances, the panel shall meet within ten (10) days of the complaint being made, and shall issue a decision within ten (10) days of the panel's first meeting. (At any point in this process the panel may determine that the panel is not the appropriate body to address or deal with this complaint.)

- h) If the panel's decision involves any disciplinary action against the offender, the panel shall make that recommendation to the Board of Directors. If no disciplinary action is involved, the panel's decision can close the complaint process.
- i) A complaint against the pastor will be handled by a special Safe Congregation Team panel consisting of the a member of the Board of Directors, and two members of the congregation.
- j) A written record shall be kept using a standard form(s) developed by the Safe Congregation Team. Unless otherwise required, this confidential record shall only be accessible to the Safe Congregation Team members, the Board of Directors and the pastor. Access shall be further limited if the complaint involves any of these parties.
- k) In handling any given complaint, the panel shall not be required to keep a written record if the complaint is resolved informally or dropped at the request of the complainant. Under such circumstances, neither shall the panel be required to contact the individual the complaint was against.

## **2. Definitions Of Harassment and Abuse**

### **Introduction**

Two principal forms of interpersonal violence are harassment and abuse, which are defined below. If an individual feels his/her personal safety has been violated in this congregation by a behavior or form of misconduct that is not specified here, they may still file a complaint with the Safe Congregation Team.

### **Harassment**

Harassment includes unsolicited and unwelcome conduct that in the case of sexual harassment has sexual overtones. All forms of harassment can feel intrusive, intimidating, hostile, offensive and/or humiliating to the victim. This includes physical, psychological, and sexual harassment:

1. Physical - pertaining to unwanted touch, contact, or other physical intrusions on another's space.
2. Psychological - pertaining to emotional and mental levels of pestering, intruding, stalking, etc.
3. Sexual - pertaining to unwanted sexualised behaviors, which may be in the form of:
  - a) physical conduct - touching, pinching, brushing against, impeding or blocking movement, assault, coercing sexual contact, etc.;

- b) verbal conduct - sexually suggestive or obscene comments, sexual propositions, threats (including threat of job loss or other punishment unless victim engages in sexual relations), jokes about gender-specific traits or sexual orientation, etc.;
- c) written conduct - sexually suggestive or obscene written material.

### **Abuse**

Abuse is a pattern of behavior that is used to control and/or dominate another person. Abuse can be physical, psychological, and/or sexual.

1. Physical - includes actual or threatened harm, such as hitting, shoving, kicking, or throwing things.
2. Psychological - includes being mistreated mentally and emotionally, such as being insulted, ridiculed, or threatened verbally.
3. Sexual - includes any of the behaviors above. Three major areas of concern are:
  - a) Sexual relating or contact between an adult and a minor;
  - b) Sexual relating or contact between minors that violates one of them because of the other's role or position of power; and
  - c) Sexual relating or contact between adults that violates one of them because of the other's role or position of power.

### **3. Policy Regarding Behavior of Pastor**

The pastor will recognise the power the ministry gives him/her and refrain from practices which are harmful to others and which endanger his/her integrity or professional effectiveness.

Such practices include, but are not limited to, sexual activity with a child, with an adult in the congregation who is not his/her spouse or partner, with a counselee, with the spouse or partner of a person in the congregation, with an intern, with an employee/staff member, or with anyone else whose relationship with the pastor would be exploited by a sexual involvement.

The pastor, if single, shall not be prohibited from a dating relationship with a person in the congregation. Before becoming sexually involved with a person in the congregation, the pastor will take special care to examine his/her commitment, motives, intentionality, and the nature of such activity and its consequences for the pastor, the other person, and the congregation.

The pastor will not invade the private and intimate bonds of others' lives, nor trespass on those bonds for the pastor's own advantage or need. In any

relationship of intimate confidentiality, the pastor will not exploit the needs of another person.

Sexual misconduct is a violation of the pastoral relationship in which a person in a position of religious leadership takes advantage of a vulnerable person instead of protecting him/her. It covers a wide range of activity, and the harm caused by this misconduct is related to the degree of seriousness. The range below is from (a) the least degree of seriousness to (e) the greatest degree of seriousness:

- a) Sexual innuendoes;
- b) Inappropriate touching;
- c) Unwelcome advances or requests for sexual favours;
- d) Sexual relations with an adult under inappropriate circumstances;
- e) Sexual relations with a minor under any circumstances.

#### **Procedure to Handle Complaint Against Church Pastor**

The complainant shall make a confidential statement, verbally or in writing, to a member of the Safe Congregation Team. That member will then contact the chairperson, who will arrange for a special Safe Congregation Team panel to be formed. This special panel shall include a member of the Board of Directors, and two members of the congregation (from the Safe Congregation Team, if possible). The panel will meet within ten (10) days after the complaint was made. A written record of the complaint shall be made at the time of the meeting.

The Safe Congregation Team panel shall issue a decision within ten (10) days after the first meeting of the panel. The process of reaching a decision may include a meeting between the complainant, the pastor, and the panel, if such a meeting will not put the complainant at risk.

#### **4. Policy Regarding Behavior of Staff**

The staff shall be held to similar standards as the pastor. Staff members, if single, shall not be prohibited from a dating relationship with another staff member or a person in the congregation. Before becoming sexually involved with another staff member or a person in the congregation, a staff member will take special care to examine his/her commitment, motives, intentionality, and the nature of such activity and its consequences for himself/herself, the other person, and the congregation.

## **Procedure to Handle Complaint Against Staff**

The complainant shall make a confidential statement, verbally or in writing, to a member of the Safe Congregation Team. That member will then contact the chairperson, who will arrange for the three person panel formed from the Safe Congregation Team to meet within ten (10) days of the complaint being made. A written record of the complaint shall be made at the time of the meeting. The panel from the Safe Congregation Team shall issue a decision within ten (10) days of the panel's first meeting. The process of reaching this decision may include a meeting between the complainant, the staff member against whom the complaint is directed, and the panel, if such a meeting will not put the complainant at risk. As is deemed appropriate by the panel, the panel shall report the nature of the complaint and the panel's decision regarding the complaint to the Personnel Team.

## **5. Policy Regarding Sexual Harassment of Employees**

All employees and persons who have been contracted with for their labour have the right to an environment free from sexual harassment.

Sexual harassment is prohibited by sections 62 and 69 of the Human Rights Act 1993 and is grounds for a personal grievance under sections 103, 108 and 117 of the Employment Relations Act 2000.

Sexual harassment may include:

- a) Personally sexually offensive verbal comments;
- b) Sexual or smutty jokes;
- c) Repeated comments or teasing about someone's alleged sexual activities or private life;
- d) Persistent, unwelcome social invitations, telephone calls or emails from workmates at work or at home;
- e) Following someone home from work;
- f) Offensive hand or body gestures;
- g) Physical contact - e.g., patting, pinching, touching or putting an arm around another person's body - which is unwelcome;
- h) Provocative visual material - e.g., posters of a sexual nature;
- i) Hints or promises of preferential treatment in exchange for sex, or threats of differential treatment if sexual behaviour is not offered;
- j) Sexual assault and/or rape.

## **Procedure to Handle Complaint of Church Employee**

When an employee has an unresolved complaint about another employee or anyone s/he encounters in the context of the church work environment, the employee shall first discuss the complaint with the pastor or the Personnel Team. If the employee would like further assistance in resolving the complaint, the employee can submit the complaint in writing to the Safe Congregation Team, along with an explanation of actions taken to date. If the pastor and/or the Personnel Team have been involved in any attempts at resolution, they shall also submit documentation. (If the complaint is against the pastor, see section 3 of this document for procedure.)

The Safe Congregation Team will, within ten (10) days of the complaint being made, have the panel meet to review all written materials relating to the complaint and meet with all relevant parties. Except under extenuating circumstances, the panel will issue a decision within ten (10) days of the panel's first meeting, which will close the complaint process.

## **6. Policy Regarding Behavior of Member or Guest**

We believe our church needs to have clearly communicated standards. Misconduct on the part of a member or guest can have harmful effects on any individual as well as on the rest of the congregation. This is intended to protect the welfare of all individuals, including the church staff and pastor. Gradations of seriousness can apply to all forms of harassment and abuse. For example, the following list applies to sexual misconduct, where (a) is least serious and (e) is most serious:

- a) Unwelcome sexual innuendoes
- b) Inappropriate touching
- c) Unwelcome advances or requests for sexual favours
- d) Sexual relations with an adult under inappropriate circumstances
- e) Sexual relations with a minor under any circumstances.

Appropriate steps will be taken when the behavior of a member or guest has the effect of interfering with another person's personal safety and/or spiritual growth.

## **Procedure for Complaint Against Member or Guest**

The pastor, church staff, and church officers all have the right to exclude or remove from the church premises, by any lawful means, any person whose conduct is so disruptive and/or offensive so as to impair the functioning of the church. This conduct may come to their attention by direct observation

or by verbal or written complaint of another member or guest. The objectionable conduct may be in person, by mail, by telephone, by email, or by other means.

If the complainant and/or church official (such as pastor, staff member, etc.) believes the person committing the objectionable behavior is not aware that his/her actions are disruptive or offensive, the complainant and/or church official can attempt to resolve the situation by approaching the person in this way:

- a) Clearly and directly tell the person what action is disruptive and/or offensive.
- b) State that you expect the person to stop this behavior.
- c) Firmly tell the person that if his/her actions persist, you will file a formal action with the Safe Congregation Team whose role includes investigation and resolution of such issues.

If this effort is ineffective or such an approach is deemed unacceptable or inadvisable, the complainant can make a confidential statement, verbally or in writing, to any member of the Safe Congregation Team. That member will then contact the chairperson, who will arrange for the three person panel formed from the Safe Congregation Team to meet within ten (10) days of the complaint being made and attempt mediation and resolution, while respecting the confidentiality of all parties concerned. If the complainant or the panel believes there to be a possible risk of harm, the identity of the complainant shall be kept confidential. The panel shall issue a decision within ten (10) days of the first meeting of the panel.

The Safe Congregation Team panel may resolve the complaint by recommending to the Board of Directors that they do any or all of the following:

1. Permanent or temporary barring of offender from church premises and functions;
2. Termination of team, council, teaching or volunteer positions;
3. Requirement that offender enter a therapy programme to remain a church member;
4. Removal of offender from church membership;
5. Filing of formal charges under New Zealand law.