

**Guidelines for Committees  
Requiring Police Record Checks  
as One of the Tools  
for Screening  
for Ministry Personnel and Candidates  
within The United Church of Canada**



This document was developed by  
The Division of Ministry Personnel and Education  
To accompany the action of the  
37<sup>th</sup> General Council, 2000

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## BACKGROUND

### A. History:

The 37<sup>th</sup> 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 which, after amendment at the General Council Executive in November, 2000, reads as follows:

**Therefore be it resolved** that the 37<sup>th</sup> 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 police records check will be required as an included 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 update their police records check every third year for presentation to this committee at the time of their annual review.

- 2) **For Candidates for Lay Pastoral Minister in Training:** 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 Lay Pastoral Minister in Training, a current police records check will be required as an included part of the process.
- 3) **For Candidates at the time of Ordination, Commissioning, Recognition:** At the completion of the preparation for ministry, when Presbytery/District receives an application from a Candidate to be ordained, commissioned recognized, a current police records check will be required as an included part of the application process.
- 4) **For Staff Associates:** When a person wishing to serve as a Staff Associate is interviewed by the Presbytery/District for suitability for ministry within the United Church (before the first Appointment is finalized) a current police records check will be required as an included part of the application process.
- 5) **For All Ministry Personnel:** Before a name is presented for a Call or Appointment a police records check will be required from the selected candidate.
- 6) **For Ongoing Ministry:** When Ministry Personnel remain in a Pastoral Charge or Outreach Ministry for a number of years, an updated police records check shall be required every three years and given to the Ministry & 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.

- 7) **For Applicants for Ordained Supply/Admission from another denomination:** Included in the documentation required by the General Council Division of Ministry Personnel & Education, would be a current police records check of the applicant.
- 8) **For Applicants for Re-Admission to the Order of Ministry:** Included with the application to the Conference/District would be a current police records check of the applicant.
- 9) **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 current police records check from the applicant.
- 10) **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 will provide the Presbytery/District with a current police records check every third year accompanying their request to be retained on the roll.

***And The Manual be revised to reflect this policy***

***And Be It Further Resolved that the Division of Ministry Personnel & Education be requested to develop and circulate guidelines respecting the use and disposition of police record checks.***

Following the 37<sup>th</sup> General Council, the Division of Ministry Personnel & Education established a Task Group to do this piece of work. The following Guidelines are the result of that task. They are offered to facilitate the obtaining of Police Records Checks which now becomes part of the screening for appropriate people to fill the ministry positions in our churches.

#### **B. 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, often ministering with vulnerable persons, 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 violation. The pastoral relationship is a sacred trust, demanding accountability within established professional norms and the maintenance of appropriate professional and personal boundaries.

If an accusation of inappropriate conduct occurs, the accused must be presumed innocent until proven guilty and must be afforded due process. The discussion of violations of the trust of one's office requires openness and forthrightness. The church's courts and committees must seek restorative resolutions and maintain confidentiality while recognizing that reconciliation is *a*, if not *the*, fundamental message of the New Testament (2 Corinthians 5:18).

Jesus came that all people might have life in all its abundance (John 10:10b). A restorative resolution works to encourage collaboration, discernment and reintegration rather than using coercion and creating isolation. Attention and pastoral care must be given to the offender(s), victim(s) and the community for restoration to be realized.

As the United Church of Canada affirms its commitment to organizational accountability we call our lay and clergy 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.

### **C. 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 37<sup>th</sup> General Council, 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.

### **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.

**Current Police Records Check:** 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.

**Police Records Check / Criminal Records Check:** this is the process of determining if an individual has any information recorded in their 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. For United Church procedures, this process initially will involve a **Canadian Police Information Centre (CPIC) level one query** (basic reliability). This can be obtained through the RCMP, through police departments in major centres, or through provincial police departments.

### **Assumptions:**

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

1. We all hold biases and values from our own life experiences which affect our perceptions of criminal convictions. When on committees determining suitability for ministry, we need to be prepared to engage our biases and values.
2. It is important to remember that 10% of all Canadians have a criminal record.
3. Some behaviours which 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, and the peace movement (and many other issues) has earned a criminal record for many people with the church community.
4. 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.

5. 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.)
6. 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”.
7. Every conviction is relevant to a ministry position, however the relevance is not always negative!

### **Principles:**

1. 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).
2. In all situations, **a Police Records Check will belong to the person for whom it is produced.**
3. Committees will have an appropriate form that will indicate that the Police Records Check has been seen by two committee members. Upon recording its presentation on the form, with signatures and the date indicated, the Police Records Check is to be immediately returned to the owner.
4. Only original documents are to be presented to the relevant committee.  
**Photocopies are not acceptable.**

### **How a Police Records Check works:**

A CPIC level one query will not give details as to the nature of a conviction (i.e. which specific aspect of the criminal code is involved) but will return with one of two comments marked concerning the existence of a police record. The comments will be either:

- a) **none located**
- or**
- b) **may or may not exist.**

There is no expectation that if a form returns marked “may or may not exist” 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 from CPIC detailing the actual conviction(s) and its (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). 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 (both level one inquiries and any subsequent detailed records of convictions) must be shared as original documents. Photocopies are not acceptable.
- All Police Records Checks are to be retained by the individual for whom they are given, not by a church committee.
- The Canadian Police Information Centre level one query will come back with one of two possible responses checked off in relation to having a previous conviction:
  - None located
  - May or may not exist

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. (**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 record 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:**

**Re Inquirers:** The Education and Students Committee, upon receiving the discernment committee forms and the Conference Interview Board report, will contact the Inquirer and request they obtain, at their own expense, a 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.

**Appendix B** - MPE 206, Session and Presbytery/District Action Re: Suitability for Ministry

**Re Candidates:** The Education and Students Committee shall meet with their Candidates each year (*Manual* Section 24) to review their progress and their ongoing Call to ministry. The E&S Committee shall remind the Candidate that every three years, the Candidate 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.

**Appendix C** – MPE 210, Annual Confirmation by Presbytery/District of Candidate Status

**Re Lay Ministries:** Before reception by the presbytery of a Lay Pastoral Minister in Training (343(d)), a Lay Pastoral Minister (343(g)), a Staff Associate (345(c)), the individuals involved must be asked to provide at their own expense an original current Police Records Check to the Presbytery E&S committee. 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.

**Appendix B** – MPE 206, Session and Presbytery/District Action Re: Suitability for Ministry

**Re 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 current 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.

**Appendix D** – MPE 209, Application for Ordination/Commissioning

➤ **Presbytery Pastoral Relations Committees**

Before any Presbytery appointment (Lay ministries or Supply), the individual involved will be asked to provide at their own expense an original current 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.

**Appendix E** – MPE 433AP(01), Record of Appointment to Pastoral Charge

➤ **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 their own expense a current original copy of their 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 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.

**Appendix F** – MPE 435CP(01), Record of Call to Pastoral Charge

➤ **Ministry and Personnel Committee:**

It is the responsibility of the Pastoral Charge Ministry & Personnel Committee to require that the Ministry Personnel provide every three years, at his/her own expense, a current 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 & 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.)

**Appendix G** – MPE 460(01), Police Record Check – Ministry and Personnel Committee

➤ **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

three years, at the personal expense of the ministry personnel. This shall be one item to which the visitation team refers in their report. (*Manual* Section 332(c)vii)

➤ **Applications for Admission/Ordained/ Diaconal Supply:**

The General Council Division of Ministry Personnel & Education shall receive proof of ordination or commissioning, official academic transcripts, current letters of standing from the home denomination, letters of reference, a completed application form and, at their own expense, the applicant will include an original current 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 & 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. MPE 302 – Application for Re-Admission (form pending)

➤ **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 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 name stays as retained.

The Presbytery shall develop a protocol indicating who has the authority to review and sign that the original copy of the Police Records Check has been seen. They must also determine appropriate people to have further conversation (see Appendix A) if the Police Records Check indicates the possibility of a conviction.

**Appendix H** – MPE 461(01), Police Record Check – Members of the Order of Ministry Left Without Charge or Appointment

➤ **Letters of Standing for Ministry Personnel:**

Re *Manual* Section 369. “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 the Ministry Personnel’s own expense, a current Police Records Check. ....”

This Police Records Check is be no more than six months old. It would be shown to the writer of the letter, normally the Presbytery secretary.

## **APPENDICIES**

(Please Note: the forms are PDF documents)

- Appendix A**            Suggestions for Conversations (see [below](#))
- Appendix B**            [MPE 206, Session and Presbytery/District Action Re: Suitability for Ministry](#)
- Appendix C**            [MPE 210, Annual Confirmation by Presbytery/District of Candidate Status](#)
- Appendix D**            [MPE 209, Application for Ordination /Commissioning](#)
- Appendix E**            [MPE 433AP, Record of Appointment to Pastoral Charge](#)
- Appendix F**            [MPE 435CP, Record of Call to Pastoral Charge](#)
- Appendix G**            [MPE 460, Police Record Check - Ministry and Personnel Committee](#)
- Appendix H**            [MPE 461, Police Record Check - Members of the Order of Ministry Left Without Charge or Appointment](#)

## Appendix A

### Suggestions for Conversations

As stated repeatedly in this document, each committee will have to develop a protocol for further conversation if a Police Records Check indicates a conviction. It will be important to discuss what types of offenses would indicate that a particular candidate/applicant may present a risk to vulnerable individuals if placed in a particular position of ministry. Some questions to reflect on as the committee develops its particular protocol might include:

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

In conducting these deeper conversations regarding the existence of criminal records, the focus should be two-fold: 1) the growth and change that has occurred for the individual as a result of dealing with such charges; and 2) 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 which best serves the whole community of faith.

Following the clarifying conversation, the candidate may be requested to show further documentation from CPIC detailing the actual conviction(s) and its (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). 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.