

CANON 12

REMOVAL OF INCUMBENTS

1. The churchwardens of a parish may, in writing, or the vestry of a parish may, by resolution, request the Bishop to remove an incumbent from office.
2. In a parish operating under a formal mandate from the Bishop as a Local Collaborative Ministry, the incumbent appointed serves at the Bishop's pleasure for a renewable term, as appointed by the Bishop. Section 3 through 12 of this Canon do not apply to incumbents appointed under the Local Collaborative Ministry Guidelines.
3. Upon receipt of the request or a copy of the resolution, the Bishop shall conduct, or cause to be conducted, an investigation into the circumstances surrounding the request.
4. The Bishop may appoint an Advisory Committee, consisting of clerical and lay members, none of whom are members of the parish, to assist with the investigation and to provide advice to the Bishop.
5. Where, in the opinion of the Bishop, a situation has arisen in a parish that cannot be resolved within the parish, and there has been no request by the churchwardens and no resolution of the vestry, and the situation is such that it has affected adversely, or is likely to affect adversely, the effective ministry and mission of the parish, the Bishop shall investigate the matter and shall appoint an Advisory Committee as set out in section 3.
6. Any investigation undertaken shall include consultation with the incumbent, the parish leadership and any other persons whom the Bishop or the Advisory Committee deems appropriate.
7. Upon completion of the investigation and, when applicable, after receiving advice from the Advisory Committee, the Bishop, if satisfied that the situation is such that the only practicable resolution is to remove the incumbent from office, may remove an incumbent from office.
8. Before making the decision to remove an incumbent, the Bishop shall make every reasonable effort to find a resolution to the situation leading to reconciliation, without removing the incumbent from office.
9. Before removing an incumbent from office under this Canon, the Bishop shall meet with the incumbent
 - (a) to review the reasons for the proposed removal, and
 - (b) (i) to consider possible alternatives to removal, or
 - (ii) to discuss how the Bishop may assist the incumbent to obtain another appointment or other employment.
10. If the Bishop decides to remove an incumbent from office and there has been no

wrongful conduct on the part of the incumbent that warrants removal from office without notice, the incumbent shall be given such notice as required by Diocesan policies or as agreed to by the incumbent in the letter of appointment setting out the terms of the licence, whichever is the more favourable to the incumbent, or in lieu of notice, the incumbent shall receive equivalent monetary compensation.

11. Removal of an incumbent from office shall be accomplished by the Bishop, in writing, revoking the licence of the incumbent to act as incumbent.

12. This Canon does not apply where the circumstances set out in Canon 13 apply.