

# Code of Pastoral Conduct

For priests, deacons, pastoral ministers, administrators, staff and volunteers in the Diocese of Dodge City

## I. Preamble

Priests, deacons, pastoral ministers, administrators, staff, and volunteers in our parishes, religious communities/institutes, and organizations must uphold Christian values and conduct. The *Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, Staff, and Volunteers (Code of Pastoral Conduct)* provides a set of standards for conduct in certain pastoral situations.

## II. Responsibility

The public and private conduct of clergy, staff, and volunteers can inspire and motivate people, but it can also scandalize and undermine the people's faith. Clergy, staff, and volunteers must, at all times, be aware of the responsibilities that accompany their work. They must also know that God's goodness and grace support them in their ministry.

Responsibility for adherence to the *Code of Pastoral Conduct* rests with the individual. Clergy, staff, and volunteers who disregard this *Code of Pastoral Conduct* will be subject to remedial action by the parish, the religious community/institute, the school, the bishop, etc. Corrective action may take various forms—from a verbal reproach to removal from the ministry or employment — depending on the specific nature and circumstances of the offense and the extent of the harm.

It is understood that all clergy, staff, and volunteers are to adhere to any and all professional codes of conduct that appertain to their specific employment and/or training.

It is understood that all members of religious institutes are to adhere to any and all codes of conduct that are part of their religious institute.

It is understood that all employees of Catholic Institutions, such as Catholic Hospitals, are to adhere to the code of conduct of those institutions.

## III. Pastoral Standards

### 1. Conduct for Pastoral Counselors and Spiritual Directors<sup>1</sup>

*Pastoral Counselors and Spiritual Directors must respect the rights and advance the welfare of each person.*

**1.1** Pastoral Counselors and Spiritual Directors shall not step beyond their competence in counseling situations and shall refer clients to other professionals when appropriate.

**1.2** Pastoral Counselors and Spiritual Directors should carefully consider the possible consequences before entering into a counseling relationship with someone with whom they have a pre-existing relationship (i.e., employee, professional colleague, friend, or other pre-existing relationship). [See Section 7.2.2]

**1.3** Pastoral Counselors and Spiritual Directors should not audiotape or videotape sessions.

**1.4** Pastoral Counselors and Spiritual Directors must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.

**1.5** Pastoral Counselors and Spiritual Directors shall not engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client—when there is a risk of exploitation or potential harm to the client. Pastoral Counselors and Spiritual Directors should presume that the potential for exploitation or harm exists in such intimate relationships.

**1.6** Pastoral Counselors and Spiritual Directors should maintain clear, appropriate boundaries in all counseling and counseling-related relationships.

**1.7** Pastoral Counselors and Spiritual Directors, as well as, all others need to be aware that physical contact of any kind (i.e., touching, hugging, holding) between Pastoral Counselors or Spiritual Directors and the persons they counsel can be misconstrued. Careful discretion must be used with even casual physical contact.

**1.8** Sessions should be conducted in appropriate settings at appropriate times and should not be held at places or times that would tend to cause confusion about the nature of the relationship for the person being counseled.

## **2. Confidentiality**

*Information disclosed to a Pastoral Counselor or Spiritual Director during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.*

**2.1** Information obtained in the course of sessions shall be confidential, except for compelling professional reasons or as required by law.

**2.1.1** If there is clear and imminent danger to the client or to others, the Pastoral Counselor or Spiritual Director may disclose only the information necessary to protect the parties affected and to prevent harm.

**2.1.2** Before disclosure is made, if feasible, the Pastoral Counselor or Spiritual Director should inform the person being counseled about the disclosure and the potential consequences.

**2.2** At the outset of a formal counseling relationship, Pastoral Counselors and Spiritual Directors should discuss the nature of confidentiality and its limitations with each person in counseling.

**2.3** Pastoral Counselors and Spiritual Directors should keep minimal records of the content of sessions.

**2.4** Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other public presentations only when effective measures are taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures.

**2.5** While counseling a minor, if a Pastoral Counselor or Spiritual Director discovers that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Counselor or Spiritual Director should:

§ Attempt to secure written consent from the minor for the specific disclosure.

§ If consent is not given, disclose only the information necessary to protect the health and well being of the minor.

*Consultation with the appropriate Church supervisory personnel is required before disclosure.*

**2.6** These obligations are independent of the strict confidentiality of the sacrament of confession. Under no circumstances whatsoever can there ever be a direct violation of the seal of confession.

## **3. Conduct With Youth**

*Clergy, staff, and volunteers working with youth shall maintain an open and trustworthy relationship between youth and adult supervisors.*

**3.1** Clergy, staff, and volunteers must be aware of their own and others' vulnerability when working alone with youth. Use a team approach to managing youth activities where possible.

**3.2** Physical contact with youth can be misconstrued and should occur (a) only when completely nonsexual and otherwise appropriate, and (b) never in private.

**3.3** Clergy, staff, and volunteers should refrain from (a) the illegal possession and/or illegal use of drugs and/or alcohol at all times, and (b) the use of alcohol when working with youth.

**3.4** Providing overnight accommodation in the rectory for parish youth should never be done.

**3.5** Staff and volunteers should not provide shared, private, overnight accommodation for individual young people including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.

**3.5.1** In rare, emergency situations, when accommodation is necessary for the health and well being of the youth, the clergy, staff, or volunteer should take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm.

## **4. Sexual Conduct**

*Clergy, staff, and volunteers must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.*

**4.1** Clergy, religious, staff, and volunteers who are committed to a celibate lifestyle are called to be an example of celibate

chastity in all relationships at all times.

**4.2** Clergy, staff and volunteers who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other staff, or parishioners. Staff and volunteers must behave in a professional manner at all times.

**4.3** No clergy, staff, or volunteer may exploit another person for sexual purposes.

**4.4** Allegations of sexual misconduct should be taken seriously and reported to the pastor, principal, chancellor, vicar general, or Bishop and to civil authorities if the situation involves a minor.

**4.5** The procedures outlined in the "Policy for the Protection of Children and Young People" of the Diocese of Dodge City will be followed to protect the rights of all involved.

*Clergy, staff, and volunteers should be familiar with the contents of the child abuse regulations and reporting requirements for the state of Kansas and should follow those mandates.*

## **5. Harassment**

*Clergy, staff, and volunteers must not engage in physical, psychological, written, or verbal harassment of staff, volunteers, or parishioners and must not tolerate such harassment by other Church staff or volunteers.*

**5.1** Clergy, staff, and volunteers shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.

**5.2** Harassment encompasses a broad range of physical, written, or verbal behavior, including but not limited to the following:

§ Physical or mental abuse.

§ Racial insults.

§ Derogatory ethnic slurs.

§ Unwelcome sexual advances or touching.

§ Sexual comments or sexual jokes.

§ Requests for sexual favors used as:

- a condition of employment, or
- to affect other personnel decisions, such as promotion or compensation.

§ Display of offensive materials.

**5.3** Harassment can be a single severe incident or a persistent pattern of behavior where the purpose or the effect is to create a hostile, offensive, or intimidating work environment.

**5.4** Allegations of harassment should be taken seriously and reported immediately to the pastor, principal, chancellor, vicar general, or bishop.

*The Diocese of Dodge City will make every effort to protect the rights of all involved.*

## **6. Diocesan, Parish, and Organizational Records and Information**

*Confidentiality will be maintained in creating, storing, accessing, transferring, and disposing of parish, diocesan, or organizational records.*

**6.1** Sacramental records shall be regarded as confidential for other than church purposes, and as a general rule, will be released only to the individual to whom the record belongs. When compiling and publishing parish statistical information from these records, great care must be taken to preserve the anonymity of individuals. Annual transcripts of parish sacramental records are to be sent to the chancery. This requirement is not seen as a violation of confidentiality.

**6.2** Most sacramental records older than 70 years are open to the public.

**6.2.1** Information regarding adoption, legitimacy and legal change of name remains confidential, regardless of age.

**6.2.2** Only staff members who are authorized to access the records and supervise their use shall handle requests for more recent records.

**6.3** Parish, religious community/institute, or organization financial records are confidential unless review is required by the diocese, or a supervising institution, or an appropriate government agency. Contact the financial officer of the diocese upon receipt of any request for release of financial records.

**6.4** Individual contribution records of the parish, religious community/institute, or organization shall be regarded as private and shall be maintained in strictest confidence. Disclosure of specific contributions of specific donors may be made only with the donor's permission or pursuant to a valid court order.

**6.5** Parish financial information is to be made available to the Parish Finance Council and in summary form to the parish on a regular basis. Individual payroll and check information shall be disclosed to Parish Finance Councils. Other disclosures of payroll information shall be made only at the written direction of the employee or as otherwise directed by law.

**6.6** Records that contain individually identifiable health information shall be released only in accord with the Health Insurance Portability and Accountability Act (HIPAA).

## **7. Conflicts of Interest**

*Clergy, staff, and volunteers should avoid situations that might present a conflict of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question.*

**7.1** Clergy, staff, and volunteers should disclose relevant factors that potentially could create a conflict of interest.

**7.2** Clergy, staff, and volunteers should inform all parties when a real or potential conflict of interest arises.

**7.2.1** No clergy, staff, or volunteer should take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.

**7.2.2** Pastoral counselors should not provide counseling services to anyone with whom they have a business, professional, or social relationship. When this is unavoidable, the client must be protected. The counselor must establish and maintain clear, appropriate boundaries.

**7.2.3** When pastoral counseling or spiritual direction services are provided to two or more people who have a relationship with each other, the Pastoral Counselor or Spiritual Director must:

§ Clarify with all parties the nature of each relationship,

§ Anticipate any conflict of interest,

§ Take appropriate actions to eliminate the conflict, and

§ Obtain from all parties written consent to continue services.

**7.3** Conflicts of interest may also arise when a Pastoral Counselor's or Spiritual Director's independent judgment is impaired by:

§ Prior dealings,

§ Becoming personally involved, or

§ Becoming an advocate for one (person) against another.

In these circumstances, the Pastoral Counselor or Spiritual Director shall advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director.

## **8. Reporting Ethical or Professional Misconduct**

*Clergy, staff, and volunteers have a duty to report their own ethical or professional misconduct and the misconduct of others.*

**8.1** Clergy, staff, and volunteers must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by clergy, staff, or volunteers, you should notify the proper civil authorities immediately. Also notify the chancellor, vicar general or bishop.

**8.2** When an uncertainty exists about whether a situation or course of conduct violates this *Code of Pastoral Conduct* or other religious, moral, or ethical principles, consult with:

§ Peers,

§ Others knowledgeable about ethical issues, or

§ The Pastor, Principal, Chancellor, Vicar General, or Bishop

**8.3** When it appears that a member of clergy, a staff member, or a volunteer has violated this *Code of Pastoral Conduct* or other religious, moral, or ethical principles:

§ Report the issue to a supervisor or next higher authority, or

§ Refer the matter directly to the Chancellor, Vicar General, or Bishop.

**8.4** The obligation of Pastoral Counselors and Spiritual Directors to report client misconduct is subject to the duty of confidentiality. However, any agreement or duty to maintain confidentiality must yield to the need to report misconduct that threatens the safety, health, or well being of any of the persons involved. **These obligations are independent of the strict confidentiality of the sacrament of confession. Under no circumstances whatsoever can there ever be a direct violation of the seal of confession.**

## **9. Administration**

*All employers, supervisors, clergy, staff, and volunteers shall treat one another and others justly in the day-to-day carrying out of their ministries and/or church work.*

**9.1** Personnel and other administrative decisions made by clergy, staff, and volunteers shall meet civil and canon law obligations and also reflect Catholic social teachings and this *Code of Pastoral Conduct*.

**9.2** No clergy, staff, or volunteer shall use his or her position to exercise unreasonable or inappropriate power and authority.

**9.3** Each volunteer providing services to children and youth must read and sign the Volunteer Code of Conduct before providing services.

## **10. Staff or Volunteer Well-being**

*Clergy, staff, and volunteers have the duty to be responsible for their own spiritual, physical, mental, and emotional health.*

**10.1** Clergy, staff, and volunteers should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental, and/or emotional health.

**10.2** Clergy, staff, and volunteers should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.

**10.3** Clergy, staff, and volunteers must address their own spiritual needs.

**10.4** Inappropriate or illegal use of alcohol and drugs is prohibited.

# **IV. Volunteer's Code of Conduct**

Our children are the most important gifts God has entrusted to us. As a volunteer, I promise to strictly follow the rules and guidelines in this Volunteer's Code of Conduct as a condition of my providing services to the children and youth of our [parish, school, facility, diocese, etc.].

As a volunteer, I will:

- Treat everyone with respect, loyalty, patience, integrity, courtesy, dignity, and consideration.
- Avoid situations where I am alone with children and/or youth at Church activities.
- Use positive reinforcement rather than criticism, competition, or comparison when working with children and/or youth.
- Refuse to accept expensive gifts from children and/or youth or their parents without prior written approval from the pastor or administrator.
- Refrain from giving expensive gifts to children and/or youth without prior written approval from the parents or guardian and the pastor or administrator.
- Report suspected abuse to the pastor, administrator, or appropriate supervisor and proper local authorities. I understand that I am encouraged by our Diocesan Policy to report suspected abuse to civil authorities.

- Cooperate fully in any investigation of abuse of children and/or youth.

As a volunteer, I will not:

- Use, possess, or be under the influence of alcohol at any time while volunteering.
- Use, possess, or be under the influence of illegal drugs at any time.
- Knowingly pose any health risk to children and/or youth.
- Strike, spank, shake, or slap children and/or youth.
- Humiliate, ridicule, threaten, or degrade children and/or youth.
- Touch a child and/or youth in a sexual or other inappropriate manner.
- Use any discipline that frightens or humiliates children and/or youth.
- Use profanity in the presence of children and/or youth.

I understand that as a volunteer working with children and/or youth, I am subject to a thorough background check including criminal history. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in my removal as a volunteer with children and/or youth.

Volunteer's Printed Name

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Volunteer's Signature

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Date

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**(1) Pastoral Counselors and Spiritual Directors: Clergy, staff, and volunteers who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.**