

# Serving Christ

# Serving Others

## Code of Ministerial Conduct

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*The Diocese of the Northeast, Anglican Church in America*

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## INTRODUCTION

*Serving Christ, Serving Others: Code of Ministerial Conduct* (“Code”) has been adapted with permission from the Roman Catholic Diocese of Manchester, New Hampshire (February 20, 2007: Diane Murphy Quinlan, Chancellor), and developed to provide a practical and inclusive guide for the Diocese of the Northeast of the Anglican Church in America.

We each must be responsible for personal integrity as disciples of the Lord as well as hold one another accountable to a set of standards that resonates with the Gospel itself.

As bishops, priests, deacons, consecrated religious and laity who minister in parishes and church institutions, we seek to uphold Christian values and conduct. When our conduct models the Lord’s, it can inspire and motivate people. When we fail to serve others in a manner that is faithful to our vocation as Christian disciples, it can undermine the faith that others have in us, and even in the Church herself.

This Code does not presume to address all situations that may face those of us who minister in the Church. It is intended to help frame a sense of personal integrity in ministry and to articulate our common responsibility. The responsibility for adhering to this Code rests with each and every person who serves in ministry in the Diocese of the Northeast. Each person should adopt the principles of this Code and commit to hold one another accountable to them.

When church personnel are uncertain whether a particular situation or course of conduct violates this Code, they should consult the Safe Environment Coordinator in order to determine the proper response. Church personnel who disregard this Code will be subject to appropriate disciplinary action in accordance with church and civil law.

The sexual abuse of a minor is a serious crime under both civil and church law. It is a profound violation of the human rights of the minor and

seriously wounds the entire community of the Church.

The sexual abuse of a minor by any church personnel is a violation of this Code. However, given the gravity of this crime and the need for particular vigilance in raising awareness and preventing child sexual abuse, the Diocese of the Northeast has a more detailed policy in *The Protection of Children and Young People: Policy and Procedures* also adapted from the Roman Catholic Diocese of Manchester, New Hampshire.

*Policy and Procedures* and this *Code* are mandated policy for the Diocese of the Northeast, and hold the force of particular Law in the Diocese of the Northeast.

**Rev. Father Christian Tutor, OSA**  
**Safe Environment Coordinator**  
Diocese of the Northeast, Anglican Church in America

## APPLICABILITY AND GENERAL DEFINITIONS

### I. Applicability

This *Serving Christ, Serving Others: Code of Ministerial Conduct* (“Code”) applies to all church personnel employed or engaged in ministry for the Diocese of the Northeast, its parishes, institutions, and agencies.

Because of the grave responsibilities associated with their work and positions, **bishops, priests, and deacons are held to higher standards of behavior than other church personnel.**

Thus, bishops, priests, and deacons not only are required to comply with the standards of behavior included in this Code, they are also expected to avoid even the appearance of impropriety both inside and outside the scope of their ministry.

### II. General Definitions for the Purposes of This Code

A. **Church Personnel:** The following are included in the definition of “church personnel”:

1. Clerics (bishops, priests, and deacons) who are incardinated in the Diocese of the Northeast

or who are granted authority (faculties and license) to exercise ministry therein. Some faculties are granted by Church law itself and others are granted by the Bishop of the Northeast.

2. Members of religious institutes (women and men religious) and the Order of Deaconess, assigned to ministry in the Diocese, its parishes, institutions, or agencies.

3. Lay employees and volunteers, including:

a. Seminarians and Postulants assigned to pastoral work in the Diocese of the Northeast; clerics and Postulants seeking incardination in this Diocese; and those men enrolled in the Theological Formation Program;

b. All paid personnel, whether employed in areas of ministry or other kinds of services by the Diocese, its parishes, institutions, or other agencies;

c. All volunteers. A volunteer is any person who performs a Church-related service without promise or expectation of monetary compensation on a regular and continual basis, including but not limited to Senior and Junior Wardens, Vestry members and officers, catechists, coaches, Sunday School teachers, youth ministers, Lay Readers, ushers, Boy Scout leaders, Youth Camp volunteers, day care volunteers, volunteer camp counselors, children or youth choir directors, and parish outreach workers.

**B. Code:** The term “Code” refers to this *Serving Christ, Serving Others: Code of Ministerial Conduct*.

**C. Heads of Church Institutions:** “Heads of Church Institutions” are individuals who are responsible for the pastoral administration of diocesan parishes, institutions, or agencies. Examples of Heads of Church Institutions are bishops (and their delegates), Rectors, Interim-Rectors, Priests-in-Charge, Deacons-in-Charge, and the temporal administrators of parishes, Senior and Junior Wardens and the Vestries that hold financial vigilance of parishes.

<sup>1</sup> The term “sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, physical, and nonphysical conduct of a sexual nature between adults when (1) submission to such conduct is made explicitly or implicitly a term or condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual or for awarding or withholding a favorable employment opportunity, evaluation, or assistance; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s performance at work, or creates an intimidating, hostile, or offensive work environment.

## **GENERAL PRINCIPLES OF ETHICS AND INTEGRITY IN MINISTRY**

### **I. Standards for Ethical and Moral Behavior**

It is fundamental to the pastoral mission of the Diocese of the Northeast for all church personnel to exhibit the highest ethical standards and personal integrity at all times.

Beyond the obvious standards for correct moral behavior in Sacred Scripture and the Tradition of the Church (i.e., the Ten Commandments, the Beatitudes, the 1928 Book of Common Prayer), church personnel are required to:

A. act or behave in a manner consistent with accepted Christian standards of moral or ethical conduct;

B. act in a manner consistent with civil law and Church law;

C. comply with diocesan standards, policies, and instructions, including this Code;

D. avoid situations where they might be perceived as formally rejecting the teachings of the Anglican Church in America and the Christian way of life or promoting causes in direct conflict with the teachings of this Church;

E. act in a manner consistent with a commitment to maintain a celibate and/or chaste lifestyle;

F. refrain from abusing alcohol or drugs; and

G. engage in conduct that has a positive impact on the reputation of the Diocese or any of its parishes, institutions, and agencies.

### **II. Standards for Integrity in Ministry**

#### **A. Prevention of Harassment including Sexual Harassment.<sup>1</sup>**

Every human person is created in the image and likeness of God. The dignity of the human person is such that we ought to treat others as children of God and as we would want to be treated ourselves. Harassment of any type obviously violates the dignity of the person who is harassed, but it also contributes to the overall

deterioration of the human dignity owed to every person in society.

Church personnel shall thus be mindful of the following:

1. Church personnel must not engage in physical, psychological, written, or verbal intimidation or harassment of any person at any time, particularly those whom we serve as well as other church personnel.

2. Church personnel must not engage in sexual harassment or any inappropriate behavior of a sexual nature toward other church personnel, parishioners, or others.

3. Church personnel must not discriminate against any individual on the basis of race, color, national origin, gender, religion, sexual orientation, age, physical or mental disability, pregnancy, or military or veteran status, except where such status is a legitimate occupational qualification in accordance with civil and Church law.

4. While it is not possible to list all behavior that is considered to be harassment or sexually inappropriate, prohibited conduct includes, but is not limited to :

- slurs, epithets, derogatory comments;
- unwelcome jokes, comments, and teasing;
- inappropriate physical contact or gestures;
- sexual advances and emphasis on sexual or racial identity;
- displaying written materials, pictures, or other items that are offensive or sexually suggestive;
- viewing sexually suggestive or otherwise inappropriate written materials, websites, electronic mail messages, or other items while on Church property or while performing duties or engaged in ministry for the Church;
- other conduct that has the purpose or effect of unreasonably interfering with an individual's performance at work or creates an intimidating, hostile, or offensive working environment.

5. Harassment can occur as a result of a single severe incident or a pattern of conduct that results in the creation of a hostile, offensive, or

be indirect and can take place even when the offender does not intend to offend, intimidate, or otherwise do harm. Whether conduct is considered to be harassment is based, in part, on whether a reasonable person under the circumstances would view the conduct as creating a hostile, offensive, or intimidating work environment.

6. Church personnel are required to report harassment, including sexual harassment, in accordance with the reporting policy contained in this Code.

Church personnel are prohibited from retaliating against individuals who make good faith reports of harassment.

### **B. Prevention of Sexual Exploitation <sup>2</sup>**

The understanding of the human person in the Christian tradition calls everyone to live a life of faithful chastity that views human sexuality in light of the Gospel.

Faithful married life, consecrated religious life, and celibacy for some deacons and priests and bishops are each examples of a commitment to chastity that reflect the understanding that human sexuality is a gift from God. Human sexuality is exclusively oriented to the communion of a husband and wife that reflects the unity of the life of God and results in the creation of new life in the procreation of children.

The promotion of this understanding of the human person is part of what the Church teaches. Therefore, the expression of human sexual attraction through sexual intimacy between persons who minister in the Diocese of the Northeast and those whom they serve is never appropriate.

Church personnel shall thus be mindful of the following:

1. Church personnel must not engage in sexual intimacies with anyone other than their legitimate spouse. This prohibition would include, but not be limited to, anyone to whom church personnel are ministering; anyone whom

2. The term "sexual exploitation" means any contact of a sexual nature between an adult and another receiving pastoral care and sexual activity between adults with unequal power or perceived power (e.g., a priest and parishioner; a principal and a teacher). Sexual exploitation also includes sexual activity between an adult and a "vulnerable individual," defined as a person who has reached eighteen years of age and who is particularly susceptible to manipulation because of a mental or physical disability.

intimidating work environment. Harassment can

they are supervising; anyone who is particularly

vulnerable to manipulation because of a physical or mental disability; and anyone who does not have equal power or perceived power in the relationship. For example, a principal may not have a sexual relationship with a teacher in that school if the two are not married to one another.

2. For the purpose of this policy, the term “sexual intimacies” means sexual contact of any kind (consensual or otherwise) as well as sexually explicit conversations not related to the legitimate duties of church personnel, such as the transmission of the teachings of the Church in a legitimate catechetical ministry. An example of legitimate discussions that refer to sexual intimacies is the preparation of couples engaged to be married that is administered by church personnel.

### **C. Prevention of Conflicts of Interest**

Persons who seek the service of the Lord in the Church ought to be able to do so without any doubt of whose interests church personnel serve. It is important that even the appearance of a conflict of interest by church personnel be avoided so that persons who seek the Lord in our midst know that in addition to Christ, they are the ones whom church personnel seek to serve. Church personnel shall thus be mindful of the following:

1. Church personnel should avoid placing themselves in a position that might present a conflict of interest because the existence or the appearance of a conflict of interest can call into question one’s integrity and professional conduct.

2. The potential for a conflict of interest exists in many circumstances. Examples of such situations and behavior by church personnel include, but are not limited to, conducting private business or other dealings with the Church or any of its members; accepting substantial (non-token) gifts for services or favors; employing or engaging in transactions with one’s friends or relatives; soliciting personal loans or requests for financial assistance from parish members, vendors, parish organizations, or employees; acting with partiality toward employees or church members; or violating a confidence of another for personal gain.

3. A conflict of interest may exist when church personnel give family and/or friends unlimited

access to church facilities or resources when they are not available to other parishioners.

4. A conflict of interest may also exist in ministerial relationships. Church personnel must establish clear, appropriate boundaries with anyone with whom they have a business, professional, personal, familial, or social relationship.

### **D. Confidentiality**

Persons who seek the service of the Lord in the Church expect church personnel to do so with a desire to serve the truth and their needs. Confidentiality in the discourse of ministry must serve the truth. Ministerial confidentiality requires church personnel to be vigilant in keeping persons’ confidence while, at the same time, not digressing to keeping secrets that might allow harm to come to anyone.

Church personnel shall thus be mindful of the following:

1. Many people who come to the Church for help expect that church personnel will refrain from disclosing personal and sensitive information they share with church personnel. Church personnel therefore should maintain their confidentiality, except as required by law or as set forth in the paragraphs below.

2. Church personnel must comply with all reporting requirements mandated by New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, Maine, and New York law, reporting requirements contained in any agreement between the States mentioned and the Diocese of the Diocese of the Northeast, and the requirements contained in *The Protection of Children and Young People: Policy and Procedures* regarding the reporting of sexual abuse of a minor.

3. In accordance with Church law, the sacramental seal of confession is inviolable, and it is absolutely forbidden for a confessor to betray the confidence of a penitent in any way, for any reason. This is applicable whether the penitent is living or dead.

Violation of the sacramental seal of confession is considered to be a grave delict (a serious crime) against church law.

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

requirements for sexual abuse contained in this Code. Church personnel are also bound to safeguard the confidentiality of any notes, files, or computer records pertaining to professional contact with individuals to the extent consistent with the obligation to report abuse or prevent harm.

5. If, during the course of counseling, church personnel become aware that there is clear and imminent danger to the counselee or to others, church personnel must disclose the information necessary to protect the parties involved and to prevent harm. If feasible, church personnel should inform the counselee about the disclosure and the potential consequences.

6. With the exception of knowledge gained during the Sacrament of Penance, knowledge that arises from professional contact may be used in teaching, delivering homilies, or other public presentations only when effective measures have been taken to safeguard both the individual's identity and the confidentiality of the disclosures. Good pastoral judgment is of the utmost importance.

### **III. Standards for Spiritual and Pastoral Counseling Relationships**

#### **A. Respecting the Rights and Welfare of Those Counseled**

Persons who seek the Lord in the Church ought to be confident that the spiritual and pastoral counseling that is offered to them is presented in a manner that conforms to Sacred Scripture and the teaching Tradition of the Church. Church personnel must be committed to transmitting the truth in a manner that respects the rights and welfare of those served.

Church personnel shall thus be mindful of the following:

1. Church personnel who conduct counseling for families, individuals, or groups must respect their individual rights and work to advance the welfare of each person.
2. Church personnel are expected to avoid situations and conduct in which they do in fact or appearance take advantage of anyone to whom they are providing services in order to further their personal, religious, political, or business interests.
3. Church personnel shall not overstep their competence in counseling situations and shall

refer to other professionals when appropriate. The professional boundaries for church personnel are dictated by their training and/or certification from a recognized professional association of peers or licensure from the State in which they reside.

#### **B. Maintaining Appropriate Boundaries**

Persons who seek the Lord in the Church ought to be confident that the church personnel who serve them know the appropriate boundaries in a ministerial relationship.

Sometimes, church personnel need to explain and even articulate these boundaries to persons who seek help from the Church but who may not themselves know what constitutes an appropriate boundary.

Church personnel shall thus be mindful of the following:

1. Church personnel shall set, communicate, and maintain clear, appropriate boundaries in all counseling and counseling-related relationships.
  2. Church personnel must never engage in sexual intimacies with those they counsel. This includes consensual sexual contact, forced sexual contact, and sexually explicit conversations not related to counseling issues.
  3. Church personnel shall not engage in sexual intimacies with counselee's relatives, friends, or other individuals close to the counselee. Church personnel should presume that a potential for exploitation or harm exists in such intimate relationships.
  4. Physical contact with the counselee can be misconstrued. Great care should be taken in any physical contact beyond a handshake.
  5. 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 counselee.
- No sessions should be conducted in private living quarters. Church personnel should keep a log of the times and places of sessions with each counselee.

### **VIOLATIONS OF THE CODE OF MINISTERIAL CONDUCT**

## **I. Reporting Incidents, Allegations, and Concerns**

An environment of personal integrity in ministry requires that a culture of accountability among church personnel be established and maintained in a spirit of understanding that our individual conduct reflects the intention of the entire Church. Some reporting requirements are required by civil and Church law, especially when church personnel believe that a minor is at risk of abuse. Other reporting requirements are required by this Code and seek to build a culture of accountability.

A culture of accountability also requires that reports of inappropriate behavior be investigated in a manner in which the dignity of the person who makes the report, the person who is accused of inappropriate behavior, and the person who may have been harmed are all treated fairly and justly.

The administration of discipline for violations of this Code is oriented to the care of the person(s) who may have been harmed, the repair of any damage done to any person or the Church herself, and the correction of the person who may have violated the Code. Some violations can only be adequately corrected by the removal of a person found to have so harmed another person or the Church that their presence in ministry is harmful to the common good and the good of the Church.

**A. Reporting Requirements of Church Personnel.** The Diocese is dedicated to taking steps to ensure that the Church is a safe and welcoming environment for all people and that it is free from harassment and intimidation. It is imperative that every member of the Church community participate actively in the protection of minors as well as others who minister or worship in our Church. Church personnel therefore have a duty to report observations of violations of this Code. **If Church personnel suspect that a minor has been subjected to abuse, they must comply with the reporting requirements under New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Maine, and New York law and the Diocese of the Northeast's *The Protection of Children and Young People: Policy and Procedures.***

**B. Reporting Procedures.** Reports of unethical behavior or other violations of the Code may be made to any one of the following:

1. the Head of the Church Institution where the conduct took place;
  2. the Safe Environment Coordinator
  3. the Bishop of the Diocese of the Northeast.
- All written reports should state specifics.

## **C. Requirements of Heads of Church Institutions.**

If a violation of the Code by a cleric is reported to the Head of a Church Institution, this individual must promptly gather additional information about the nature of the concern and immediately contact the Safe Environment Coordinator for consultation.

If the Head of a Church Institution becomes aware of an allegation of sexual exploitation, sexual harassment, harassment, or inappropriate conduct of a sexual nature involving a minor by church personnel, the institution head must make a report to the Safe Environment Coordinator for consultation.

## **II. Retaliation**

**A. Retaliation Prohibited.** It is the policy of the Diocese to encourage individuals to make reports in accordance with this Code. As a result, individuals who make reports in accordance with this Code will not be subjected to retaliation for making the reports.

**B. Reporting Retaliation.** Church personnel who believe that they have been subjected to retaliation for making reports under this Code should report the matter to the Safe Environment Coordinator or should submit a specific letter to the Bishop of the Diocese of the Northeast.

## **III. Investigating Concerns**

**A. Conducting the Investigation.** All reports of violations of this Code will be taken seriously whether or not complaints are submitted in accordance with the reporting procedures contained in this Code. Investigations into allegations of unethical behavior or violations of this Code will be conducted thoroughly and expeditiously, with objectivity, fairness, and justice as well as with due regard for the privacy and reputations of all involved.

Investigations will be conducted by trained individuals in accordance with Church law.

**B. Administrative Leave.** In certain instances, a person accused of violating the Code may be placed on administrative leave while the investigation is pending. The fact that an accused has been placed on administrative leave should in no way be interpreted as a presumption of guilt or wrongdoing.

#### **IV. Disciplinary Action**

Church personnel who engage in unethical behavior or otherwise fail to abide by the standards contained in this Code will be subjected to appropriate remedial and/or disciplinary action, up to and including appropriate canonical penalties for clergy and termination of employment or volunteer ministry

with the Church. The action taken will be just and in proportion to the seriousness of the violation and will depend upon a number of factors, including but not limited to disciplinary record, the type, circumstances, and severity of the offense, and position with the Church. If the offense does not include sexual abuse of a minor, the action taken could include return to ministry under certain conditions, including compliance with a treatment and/or monitoring plan, or reassignment to ministry other than ministry at a parish or ministry involving family life. Records regarding sexual exploitation by clerics will be maintained for the longest period of time permitted by Church law and will be considered by the bishop and his advisors in making ministerial assignments.

#### **V. Pastoral Care and Support**

##### **A. Individuals Subjected to Unethical Behavior.**

The Diocese will extend appropriate pastoral care to those directly affected by allegations of unethical behavior or other violations of the standards in this Code by church personnel. Where appropriate, the Bishop will assign a Spiritual Director who will coordinate pastoral care and counseling, spiritual assistance, and other social services for those subjected to unethical behavior by church personnel and will listen with patience and compassion to their experiences and concerns.

##### **B. Individuals Accused of Unethical Behavior.**

The Safe Environment Coordinator will coordinate any appropriate pastoral care and counseling, spiritual assistance, and other social services for church personnel accused of unethical behavior.

##### **C. Communities Affected by Allegations.**

The Diocese will extend appropriate pastoral care to the parishes, schools, or institutions directly affected by allegations of unethical behavior by church personnel. When an individual is placed on or requests administrative leave as a result of an allegation, the Coordinator will consult the Bishop, the leadership of the parish, agency, or institution to determine what the appropriate pastoral response of the Diocese should be and whether additional public notification is appropriate.

The response and any notification must protect the rights of the accused and the confidentiality of the complainant.



# Serving Christ Serving Others

## Code of Ministerial Conduct

*Diocese of the Northeast, Anglican Church in America*

### ACKNOWLEDGEMENT

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Diocese of the Northeast *Serving Christ, Serving Others: Code of Ministerial Conduct* (the “Code”). If you are an employee or volunteer, please return the signed document to your Rector, Priest-in-Charge, Deacon-in-Charge, or Senior Vestryman. If you are a cleric, please return the signed document to the Safe Environment Coordinator. This acknowledgment will become a permanent part of your personnel file.

- I have received and have reviewed a copy of the Code. I understand that it is my obligation to abide by the provisions contained in this Code.
- I understand that this Code is not a contract and does not grant any rights to continued employment, ministry, or volunteer service. I understand that the Diocese of the Northeast reserves the right to change, modify, and/or revise any part of this Code at any time but that the Diocese will notify church personnel of any changes to the Code as soon as possible.

Signature: \_\_\_\_\_

Name (please print clearly): \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Tel. No.: \_\_\_\_\_

Parish/Institution/Agency: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_