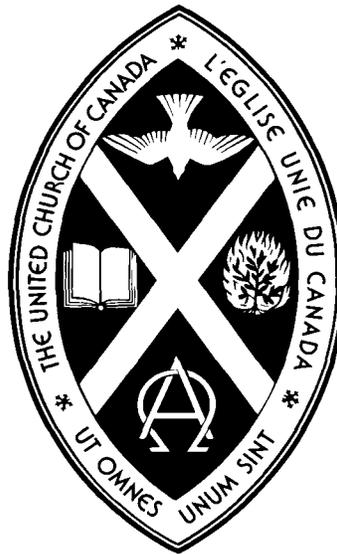


Guidelines for Committees Requiring a Police Records Check as One of the Tools for Screening for Ministry Personnel and Candidates



The United Church of Canada
L'Église Unie du Canada

The United Church of Canada/L'Église Unie du Canada
Guidelines for Committees Requiring a Police Records Check as One of the Tools for
Screening for Ministry Personnel and Candidates. Official Policy and Procedures
Document of The United Church of Canada

Copyright 2008

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

The content of this resource is licensed under the Creative Commons **Attribution Non-commercial No Derivatives (by-nc-nd) Licence.**



To view a copy of this licence, visit <http://creativecommons.org/licenses/by-nc-nd/3.0>.
Any copy must include this notice.

This document was developed by the Division of Ministry Personnel and Education and revised by Ministry and Employment Policies and Services Unit.
To obtain printed copies of this document, contact your Conference office or Ministry and Employment Policies and Services—Pastoral Relations, at the General Council Office.

Approved by the 37th General Council of The United Church of Canada at its meeting in August 2000.

Approved by the 39th General Council of The United Church of Canada at its meeting in August 2006.

The policy is effective July 2, 2007.

The United Church of Canada
3250 Bloor St. West, Suite 300
Toronto, ON
Canada M8X 2Y4
www.united-church.ca

This publication is made possible by the Mission and Service Fund.

Table of Contents

Theological Statement.....1

Preamble2

Policy3

Definitions6

Assumptions.....7

Principles.....7

How a Police Records Check Works8

Summary8

Guidelines for Committees10

Appendices14

Appendix A: Suggestions for Conversations14

Appendix B: Suggested Protocol for Reference Checks.....16

Theological Statement

We live in an imperfect world as imperfect beings. Each one of us has faults and has committed wrongdoing. We often fail at our efforts to live fully in harmony with God's intentions. (Romans 3:23)

As persons of faith, whether staff, volunteers, or ministry personnel, we aspire to a high standard of ethical and moral behaviour in full recognition of our need to make confession for our wrongs and to seek forgiveness, if appropriate, through apology, or offer of restitution or reparation. We seek to restore, if possible, the relationships we are responsible for fracturing.

For those in positions of trust and authority, scrutinization of character and calling is demanded. Being in a position of power calls for the utmost commitment and willingness to provide safety and care when engaged in pastoral, counselling, and teaching responsibilities.

Many persons are in awe of those in power positions and this may make them susceptible to wrongful violation. The pastoral relationship is a sacred trust, demanding accountability within established professional norms and the maintenance of appropriate professional and personal boundaries.

As The United Church of Canada affirms its commitment to organizational accountability, we call our lay and ordered members to examine continually their relations with others and to attempt to relate honestly, morally, and lovingly to those with whom they interact. We must admit our indiscretions and take responsibility.

We need to be "wise as serpents and innocent as doves" (Matthew 10:16b) as we recognize the love and power of God to redeem and restore to full communion in community. The church is called to provide a place for each individual to feel secure, forgiven, and loved. We pray for God's wisdom and the guidance of the Holy Spirit to allow us to balance mercy and reasonableness in our decisions, recognizing that we can only do our best and that there are no risk-free dimensions of life.

Preamble

All ministry personnel in pastoral charges or outreach ministries are in positions of trust. The United Church of Canada has always had a process of checking for suitability for ministry through interviews with a number of committees and boards, reference checks, discernment committees, and written statements in response to many questions. Following the decisions made at the 37th and 39th General Councils, Police Records Checks are one more part of the whole screening process for individuals in ministry positions or seeking to be in ministry.

Police Records Checks can be an extremely important step in the screening process, but they should never be the first, last, or only step used. They have limitations. The information yielded must be weighed carefully to determine if it indicates potential risk to those who would be in contact with the potential minister. (See Appendix A for suggestions on how to make this determination.)

Committees must determine in advance the procedure they will follow if they receive an indication of a previous conviction through a Police Records Check. In such a situation, the committee as a whole will need to make the determination as to the continued suitability of the individual for the position/role being considered.

Policy

The 37th General Council of The United Church of Canada at its meeting in August 2000 passed a resolution related to Police Records Checks as a component of screening for ministry personnel and candidates.

The 39th General Council of The United Church of Canada at its meeting in August 2006 revised the present policy to include the vulnerable sector (level 2) check for all ministry personnel serving in positions of trust and reads as follows:

1. That *The Manual* be amended to include the vulnerable sector (level 2) Police Records Check.
2. All ministry personnel be required to have completed a vulnerable sector (level 2) Police Records Check no later than 90 days following the publication of the *Record of Proceedings*.
3. The vulnerable sector (level 2) Police Records Check be required prior to the initiation of any new pastoral relationship, including call, settlement, appointment, and internship.
4. Prior to the initiation of a pastoral relationship (call, appointment, or internship) a minimum of two references are to be interviewed by a minimum of two members of the search committee or appointing body; using guidelines to be provided by the General Secretary, General Council.
5. The documentation of the reference checks be included on the call/appointment form to include the name of the reference, name of interviewers, and the date of the interview.
6. Only the original Police Records Check be valid.
7. Reduce the number of vulnerable sector checks (Police Records Check) required from every three years (during scheduled pastoral oversight visit) to a maximum of every six years (or alternate triennial pastoral oversight visits) for those in a continuous pastoral relationship, whether by call or appointment, and that *The Manual* and guidelines be changed to reflect this policy.
8. *The Manual* include the requirement that paid accountable ministry personnel must immediately report to the Pastoral Relations Committee of their presbytery whenever they have been charged with any criminal offence, in any jurisdiction.
9. That the General Secretary, General Council create a form to document that a vulnerable sector (level 2) Police Records Check has been completed and seen by the Presbytery Pastoral Relations and Oversight Committee at the second tri-annual visit of the ministry personnel in the same pastoral relationship (or six years).
10. That in the year prior to ordination or commissioning to diaconal ministry that only one vulnerable sector (level 2) Police Records Check be required for Education and Students and Settlement purposes.

Therefore be it resolved that the 39th General Council approve that the appropriate times in the church's processes for police records checks to be done to complete all the steps for screening, would be as follows:

1) For Candidates for the Order of Ministry:

At the completion of the discernment process, when the Presbytery/District Education and Students Committee receives an application from an Inquirer to be received as a Candidate, a current vulnerable sector (level 2) Police Records Check will be required as a part of the application process.

Candidates are interviewed by their Education and Students Committees annually until the completion of their preparation for ministry. It is recommended that the candidate provide a vulnerable sector (level 2) Police Records Check to the Presbytery Education and Students Committee at the time of their annual review.

In the year prior to ordination or commissioning to diaconal ministry that a candidate shall provide a vulnerable sector (level 2) Police Records Check. If a candidate has already provided the Presbytery Education and Students Committee with a vulnerable sector (level 2) Police Records Check within the previous 12 months in order to fulfill the requirements for subsection 024 (a), then a second Police Records Check is not required.

2) For Designated Lay Ministers:

At the completion of the discernment process, when the presbytery/district receives an application from an Inquirer to be appointed as a Designated Lay Minister a current vulnerable sector (level 2) Police Records Check will be required as a part of the process.

IMPORTANT NOTICE

A new DLM/CDM program is being implemented that governs and equips lay members of the United Church to serve in paid accountable leadership for worship, pastoral care, education, and service in the church.

An Implementation Team has been established at the General Council Office to coordinate this work based on the appointment and recognition process set out in sections 343 and 345 of *The Manual, 2007*. *The Manual* defines and provides policy by-laws related to Designated Lay Ministry (DLM) and Congregational Designated Ministry (CDM).

Since an array of program supports is still in development, the Implementation Team is being guided by a timeline that will phase in the new DLM/CDM model, with an expected completion date of December 2009. This will allow input from individuals, committees, and courts of the church, and will allow the transition to be managed well, with as little disruption as possible.

New procedures will not be effected all at once, nor will they happen until the various constituencies (education and students committees, pastoral relations committees, etc.) have been adequately advised, resourced, and trained.

Until DLM is fully functional, the existing Staff Associate, Lay Pastoral Ministry, and Congregational Accountable Minister (SA/LPM/CAM) policies and processes will remain in effect for those in, or preparing to begin, training and designation for lay leadership. It will also be operative for those who facilitate the related processes or preparations.

Information explaining the Designated Lay Ministry and FAQ in detail can be found on The United Church of Canada website (www.united-church.ca/en/minstaff/pastoral).

3) For Candidates at the time of Ordination, Commissioning, and Recognition:

At the completion of the preparation for ministry, when presbytery/district receives an

application from a Candidate to be ordained, commissioned, or recognized, a current vulnerable sector (level 2) Police Records Check will be required as a part of the application process.

4) For All Ministry Personnel:

Before a name is presented for a call or appointment, a current vulnerable sector (level 2) Police Records Check will be required from the selected candidate.

5) For Ongoing Ministry:

When ministry personnel remain in a pastoral charge or outreach ministry for a number of years, an updated current vulnerable sector (level 2) Police Records Check shall be required every six years and given to the Ministry and Personnel Committee of the pastoral charge. The Presbytery/District Oversight Committee will add to the responsibility of those conducting the triennial oversight visits the task of ensuring that this has been regularly completed.

6) For Applicants for Ordained Supply/Admission from Another Denomination:

Included in the documentation required by the General Council Ministry and Employment Policies and Services Unit would be a current vulnerable sector (level 2) Police Records Check of the applicant.

7) For Applicants for Re-Admission to the Order of Ministry:

Included with the application to the Conference/district would be a current vulnerable sector (level 2) Police Records Check of the applicant.

8) For Ministry Personnel Seeking Endorsement to Work as Chaplains or in Other Functions:

Before endorsement related to being a member of the Order of Ministry in good standing with The United Church of Canada can be given, the writer of such endorsement must view a vulnerable sector (level 2) Police Records Check from the applicant.

9) For Ministry Personnel Retained on the Roll of the Presbytery/District:

Because the membership, accountability and oversight of ministry personnel always rests with the presbytery/district, it will be required that ministry personnel retained on the roll provide the presbytery/district with a current vulnerable sector (level 2) Police Records Check. *The Manual, 2007*, Section 414 (d) requires that documentation shall be provided at the time that the person first applies to have their name retained on the roll of presbytery and every third year thereafter during the time that such person's name is retained on the roll.

10) For Congregational Designated Ministers:

To be appointed a Congregational Designated Minister, a person shall provide to the pastoral charge, at the person's expense, a current vulnerable sector (level 2) Police Records Check, as in *The Manual, 2007*, Section 345 (a) vi.

Definitions

Some specific definitions were used in preparing this document, and are to be understood as the standard definitions for use in United Church screening procedures.

Candidate

A person who, having been an inquirer, has been recommended by a Session or Church Board or Church Council and received by the presbytery as being qualified to prepare for ordination or commissioning to the diaconal ministry by The United Church of Canada.

Congregational Designated Minister

A lay member of The United Church of Canada appointed by the Official Board or Church Board or Church Council of a pastoral charge to serve in paid accountable ministry in the pastoral charge, in a position designated by the presbytery as accountable to the Official Board or Church Board or Church Council of the pastoral charge.

Current Police Records Check

This report must be dated no earlier than six months prior to the date of presentation to the committee, unless otherwise indicated by the committee in its selection criteria. See Appendix B for information on BackCheck, a background check service provider recognized by the General Council Office of The United Church of Canada as its preferred provider of vulnerable sector (level 2) Police Records Checks.

Designated Lay Ministers

A lay member of The United Church of Canada appointed by a presbytery to serve in paid accountable ministry in a pastoral charge or other presbytery accountable ministry, in a position designated by presbytery as accountable to presbytery. (See important notice page 4.)

Ministry Personnel

Those persons who are members of the Order of Ministry (ordained/diaconal), those lay persons under appointment as a Designated Lay Minister, Candidate Supply, Intern Supply, or Student Supply and those persons from other denominations under appointment as Diaconal Supply or Ordained Supply. It does not include persons serving as Congregational Designated Ministers.

Police Records Check

The process of determining if an individual has any information recorded in his or her name and date of birth pertaining to criminal convictions for which no pardon has been granted. In other organizations these may be called criminal records checks, criminal history checks, or security checks.

Canadian Police Information Centre (CPIC)

This is the only source available in Canada for accurate criminal records. The database is managed by the RCMP.

Vulnerable Sector (Positions of Trust) Check

This search is intended for individuals whose prospective position would involve them being in contact with persons in a position of dependence on others or otherwise at a greater risk than the general population of being harmed by a person in a position of authority or trust relative to them. (i.e. working with children, the elderly, sick, or infirm).

Assumptions

There are several primary assumptions that underlie the procedures outlined in these guidelines.

- We all hold biases and values from our own life experiences that affect our perceptions of criminal convictions. When on committees determining suitability for ministry, we need to be prepared to engage our biases and values.
- It is important to remember that 10 percent of all Canadians have a criminal record.
- Some behaviours that have resulted in criminal convictions have been applauded and supported by the church. Political and social activism around environmental issues, support of First Nations communities, the civil rights movement, the peace movement, and many other issues have earned a criminal record for many people within the church community.
- We acknowledge that we all make mistakes and that we all learn differently. Convictions acquired at an earlier stage of life may have led to significant personal learning, growth, and transformation, which now may be very helpful tools for an individual in pastoral ministry.
- The existence of any criminal record will not immediately preclude someone from a position in ministry. The information produced must become part of any further conversations to determine the continuation of candidacy or suitability for the position under consideration. (See Appendix A.)
- Committees charged with the responsibility to receive Police Records Checks will have reviewed and understood the concepts of “duty of care” and “risk assessment” as outlined in *Faithful Footsteps: Screening Procedures for Positions of Trust and Authority in the United Church of Canada—A Handbook*.
- Every conviction is relevant to a ministry position; however, the relevance is not always negative!

Principles

- Individuals will be responsible for obtaining Police Records Checks *at their own expense* whenever it is required for the purposes of determining continuing suitability for ministry (as stated in this policy).
- In all situations, *a Police Records Check will belong to the person for whom it is produced*. Although the Manual merely stipulates that Ministry Personnel provide a police records check “at their own expense,” payment commonly has been equated with ownership and possession. However Ministry Personnel will not have exclusive possession of their own police records check because it is required to be shared with certain designated persons (see below).
- The police record will be seen by two members of the appropriate committees: Ministry and Personnel Committee, Presbytery Pastoral Relations Committee, and the Presbytery Oversight Committee (when it meets). Committees will sign form MEPS 460. The form will indicate that a Police Records Check has been seen by two committee members. The person signing the form should keep a copy and forward the form to the Ministry and Employment Policies and Services Unit (MEPS).

- Only original documents are to be presented to the relevant committee.
Photocopies are not acceptable.

How a Police Records Check Works

The vulnerable sector (level 2) Police Records Check is the more thorough of two levels of background checks that are available. The level 1 check does not provide sufficient detail for people employed to work with children or vulnerable individuals. The vulnerable sector (level 2) Police Records Check includes the following information:

- Expired judicial orders
- Criminal record (adult)
- Criminal record (young person) pursuant to Section 119 (1) (a) of the Youth Criminal Justice Act.
- Records of findings of “Not guilty: Not criminally responsible on account of mental disorder”
- Convictions, pending charges, and ongoing investigations under federal statutes and selected provincial statutes.
- Relevant Occurrence Reports
- Convictions where a pardon has not been granted
- Absolute and conditional discharges where not prohibited by legislation
- Probation, prohibition, and other judicial orders
- Record check for a sexual offence for which a pardon has been granted

There is no expectation that if a form returns showing information under any of these categories that the person will be immediately stopped from proceeding with the position or candidacy that is being sought. What is expected is further conversation! To be responsible in relation to “duty of care” and clarification of risk assessment, the conversation needs to focus on the type of conviction and when it occurred. This is to be a clarifying discussion, exercising diligence and using compassion and wisdom. (See: Appendix A.)

Following the clarifying conversation, **the candidate may be requested to show further documentation detailing the actual conviction(s) and their disposition by the courts.** There is usually an additional cost for this procedure, and it may require the applicant to be fingerprinted for record verification. This additional cost is the responsibility of the applicant, candidate, or inquirer). This document must be shown and recorded as per the principles stated above and remains the property of the person in whose name it is produced.

Summary

- All Police Records Checks must be shared as original documents. Photocopies are not acceptable.

The existence of a previous conviction does *not* cause automatic suspension, dismissal, deferment, discipline, or any other penalty. It does require explanation and conversation, and in some cases, verification. (See **Appendix A** – Suggestions for Conversations)

Guidelines for Committees

Confidentiality Statement

In any activities of the church where personnel screening and selection occurs, or in discussions regarding ministry candidate suitability, confidentiality is a concern. Committees who are involved with the receiving of Police Records Check information must practice a high degree of confidentiality. Committee members must not disclose the contents of any person's Police Records Check (or certificate of convictions) to any individual outside the committee and only to the committee during scheduled meetings for the specific purpose of screening.

Committees

Presbytery Education and Students Committee

Inquirers: The Presbytery Education and Students Committee, upon receiving the report of the Conference Interview Board (CIB) along with reports from the Discernment Committee, will contact the Inquirer and request that he or she obtain, at his or her own expense, a current vulnerable sector (level 2) Police Records Check as part of the application.

The committee will develop a protocol indicating which members of the committee will review and sign that they have seen the original of the Police Records Check. They also need to have a plan in place for the whole committee to have further conversation in case the Police Records Check shows a conviction. The conversation should be on how the nature of the convictions would impact their ability to perform all the duties of ministry. See Appendix A if the indication is that there may have been previous convictions. Please also refer to form ADM 306: Presbytery/District Action re: Applicant for Admission and Suitability for Ministry, available on the United Church website:
www.united-church.ca/forms

Candidates: The Education and Students Committee shall meet with their Candidates each year (*The Manual, 2007*, Section 24) to review their progress and their ongoing call to ministry. The Presbytery E&S Committee shall remind the Candidates that every sixth year during their candidacy, they must provide the original copy of a current Police Records Check at their own expense when they come to this meeting. The committee will develop a protocol indicating which members of the committee will review and sign that they have seen the original of the Police Records Check. They also need to have a plan in place for the whole committee to have further conversation (see Appendix A) if the indication is that there may have been previous convictions. Please also refer to form ADM 310, Annual Confirmation by Presbytery/District, available on the United Church website:
www.united-church.ca/forms

Congregational Designated Minister: A pastoral charge may appoint a Congregational Designated Minister to fill a position that has been approved by presbytery. To be appointed a Congregational Designated Minister, a person must meet all requirements of *The Manual, 2007*, Section 345 (a) and shall provide to the pastoral charge at the person's expense, a current vulnerable sector (level 2) Police Records Check.

Designated Lay Ministers: Before reception by the presbytery of a Designated Lay Minister as defined by *The Manual, 2007* Section 343 (d)), 343 (g)), and 345 (c)), the individuals involved must be asked to provide at their own expense an original, current vulnerable sector (level 2) Police Records Check. The committee will develop a protocol indicating which members of the committee will review and sign that they have seen the original of the Police Records Check. They also need to have a plan in place for the whole committee to have further conversation (see Appendix A) if the indication is that there may have been previous convictions. Please also refer to form ADM 306: Presbytery/District Action re: Applicant for Admission and Suitability for Ministry, available on the United Church website: www.united-church.ca/forms

Ordination and Commissioning: The Education and Students Committee shall receive from each Candidate nearing the completion of their requirements an application to be ordained /commissioned, a personal statement of faith and theology, and notification from the theological school that the prescribed course of study is nearing completion and a vulnerable sector (level 2) Police Records Check, obtained at the candidate's own expense. The committee will develop a protocol indicating which members of the committee will review and sign that they have seen the original of the Police Records Check. They also need to have a plan in place for the whole committee to have further conversation (see Appendix A) if the indication is that there may have been previous convictions. Please also refer to form CAN 209, Application for Ordination/Commissioning, available on the United Church website: www.united-church.ca/forms

Presbytery Pastoral Relations Committees

Before any presbytery appointment of a Designated Lay Minister, the individual involved will be asked to provide at his or her own expense an current vulnerable sector (level 2) Police Records Check. The committee will develop a protocol indicating which members of the committee will review and sign that they have seen the original of the Police Records Check, which will be required before any appointment can go forward to the presbytery. They also need to have a plan in place for the whole committee to have further conversation (see Appendix A) if the indication is that there may have been previous convictions. Please also refer to form MEPS 433AP (01), Record of Appointment to Pastoral Charge, available on the United Church website: www.united-church.ca/forms

Joint Search Committees

When the Joint Search Committee has made a decision about the candidate that they wish to recommend to the pastoral charge, that individual must be asked to provide at his or her own expense a current original copy of their vulnerable sector (level 2) Police Records Check. The committee will develop a protocol indicating which members of the committee will review and sign that they have seen the original copy of the Police Records Check, which will be required before the name can go forward to the Pastoral Charge at their duly called meeting. They also need to have a plan in place for the whole committee to have further conversation (see Appendix A) if the indication is that there may have been previous convictions. Please also refer to form MEPS 435CP (01), Record of Call to Pastoral Charge, available on the United Church website: www.united-church.ca/forms

The Joint Search Committee must follow the reference process outlined on page 3, that “prior to the initiation of a pastoral relationship (call, appointment, or internship) a minimum of two references are to be interviewed by a minimum of two members of the search committee or appointing body; using guidelines to be provided by the General Secretary, General Council.” See recommended guidelines in form ADM 306: Presbytery/District Action re: Applicant for Admission and Suitability for Ministry, available on the United Church website: www.united-church.ca/forms

Ministry and Personnel Committee

It is the responsibility of the Pastoral Charge Ministry and Personnel Committee to require that the ministry personnel provide every six years, at his/her own expense, a current vulnerable sector (level 2) Police Records Check. The committee will develop a protocol indicating which members of the committee will review and sign that they have seen the original of the police records check. These signatures and date will be required to show the Presbytery Oversight Committee on their triennial oversight visit. If there is non-compliance from ministry personnel, it needs to be reported to the Presbytery Pastoral Oversight Committee. If the Police Records Check indicates the possible presence of a conviction, the Ministry and Personnel Committee will request the presence of someone from the Presbytery Pastoral Relations Committee to be with them and the ministry personnel for further conversation. (Discussion guidelines in Appendix A may help.) Please also refer to form MEPS 460 PC, Police Records Check – Ministry and Personnel Committee, available on the United Church website: www.united-church.ca/forms

Presbytery Oversight Committees:

When conducting the triennial visit, the visitors representing the Pastoral Oversight Committee shall check with the Ministry and Personnel Committee to ensure that the Police Records Check has been obtained from the ministry personnel within the last six years (or alternate triennial pastoral oversight visits) for those in a continuous pastoral relationship, whether by call or appointment, at the personal expense of the ministry personnel. This shall be one item to which the visitation team refers in their report. (*The Manual, 2007, Section 332(d) vii.*)

Specific Situations

Applications for Admission/Ordained/ Diaconal Supply

Ministry and Employment Policies and Services (MEPS) shall receive proof of ordination or commissioning, official academic transcripts, current letters of standing from the home denomination, letters of reference, and a completed application form. At his or her own expense, the applicant will include an original current vulnerable sector (level 2) Police Records Check. After reviewing the standing, the Police Records Check must be sent to the presbyteries with all the other relevant documentation when the minister is approved to seek an appointment. If there is indication of a possible previous conviction, protocol must be established by the Presbytery Education and Students Committee regarding the necessary conversation that must occur with the applicant. (See Appendix A for suggestions.)

Applications for Re-admission

A person seeking to be re-admitted after having been on the Discontinued Service List must apply to the Conference through the presbytery of which the applicant was last a member. The applicant shall include at their own expense, a current Police Records Check, as part of their application for re-admission. The Conference shall develop a protocol indicating who has the authority to review and sign that the original copy has been seen, and who has the responsibility to have conversation (see Appendix A) with the minister if there is indication of a possible previous conviction. Please also refer to form ADM 308 – Application for Re-Admission, available on the United Church website:

www.united-church.ca/forms

Retired Ministers

Appointments: It shall be the duty of the presbytery, when appropriate: (a) to appoint an individual to a pastoral charge, mission, or outreach ministry. Before making any appointment, for any person it proposes to appoint, the presbytery shall receive from that person, at that person's expense, a current vulnerable sector (level 2) Police Records Check.

In a case of a retired ministry personnel to be appointed within the presbytery of which he or she is a member, a vulnerable sector (level 2) Police Records Check that has been issued within the past three (3) years shall satisfy the requirement (*The Manual*, 2007, Section 062 (a), p. 84.)

Ministry Personnel Retained on the Roll of Presbytery

Ministry personnel wishing to have their names retained on the roll of presbytery must make annual application to do so. The applicant, at his/her own expense, shall provide the presbytery with a current vulnerable sector (level 2) Police Records Check. This document shall be provided at the time the applicant first applies to have his/her name retained on the roll and every third year after that if the applicant remains retained on the roll (*The Manual*, 2007, Section 314 (d)).

The presbytery shall develop a protocol indicating who has the authority to review and sign form MEPS 461 to verify that the original copy of the Police Records Check has been seen. The presbytery must also determine appropriate people to have further conversation with the ministry personnel (see Appendix A) if the Police Records Check indicates the possibility of a conviction. Please also refer to form MEPS 461 PC, Police Records Check - Members of the Order of Ministry Left Without Charge or Appointment available on the United Church website: www.united-church.ca/forms

Letters of Standing for Ministry Personnel

Presbyteries shall issue a letter of good standing upon the request of any ministry personnel on its roll who is in good standing. Prior to the issuing a letter of good standing the presbytery shall receive from the ministry personnel, at his or her own expense, a current vulnerable sector (level 2) Police Records Check. (*The Manual*, 2007, Section 369.) This Police Records Check is to be no more than six months old. It would be shown to the writer of the letter, normally the presbytery secretary.

Appendices

Appendix A: Suggestions for Conversations

As stated, each committee will have to develop a protocol for further conversation if a Police Records Check indicates a conviction. It is suggested that the two members of the Pastoral Relations Committee who have been designated to see the current Police Records Check report enter into further conversation with the ministry personnel. The conversation should be on how the nature of the convictions would affect his or her ability to perform all the duties of ministry. The two members must consult with the Conference personnel minister, who will seek legal advice through the General Council Office. These conversations will help develop the kind of reporting that is required for informing the whole Presbytery Pastoral Relations Committee and the presbytery.

Some questions to reflect on as the committee develops its particular protocol might include:

- How recent is the conviction?
- Is the conviction for a pardonable offence? Has the person applied for a pardon or been denied a pardon?
- What type of rehabilitation/treatment (if appropriate) has the person engaged in to address the behaviour that resulted in conviction?
- Are there any restrictions on the person's conduct as a result of the conviction that may affect his or her ability to perform all the duties of ministry? How can those issues be addressed?
- How does the person understand and describe his or her responsibility for the conviction?
- How has the issue affected the person's faith and spirituality?

In conducting these deeper conversations regarding the existence of a conviction, the focus should be two-fold:

- the growth and change that has occurred for the individual as a result of dealing with such charges
- the potential risk posed to those with whom the person will have contact in a ministry position

The committee's task is to balance justice with compassion, and make a decision that best serves the whole community of faith.

Following the clarifying conversation, the candidate may be requested to show further documentation detailing the actual conviction(s) and their disposition by the courts. There is usually an additional cost for this procedure, and it may require the applicant to be

fingerprinted for record verification. This additional cost is the responsibility of the applicant, candidate, or inquirer. This document must be shown and recorded as per the policy stated above and remains the property of the person in whose name it is produced.

Suggested protocol in case of a conviction

1. The ministry personnel is to inform the representatives that his or her report will show a conviction, the nature of the conviction, and whether he or she received a pardon. Note: Ministers are required to disclose any convictions to the Presbytery Pastoral Relations Committee (PRC) or to any other committee fulfilling that function according to the new policy (*The Manual, 2007*, Section 364).
2. Two members from the Presbytery Pastoral Relations Committee see the Police Records Check report.
3. A conversation is held whether or not the conviction is of a nature that may affect his or her ability to perform all the duties of ministry. Involve the candidate in the conversation to determine how the conviction has affected his or her life, faith, and ministry.
4. A member(s) designated by the Presbytery Pastoral Relations Committee may consult the Conference personnel minister, who may seek legal advice through the General Council Office.

Appendix B: Suggested Protocol for Reference Checks

Prior to the initiation of a pastoral relationship (call, appointment, or internship) a minimum of two references are to be interviewed by a minimum of two members of the search committee or appointing body, using guidelines to be provided by the General Secretary, General Council.

Checking references is one of the most useful sources of information about an applicant's past performance or accomplishments in ministry. Although the reference check may sometimes be the only source of information on a given qualification for ministry, it is most often used to corroborate, clarify, or add to information that has already been gathered. Here is some practical information that will help the Joint Search Committee get the most out of the reference check.

Reference checks are used for two purposes. The first is the evaluation of the reliability and qualifications. The second is the evaluation of other abilities, skills, personal suitability, or other qualifications for ministry.

You want the information obtained from references to be as useful as possible. This means that the information must be relevant to the qualifications being assessed and present a balanced appreciation of the applicant's qualifications for ministry.

Suggestions for reference checks:

1. Designate two Joint Search Committee members who will together make all reference calls.
2. Get applicant's consent to check references in all circumstances.
3. Reference checks could be done by a conference call that includes two Joint Search Committee members.
4. Reference interviews are composed of direct queries with the supplied references of the applicant.
5. The name of each reference, the date, and the names of the interviewers should be recorded.
6. Usually reference checks are done following the interview. Often, the information the applicant provides in the interview can lead to more specific questions to ask of references.
7. It is important to confirm facts stated in résumés and to contact named references. In fact, it is the obligation of the Joint Search Committee to do so. Whether the committee wants to have detailed discussions with the people providing references before or after the first interview is up to the committee.

8. Cross-reference the applicant's work history with résumé claims.
9. Check only those references provided by the applicant. If necessary, you can ask for further references. Sometimes a reference may suggest another person to contact. Additional references should be checked only with permission of the applicant.
10. Joint Search Committee members may want to verify previous employment by contacting previous employers to confirm dates of employment, the position held, and eligibility by contacting the Conference personnel minister through the presbytery representatives on the Joint Search Committee.
11. Ensure honesty.

About Back Check

BackCheck is recognized by the General Council Office of The United Church of Canada as its preferred provider of vulnerable sector (level 2) Police Records Checks. They are able to work with pastoral charges, outreach or community ministries, presbyteries, Conferences, and the General Council Office to provide this service. BackCheck's services are all compliant with Canada's Privacy laws. Please call Brian Ward-Hall for further details at:

Phone: 604-882-6140

Toll-Free: 1-866-882-7139

E-mail: brian@backcheck.ca

Web: www.backcheck.ca