

# THE ROMAN CATHOLIC DIOCESE OF METUCHEN



## CODE OF PASTORAL CONDUCT

### I. Preamble

Priests, deacons, pastoral ministers, administrators, staff and volunteers in our parishes, institutions and religious communities must uphold Christian values and conduct. The *Diocese of Metuchen Code of Pastoral Conduct* provides a set of standards 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 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 supports them in their ministry.

Responsibility for adherence to the *Code of Pastoral Conduct* rests with the individual. Clergy, staff and volunteers who disregard the Code of Pastoral Conduct will be subject to remedial action. Corrective action may take various forms, from verbal reproach to removal from ministry, depending on the specific nature and circumstances of the offense and the extent of the harm.

### III. Pastoral Standards

1. Conduct for Pastoral Counselors and Spiritual Directors, i.e. clergy, staff and volunteers who provide pastoral, spiritual and/or

**therapeutic counseling services to individuals, families or other groups.**

*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.
- 1.6 Pastoral counselors and spiritual directors assume the full burden of responsibility for establishing and maintaining clear, appropriate boundaries in all counseling and counseling-related relationships.
- 1.7 Physical contact of any kind - i.e. touching, hugging, holding - between pastoral counselors and spiritual directors and the persons they counsel can be misconstrued and should be avoided.
- 1.8 Sessions should be conducted in appropriate settings and at appropriate time.
  - 1.8.1 No sessions should be conducted in private living quarters
  - 1.8.2 Sessions 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.
- 1.9 Pastoral counselors and spiritual directors shall maintain a log of the times and places of sessions with each person being counseled.

## **2. Confidentiality**

*Information disclosed to a pastoral counselor or spiritual director during the course of the counseling, advising or spiritual direction shall be held in the strictest of 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 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 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 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 Diocese's Director Office of Child and Youth Protection is required before disclosure.
- 2.6 **These obligations are independent of the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure - even indirect disclosure - of information received through the confessional.**

### 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.
- 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 are to abstain from a) the illegal use or possession of drugs and/or alcohol at all times and b) the use of alcohol at any time when working with youth.
- 3.4 Clergy should not allow individual young people to stay overnight in the cleric's private accommodations or residence.
- 3.5 Staff and volunteers should not provide shared, private or overnight accommodations for individual young people where there is no other adult supervision present, including, but not limited to, accommodations in any church-owned facility, private residence, or hotel room.
  - 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.
  - 3.5.2 Use a team approach to managing emergency situations.

### 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 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 Diocese's Office of Child and Youth Protection 732-562-2413. The Office of Child and Youth Protection will report the allegation to civil authorities. The *Policy of the Diocese of Metuchen in Response to Complaints of Sexual Abuse* will be followed to protect the rights of all involved.
- 4.5 Clergy, staff and volunteers should review and know the child abuse reporting requirements under New Jersey statutes and regulations and should follow those mandates.

## 5. Harassment

*Clergy, staff and volunteers must not engage in physical, psychological, written or verbal harassment of others, and must not tolerate such harassment by clergy, 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 to the pastor, principal or head of the institution. Such reports can also be made to the Chancery.

## 6. Records and Information

*Confidentiality will be maintained in creating, storing, accessing, transferring and disposing of parish and institutional files.*

- 6.1 Sacramental records shall be regarded as confidential. When compiling and publishing parish and institutional statistical information from these records, great care must be taken to preserve the anonymity of individuals.
- 6.2 Decisions concerning requests for access to sacramental records will be left to the discretion of the pastor or the head of the institution.
  - 6.2.1 Only those authorized by the pastor or the head of the institution to access records and supervise their use shall process such requests.
  - 6.2.2 Information regarding adoption and legitimacy remains confidential.
- 6.3 Parish and institutional financial records are confidential unless review is required by the Diocese.
- 6.4 Individual contribution records of the parish or institution shall be regarded as private and shall be maintained in the strictest confidence.

## **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 all 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. Resolution of the issues must protect the person receiving ministerial services.
  - 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.
- 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.
  - Becoming an advocate for one (person) against another.
- In these circumstances, the pastoral counselor or spiritual director shall advise the parties that he/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, as well as the pastor or head of the institution and, if desirable, the Chancery.

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

- Peers.
- Others knowledgeable about ethical issues.
- The Chancery.

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

- Report the issue to a supervisor or next higher authority.
- Refer the matter directly to the Chancery.

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 except as provided for in Section 2.6.

## 9. Administration

*Employers and supervisors shall treat clergy, staff and volunteers justly in the day-to-day administrative operations of their ministries.*

- 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 teaching and the *Code of Pastoral Conduct*.
- 9.2 No clergy, staff or volunteer shall use his/her position to exercise unreasonable or inappropriate power and authority.

## 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. Support from a spiritual director is highly recommended.
- 10.4 Inappropriate or illegal use of alcohol and drugs is prohibited.

Given at the Chancery, on the 31<sup>st</sup> day of October, 2003, and revised on the 26<sup>th</sup> Day of March 2012.