

Companions of St. Luke-OSB Safe Community Policy

Introduction

The Episcopal community of The Companions of St. Luke is committed to being a safe and respectful community. This policy and related procedures are based on the principles published by the Episcopal Church and the Rule of St. Benedict. The welfare of all persons is of primary concern:

- All persons, whatever their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/or sexual identify have the right to be safeguarded from abuse.
- It is everyone's responsibility to report any concerns about harassment or abuse to the Superior or Prior/Prioress, and the responsibility of the CSL leadership to conduct a full investigation.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements described within this policy and the Data Protection Act 1998. (*From the Episcopal Church policy on abuse – 2018*).

St. Benedict uses individual instruction, excommunication within the community and finally separation from the community to deal with behaviors that are harmful to individuals or the community. As the primary rule of life for members of the Companions of St. Luke, the Rule of St. Benedict as it relates to the treatment of each person, complements the standards established by the Episcopal Church.

Policy Statement

The Companions of St. Luke recognizes that all people regardless of age, disability, gender, race, religious beliefs or sexual orientation have an equal right to protection from all types of harm or abuse and is committed to safeguarding the welfare of all members.

Best practice is that safeguarding duties extend to whole organization policies, values and ethos, and include all staff. It is better to be broad in scope as a provider in order to ensure a safer environment. (*From the Episcopal Church policy on abuse – 2018*).

Definitions:

Recognition of Abuse or Neglect: Abuse and neglect are forms of maltreatment of a member through a variety of actions, inadequate policies, procedures and failures to act.

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a member or anyone else

Psychological Abuse: Includes bullying, emotional abuse, threats, humiliation, intimidation, coercion, and verbal harassment.

Sexual Abuse: Sexual abuse involves forcing or enticing a person to take part in sexual activities, whether or not the person is aware of what is happening. The activities may involve non-consensual or unwanted physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving people in looking at, or in the production of, sexual online images, watching sexual activities, or encouraging people to behave in sexually inappropriate ways. If an intimate relationship develops between a person of authority and another member, the person of authority must resign from the position of authority.

Discrimination: Discrimination based on race, gender, sexual orientation, age, or disability is prohibited and is considered abuse. Comments or language either verbal or electronic that includes racist, sexist and other forms of derogatory communications about all persons will be considered as harassment.

Inhibited or being inhibited is used to limit communication between a member and the community. For the purposes of this policy, it is imposed on a member by the superior to protect the accused and the accuser from verbal or electronic communications that could be hurtful or harassing and to prevent extraneous communications that could cloud or confuse the investigative process.

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Background Checks and Safe Church Training

- A. Candidates for vowed life and oblation must have a background check done before being received into community. This report is the final step before being received. The new member will receive instructions on initiating the background check. The cost of the background check is borne by the candidate.
- B. All members residing in the United States or residing in other countries must complete the on-line Safe Church Training course offered by the Companions of St. Luke and be regularly re-certified. Contact the CSL Safe Church coordinator for registration information. The cost is borne by the Companions of St. Luke.
 - The member must advise the CSL Safe Church Coordinator that they have completed the on-line training program.

Important: Even if a CSL member has completed Safe Church Training through their home parish or diocese, that member must complete the on-line Safe Church Training through Companions of St. Luke.

Companions of St. Luke-OSB Safe Church Process

Reporting an alleged incident of abuse

If a member feels that they have been subjected to physical, psychological, sexual, or discriminatory abuse (as defined above), by another member of the Companions of St. Luke; the member is to notify the superior of the event in writing providing specific information including a description of the event, where or how the event occurred, (ie. in person or within a group, via email, telephonically, Facebook, etc.), date and time and other pertinent information. In the event the abuse is alleged to be against the superior, it must be reported to the Prior/Prioress. Alleged incidents by a CSL member occurring in a church, or diocese, or other locations are generally communicated to the superior by authorities.

Initiating an investigation of a member accused of abuse

When a written report alleging abuse is received, the superior after consultation with CSL council will decide if police involvement is necessary and act accordingly. The alleged abuser is to be put on leave of absence by the superior or prior/prioress after consultation with the CSL council. The superior shall initiate an investigation (as described below), of the charge. The member shall be inhibited from communicating with the accuser and members of the community except the superior and/or the superior's designate. Pastoral care will be extended to both the accuser and the accused; opportunity for outside pastoral care will be made available. The accused cannot attend convocations. If the member breaks the inhibition, the member shall be immediately separated from the community.

If the superior is accused of abuse, the prior/prioress after consultation with CSL council will decide if police involvement is necessary and act accordingly. The prior/prioress shall initiate an investigation of the charge, the superior will take a leave of absence, and be inhibited from communicating with the accuser and members of the community. The CSL council shall appoint a guardian for the community. Pastoral care will be extended to both the accuser and the superior. If the superior breaks the inhibition, the superior shall be immediately separated from the community.

If an accusation of abuse is reported to the superior or prior/prioress against a member of the Companions of St. Luke from a church, diocese, or civil authority; the investigation of the charge is carried out by that entity and the superior or prior/prioress is to confirm that police have been notified. The CSL leadership shall determine the response of the community upon receiving an investigative report, including the outcome from the church, diocese, or civil authority.

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Investigative Process

The investigative process is to be initiated within 10 days of the receipt of the written allegation. The investigation shall be completed within 45 days following the receipt of the written allegation by the investigator(s). Additional time may be granted by the CSL council upon request. The superior/guardian after consulting with council may appoint a committee led by a senior member, or hire an outside investigator to investigate the charge. If an outside party is to be involved, the council must recommend and approve a budget cover this persons work.

The internal investigation shall include in-person or Zoom interviews with the accuser, the accused, and any third party witnesses or persons named as part of the complaint. (No email communications). The investigation shall also include reviewing relevant emails between the parties, relevant Facebook posts, and/or other media content.

All meetings of the superior, the superior's designate (including the outside investigator), or the guardian with CSL council about this matter are to be done in closed (non-public) sessions; therefore, all minutes, relevant emails and records, and recommended outcome of the investigation are to be closed. Informal discussions by any CSL member, including the superior or guardian, and the CSL council with the accused that include, but are not limited to, individual impressions, advice, and the direction of the investigation are prohibited.

Results of the Investigation

Member: A report of the investigation discussing the merits of the accusation shall be prepared for the superior and CSL council. The report shall include recommended action concerning the accused member. However, If an outside investigator is involved, his/her report shall only include the findings of the investigations. The superior and council shall determine the outcome and action. The action shall be one of the following:

- a) **Exoneration.** The accusation is minor or without merit. A recommendation is presented that the member is to be restored as a member in good standing. The committee may also recommend mediation and support for the accuser and/or the accused.
- b) **The accusation is confirmed and has merit; but, does not rise to the level of separation.** A recommendation is presented that if the accused accepts responsibility and is open to mediation by a third party as a step towards reconciliation, the member moves from leave of absence status to probation status. The duration of probation is determined by the superior and CSL council. If the member does not accept responsibility or mediation, this will result in immediate separation from the community. If another written allegation of the offense is received and confirmed by investigation, the member will be immediately separated from the community.
- c) **The offence is serious and confirmed.** A recommendation is presented that the member is to be separated from the community.

The superior and CSL council shall take the report and recommendation under advisement. The council shall vote to recommend the report and outcome to the superior, or they may recommend the report to the superior but with a different outcome.

If the Superior is the accused, a report of the investigation discussing the merits of the accusation shall be prepared for the CSL council by the guardian or the investigative committee. However, If an outside investigator is involved, his/her report shall only include the findings of the investigations. The Guardian and council shall determine the outcome and action. The recommended action shall be one of the following:

- a) **Exoneration.** The accusation is minor or without merit. A recommendation is presented that member is to be restored as a member in good standing and resumes active duty as the superior of the community.
- b) **The accusation is confirmed and has merit; but, does not rise to the level of separation.** A recommendation is presented that if the accused accepts responsibility and is open to mediation by a third party as a step towards reconciliation, the member is to resign as superior and moves from leave of absence status to probation status. The duration of probation is determined by the guardian and CSL

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council. If the superior does not accept responsibility or mediation, this will result in separation from the community. If another written allegation of the offense is received against the superior and is confirmed by investigation, the superior will be immediately separated from the community

- c) **The offence is serious and confirmed** A recommendation is presented that the member is to resign as superior and is to be separated from the community.

The guardian and CSL council shall take the report and recommendation under advisement and the council shall vote to recommend the report and outcome to the guardian, or they may recommend the report to the guardian but with a different outcome.

Notifications

The bishop visitor has no role in the process unless the accused files an appeal. The superior or guardian is to advise the bishop visitor of the situation and the decision.

Both the accuser and the accused shall be notified by the superior or guardian within 48 hours after the CSL council meeting. If the decision is (b) above, the member has to decide if (s)he accepts probation and mediation. If mediation is a part of the decision, the member will be advised how the mediation is to work,

Right of Appeal

The accused has the right to appeal the decision of the superior/guardian to the bishop visitor. The accused is to email the superior or guardian that the decision is to be appealed. The superior or guardian advises the bishop visitor of the possible appeal and sends the bishop visitor pertinent records of the investigation upon request.

The accused must write the bishop visitor requesting the appeal within 10 days of receiving the notification of the decision of the superior/guardian. The bishop visitor acknowledges the request and advises the appellant what information is needed and schedules in-person or Zoom meeting(s) with the appellant.

The bishop visitor shall advise the superior or guardian and the appellant about the decision of the appeal in writing within 7 days.

The superior or guardian will advise the council of the bishop visitor's decision. The superior or guardian and council will discuss and respond to the bishop visitor's decision.

- If the bishop visitor affirms the superior/guardians decision, the action previously approved by them shall be implemented.
- If the bishop visitor determines that the response to the accusation is inappropriate, the superior/guardian and council shall reevaluate the response based and any recommendations from the bishop visitor.
- If the bishop visitor determines that the response to the accusation is wrong, the superior/guardian and council shall review the bishop visitor's report and either decide to initiate a new investigation or exonerate the accused.