CODE OF CONDUCT FOR CHURCH PERSONNEL

OF THE DIOCESE OF CHARLESTON

I. Preamble

The *Code of Conduct for Church Personnel* of the Diocese of Charleston contains various rules, policies, and procedures. Many of the provisions are summaries of civil and Canon law. Such laws change from time to time. The Diocese of Charleston may find it necessary or advisable to alter this Policy from time to time. Therefore, the provisions of this Policy are subject to change by the Diocese of Charleston at any time, with or without previous notice. If there is a conflict in the rights and remedies between canon law and civil law within the Policy, the Policy will follow that jurisprudence which reconciles the inconsistency.

1.01 Church personnel (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 Conduct provides a set of standards for conduct in certain pastoral situations, and can be used as a guideline for all interactions with minors.

II. Responsibility

2.01 The public and private conduct of church personnel can inspire and motivate people, but it can also scandalize and undermine the people's faith. Church personnel 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.

2.02 Responsibility for adherence to the Code of Conduct rests with each individual. Church personnel who disregard this Code will be subject to remedial action by the parish, religious community/institute, the school, or the Bishop. Corrective action may take various forms - from verbal correction to removal from the ministry - depending upon the specific nature and circumstance of the offense and the extent of potential harm.

III. Pastoral Standards

3.01 Church personnel, and especially all who engage in any pastoral counseling or spiritual direction, shall not step beyond their competence

in counseling situations and shall refer clients to other professionals when appropriate.

3.02 Church personnel, and especially 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).

3.03 Pastoral counselors and spiritual directors should not audiotape or videotape counseling sessions.

3.04 Church personnel must never engage in sexual intimacies with the persons they counsel. This includes consensual and nonconsensual contact, forced physical contact, and inappropriate sexual comments.

3.05 Church personnel must never engage in sexual intimacies with individuals who are close to the person receiving counseling or spiritual direction – such as relatives or friends – when there is a risk of exploitation or potential harm to the client.

3.06 It the duty of all church personnel to assume full responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.

3.07 Physical contact of any kind (i.e., touching, hugging, holding, etc) can be misconstrued and therefore is to be avoided.

3.08 Meetings for spiritual direction or counseling should be conducted in appropriate settings at appropriate times that do not cause confusion about the purpose, structure and limits of the meeting. (Such meetings must never take place in private living quarters.)

3.09 In professionally qualified sessions of pastoral counseling or spiritual direction a log should be maintained of each session noting the individual, the times, and the places each noted.

IV. Confidentiality

4.01 Information disclosed to church personnel during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible.

4.02 Information obtained in a session shall be confidential except for compelling professional reasons or as required by law.

4.03 Pastoral counselors and spiritual directors should discuss the nature of confidentiality and its limitations with the individual in counseling.

4.04 Records of the content of counseling or spiritual direction sessions are to maintain only minimal information.

4.05 Knowledge that arises from professional contact may be used in teaching, writing, homilies, or other presentations only when effective measures are taken to absolutely safeguard the identity of the individual.

4.06 While counseling a minor, if a serious threat to the welfare of the minor is discovered and communication of the threat entails relating confidential information to a parent or legal guardian is deemed essential to the minor's health and well-being, church personnel should

(a) Attempt to secure written consent from the minor for disclosure

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

4.07 Consultation with the appropriate church supervisory personnel is required prior to the disclosure unless there is clear and imminent danger to the physical welfare of the minor. In all circumstances, the appropriate church supervisor must be informed and consulted as soon as possible.

4.08 These obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure—even if indirect disclosure—of information received through the confessional.

V. Conduct with Youth

5.01 Church personnel working with youths shall maintain an open and trustworthy relationship between youth and adult supervisors.

5.02 Church personnel must be aware of their own and others' vulnerability when working alone with youth. A team approach to managing youth activities should be used.

5.03 Physical contact with youth can be misconstrued and should occur only

(a) when completely nonsexual and otherwise appropriate, and

(b) never in private.

5.04 Church personnel must refrain from (a) illegal possession and/or use of drugs and /or alcohol at all times, and (b) the use of alcohol when working with youth.

5.05 Clergy will not allow youth to stay overnight in cleric's private residence or accommodations.

5.06 Church personnel 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.

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

(b) Use a team approach to manage emergency situations.

VI. Sexual Contact

6.01 Church personnel must not, for sexual gain or intimacy, exploit the trust placed in them by the faith community.

6.02 Church personnel who are committed to a celibate lifestyle are called to be an example of celibate chastity in all relationships at all times.

6.03 Church personnel who provide pastoral counseling or spiritual direction services must avoid developing inappropriately intimate relationships with minors, other staff or parishioners. Church personnel must behave in a professional manner at all times.

6.04 No church personnel may exploit another person for sexual purposes.

6.05 Allegations of sexual misconduct should be taken seriously and reported to the appropriate person in the parish, diocese and to civil authorities if the situation involves a minor.

6.06 Diocese of Charleston procedures will be followed to protect the rights of all involved.

6.07 Church personnel should review and know the contents of the child abuse regulations and reporting requirements for the State of South Carolina and should follow those mandates.

VII. Harassment

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

7.02 Church personnel shall provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.

7.03 Harassment encompasses a broad range of physical, written, or verbal behavior, including without limitation the following:

(a) Physical or mental abuse

(b) Racial insults

(c) Derogatory ethnic slurs

(d) Unwelcome sexual advances or touching

(e) Sexual comments or sexual jokes

(f) Requests for sexual favors used as

(g) A condition of employment, or

(h) To affect other personnel decisions, such as promotion or compensation

(i) Display of offensive materials

7.04 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.

7.05 Allegations of harassment should be taken seriously and all allegations are to be reported immediately.

7.06 Diocese of Charleston procedures are to be followed to protect the rights of all involved.

VIII. Records and Information

8.01 Confidentiality will be maintained in creating, storing, accessing, transferring, and disposing of organizational records.

8.02 All issues related to sacramental records shall follow the norms and procedures outlined in the Diocese of Charleston *Sacramental Handbook,* especially in matters related to confidentiality.

8.03 Information regarding adoption and legitimacy remain confidential, regardless of the age of the record.

8.04 Only staff members who have proper authorization are to have access to these records.

8.05 Financial records are confidential unless review is required by the Diocese of Charleston. Contact with the Diocese of Charleston is to be made regarding any request for release of financial information.

8.06 Individual contribution records of a parish or school shall be regarded as private and shall be maintained in strictest confidence.

IX. Conflict of Interest

9.01 Church personnel 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.

9.02 Church personnel should disclose all relevant factors that potentially could create a conflict of interest.

9.03 Church personnel should inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.

9.04 No church personnel should take advantage of anyone to whom they are providing services in order to further their personal, religious, political or business interests.

9.05 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.

9.06 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

(a) Clarify the nature of the relationship with all parties

(b) Anticipate any conflict of interest

(c) Take appropriate actions to eliminate the conflict

(d) Obtain from all parties written consent to continue services

9.07 Conflicts of interest may also arise when a pastoral counselor's or spiritual director's independent judgment is impaired by

(a) Prior dealings

(b) Becoming personally involved

(c) Becoming an advocate for one (person) against another

9.08 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.

X. Reporting Ethical or Professional Misconduct

10.01 Church personnel have a duty to report their own ethical or professional misconduct and the misconduct of others.

10.02 Church personnel must hold each other accountable for maintaining the highest ethical and professional standards. When there is an indication of illegal actions by church personnel, notification of the proper civil authorities should be made immediately and the appropriate Diocese of Charleston office should be contacted.

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

(a) Peers

(b) Others knowledgeable about ethical issues

(c) The Chancery or appropriate diocesan office

10.04 When it appears that a member of church personnel has violated this Code of Conduct or other religious, moral, or ethical principles

(a) Report the issue to a supervisor or next higher authority

(b) Refer the matter directly to the Chancery or appropriate diocesan office

10.05 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 except as provided for in Section IV of this Code.

XI. Administration

11.01 Employers and supervisors shall treat Church personnel justly in the day-to-day administrative operations of their ministries.

11.02 Personnel and other administrative decisions made by Church personnel must meet civil and canon law obligations and also reflect Catholic social teachings and this Code of Conduct.

11.03 No church personnel shall use his or her position to exercise unreasonable or inappropriate power and authority.

11.04 Church personnel must read and sign the *Code of Conduct Agreement* before providing services.

XII. Well-Being of Church Personnel

12.01 Church personnel have the duty to be responsible for their own spiritual, physical, mental, and emotional health.

12.02 Church personnel should be aware of warning signs that indicate potential problems with their own spiritual, physical, mental and emotional health.

12.03 Church personnel should seek help immediately whenever they notice behavioral or emotional warning signs in their own professional and/or personal lives.

12.04 Church personnel must address their own spiritual needs. Support from a spiritual director is highly recommended.

12.05 Inappropriate or illegal use of alcohol and drugs is prohibited.