



Diocese of Toronto
Anglican Church of Canada

Diocese of Toronto Human Rights Policy

Scope

This policy applies to the Diocesan community (as defined below).

The Diocesan community (every Bishop, priest, deacon, or lay person under the jurisdiction of the Diocesan Bishop of the Diocese of Toronto) has a right to be free from harassment, discrimination, and sexual misconduct in all places of ministry. The Diocesan community has a right to equal treatment within a place of ministry with respect to services, goods, facilities, employment, appointment, accommodation and the right to contract without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

The exceptions within the *Human Rights Code*, R.S.O. 1990, c. H. 19 apply equally in respect of the application of this policy.

The right to equal treatment with regard to facilities is not infringed where the use of Diocesan facilities is restricted to those who have been approved by the Diocese and where it is reasonable in the circumstances to restrict access to facilities.

This policy does not replace the following Diocesan Policies:

- The Diocesan Sexual Misconduct policy
- The Diocesan Harassment Policy (when a Cleric is involved)
- The Diocesan Centre Workplace Harassment policy
- The Workplace Violence and Harassment policies that parishes are mandated to have in the *Occupational Health and Safety Act*.
- The Diversity Policy

The Executive Director and Director of Human Resources are responsible for overseeing the administration of this policy.

Policy Statement

The Diocese will investigate and deal with all non-parish related complaints that are not otherwise covered in Diocesan policies.

Members of the Diocesan community are encouraged to report any incidents of harassment, discrimination or sexual misconduct in any place of ministry to the appropriate source.

Information about an incident of discrimination, harassment or sexual misconduct in a place of ministry will be kept confidential except as is necessary to investigate the complaint or incident, to take corrective action, to protect the complainant or as otherwise required by law.

Complainants are not to be penalized or disciplined for reporting an incident or for participating in an investigation involving a complaint under this policy. Reprisals will not be tolerated, and any retaliatory conduct should be reported immediately to the Diocesan Executive Director or the Director of Human Resources.

Definitions:

Harassment is defined as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. Harassment is any type of behaviour which disregards the dignity and worth of other human beings as defined by law. It embarrasses and humiliates.

Discrimination is defined as unequal treatment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

Sexual misconduct is defined as sexual exploitation, sexual harassment or sexual assault (commonly called sexual abuse).

Complainant is defined as a person bringing the complaint.

Respondent is defined as the person who is accused of unacceptable behaviour including harassment, discrimination or sexual misconduct.

The Diocesan Community includes all Bishops, priests, deacons, or lay people under the jurisdiction of the Diocesan Bishop of the Diocese of Toronto.

Place of Ministry includes all parish property or any other place where a member of the Diocesan Community is engaged in any ministry-related, Diocesan or parish sanctioned ministry or social activities.

Access to Policy and Program

The policy shall be posted on the Diocesan website. Parishes of the Diocese are expected to also post this policy in a public place so that all members of the parish community are aware of the policy.

Policy Revisions

The Human Rights Policy will be reviewed at least annually by the Executive Director and Director of Human Resources of the Diocese of Toronto.

Legal Counsel and Civil Proceedings

This policy is not intended to preclude a complainant from seeking legal counsel or seeking a civil remedy either through the courts or under the *Ontario Human Rights Code*. If there is notice that legal proceedings have commenced or may be commenced or that a complaint has been filed with the Human Rights Tribunal of Ontario, any procedures under this policy, subject to the requirements of applicable law, will be suspended.

Vexatious Complaints

No person or persons is to knowingly make a false or malicious complaint. If it is determined that there was no harassment, discrimination or sexual misconduct and that the complaint was initiated falsely or maliciously, then appropriate disciplinary action is to be taken against the person making the false or malicious complaint. The Bishop may decline to deal with a complaint at any stage if, in their opinion, the complaint is trivial, frivolous, malicious or made in bad faith.

Concurrent policies

Where a Diocesan policy has been developed to address a complaint, the relevant policy is to be used first. This Human Rights policy does not replace other Diocesan or parish policies and is to be read and interpreted in conjunction with the following policies:

- The Diocesan [Sexual Misconduct Policy](#)
- The Diocesan [Harassment Policy](#) (when a Cleric is involved) - to be used when a Cleric is the complainant or respondent of a complaint.
- The Diocesan Centre Workplace Harassment Policy - to be used when a Diocesan staff member is the complainant or respondent.
- The [Workplace Violence and Harassment Policy for parishes](#) - to be used for any parish related matters (*please refer to your local parish's policies*)
- The Diocesan [Diversity Policy](#)

Members of the the Diocesan Community should also be aware of their rights under the [Human Rights Code of Ontario](#) and the [Occupational Health and Safety Act](#).

Procedure

1. If the complaint involves harassment by or against a clergy member or person acting under the jurisdiction of the Diocesan Bishop of Toronto, the procedure in the Harassment Policy (when a Cleric is involved) is followed.
2. If the complaint involves harassment in a workplace and involves an employee of the Diocese at the Diocesan Centre, the Workplace Violence and Harassment policy is followed.
3. If the complaint involves Workplace Violence or Harassment in a particular parish, the policy in that particular parish is followed.
4. If the complaint involves sexual misconduct, then the Sexual Misconduct Policy is followed.
5. If none of the above noted policies apply, the complainant is to notify the Human Resources department that they wish to make a complaint under this policy. The Human Resources Manager will advise which policy most closely applies and that policy (with modifications as are applicable) will be followed to investigate and resolve the complaint.