



Canadian Anglican Cursillo

Cursillo and Potential Liability Issues

The Canadian Anglican Cursillo Secretariat has been asked to provide a guideline regarding liability for diocesan Cursillo movements. The liability lawyer who reviewed this document advised that the recommendations which follow should be considered a “policy must” for each diocesan Cursillo movement.

Each diocesan Cursillo movement is under the control and auspices of the local diocese and bishop. Organizations can be liable for the actions of their volunteers. Good policies, training and documentation are the best prevention.

A review of relevant literature suggests the following recommendations: (Please review the references for further detail)

1. Each diocesan movement should inquire of its own diocese regarding relevant policies and insurance coverage, exceptions to the insurance coverage, and how they apply to the Cursillo movement in that diocese.
2. Each diocesan movement should adopt relevant policies to reduce the risk of liability for secretariat members, weekend directors and the diocese.
3. Each diocesan movement should establish and use a screening process for weekend team members, including having criminal record checks made for each team and secretariat member. These are most often done free for volunteers who can provide a letter from the volunteer agency.
4. The Diocesan Secretariat ensures that team training includes a process to:
 - heighten awareness of the need to respect personal boundaries of team members and candidates,
 - reinforce the responsibility and potential liability of team members towards weekend candidates and team members,
 - review relevant diocesan policies and CACS guidelines on Respecting Personal Boundaries, and
 - review team role descriptions.

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5. The diocesan secretariat should ensure that all necessary documentation is obtained from each weekend team member prior to the weekend.

6. It is recommended that there be a review with all team members and candidates of any safety issues for the weekend site, including:

- fire escapes and extinguishers
- emergency numbers, any ADS device(s)
- people with First Aid training, and location of the first aid kit. A checklist for this information is suggested.

7. Each diocesan Secretariat needs to check with the local diocese that diocesan liability insurance will cover Cursillo weekends and activities for general liability and sexual misconduct. Secretariat should inform the diocese of the weekend details so that the diocesan insurer is notified, and any necessary certificate received. As a rule, intentional acts such a sexual misconduct are not covered by insurance carriers.

8. Each diocesan Secretariat is should review the three CACS guidelines on Respecting Personal Boundaries, Secretariat and Team Formation.

9. The diocesan Secretariat should develop a process to ensure that follow up is done with all parties involved if there are any outstanding concerns at training meetings or on the weekend.

10. Each civil province has different requirements; therefore, if you have any questions you should consult your diocesan office.

Resources:

1. Canadian Anglican Cursillo Secretariat, Respecting Personal Boundaries.

www.anglicancursillo.com/guidelines.htm

2. Island or Iceberg: Liability & Voluntary Organizations

library.imaginecanada.ca/.../easter_seals_report_island_report....

3. Sexual Misconduct Policy applicable to National staff and volunteers: Anglican Church of Canada www.anglican.ca/about/files/.../Sexual-MisconductPolicy.pdfSha

4. Volunteers and the Law: People's Law

School www.publiclegaled.bc.ca/.../english_volunteers-and-the-law2