

## **Ethical Standards in Professional Relationships**

**1. Administration.** Church leaders exercise respectful and just treatment of employees and volunteers in the day-to-day administrative operations of their ministries.

A. Church leaders shall seek to relate to all people with respect, sensitivity and reverence. Meetings are to be conducted with patience and courtesy toward the views of others, in an environment where it is safe for others to offer constructive criticism.

B. Church leaders seek to empower others, supporting each person to live the life to which God calls them. They are to seek to work in ways that respect the different talents people bring to the Church.

C. Church leaders exercise responsible stewardship of all Church resources. They must also ensure that whatever their area of ministry, there is a clear accounting for all funds.

D. Church leaders ensure that systems are in place to protect both the Church and the individual from financial mismanagement. Audits of financial operations are to be conducted according to diocesan policies.

E. Personnel and other administrative decisions made by Church leaders are to be in accordance with civil and canonical obligations as well as diocesan policies. Likewise, they should reflect Catholic social teachings.

F. All Church leaders who receive financial recompense for their ministerial service under stipulated contract terms or diocesan scales may not receive a dual reimbursement for work which falls ordinarily under the scope of their pastoral assignment or ministry (e.g. a pastor who teaches religious education may not receive both a pastor's salary and that of a director of religious education).

**2. Conduct in Counseling.** Church leaders who conduct counseling for families, individuals, or groups, must respect their rights and safety and advance the welfare of each person.

A. Church leaders must not step beyond their competence in counseling situations. The parameters for Church leaders are dictated by their training or certification from a recognized professional association of peers, or state licensing.

B. In conducting group sessions, Church leaders must ensure that no individual is subject to trauma or abuse resulting from group interaction. The Church leader must state to group participants the nature of the group, and the parameters of confidentiality of all individual disclosures.

C. Church leaders do not disclose information learned from counseling sessions. In beginning what is clearly a counseling relationship, the Church leader should inform the counselee that confidentiality is limited when there is child abuse or a clear and imminent danger to the client or to others. In such cases, the Church leader must contact the necessary authorities or other professionals, as mandated by Utah law.

D. In cases where the counselee is already in a counseling relationship with another professional, the Church leaders must make clear what they can provide to the counselee. Generally, this should be confined to spiritual assistance.

E. Church leaders who move to another parish while conducting counseling with parishioners shall help make appropriate referrals for continued care.

F. Church leaders ordinarily do not begin a counseling relationship with someone with whom they have a preexisting relationship (e.g., employee, professional colleague).

G. Church leaders do not engage in sexual intimacies with those whom they counsel.

H. Physical contact with the counselee can be misconstrued and should be generally avoided.

I. It must always be clear to both the Church leader and the counselee that a counseling relationship is in process. This can best be done when the counseling, especially if extended, is conducted in an appropriate setting and at appropriate times. Counseling must not be done in private living quarters or at places or times that would be ambiguous or misleading to the counselee or others.

J. Church leaders will be cognizant at all times of the significance of boundaries in all relationships. During the course of the counseling relationship, Church leaders ordinarily do not socialize with counselees.

K. Church leaders who conduct counseling must hold themselves accountable in that activity. This may be accomplished by engaging in professional peer consultation and/or supervision as appropriate. They shall keep a calendar of times and places of contacts, especially in the case of more frequent meetings with the same person.

L. When a Church leader's independent judgment is impaired (e.g., by prior or concurrent personal or professional relationships, where the Church leader becomes personally involved or an advocate for one person against another), the Church leader will advise the counselee that he or she can no longer provide counseling and refer the counselee to other counselors.

**3. Conduct with Minors or Vulnerable Adults.** Church leaders working with minors or vulnerable adults must use appropriate judgment to ensure safe and professional integrity.

A. Church leaders must be aware of their own vulnerability and that of any individual minor or vulnerable adult with whom they may be working. In every instance possible, a team approach to youth ministry activities shall be fostered. Church leaders must avoid establishing any exclusive relationship with a minor or vulnerable adult and exercise due caution when they become aware of a minor or vulnerable adult desiring such a relationship. Both the participants and members of the Church community can misunderstand such relationships.

B. Physical contact with minors or vulnerable adults can be misconstrued by minors, vulnerable adults and other adults, and should be avoided. Church leaders must not strike, spank, shake, slap, or otherwise physically discipline a minor or vulnerable adult except in the instance where the Church leader fears for the safety of the minor or vulnerable adult, (an) other individual(s), or the Church leader him/herself.

C. Minors or vulnerable adults must not be put into a position where they are humiliated, ridiculed, threatened, or degraded by any Church leader. Discipline which frightens or humiliates minors or

vulnerable adults must always be avoided. Positive reinforcement shall be used rather than criticism, competition or comparison.

D. Church leaders do not use alcohol when working with minors or vulnerable adults.

E. Church leaders do not provide sexually explicit, inappropriate, or offensive material to minors or vulnerable adults nor make remarks that could be suggestive or otherwise inappropriate.

F. Providing overnight accommodations in rectories or other personal residences for minors or vulnerable adults with whom the Church leader may have other than a close familial relationship, is prohibited. Likewise, it is unwise for a Church leader to travel alone overnight with a minor or vulnerable adult who is not a close relative.

G. Church leaders must refuse to accept expensive gifts from minors or vulnerable adults or parents without previous written approval of the administration or appropriate supervisor. Church leaders must also refrain from giving expensive gifts to minors or vulnerable adults without prior approval of the parents or guardian and the administrator or appropriate supervisor.

H. Church leaders will know and understand diocesan policies and procedures concerning allegations of sexual misconduct involving minors or vulnerable adults and strictly comply with the policies and procedures. Failure to report suspected abuse to civil authorities is, according to Utah law, a misdemeanor. Church leaders will cooperate fully in any investigation of abuse of minors or vulnerable adults.

**4. Sexual Misconduct.** Church leaders do not exploit the trust of the parish community for sexual gain or intimacy.

A. Church leaders will not exploit a person for sexual purposes.

B. It is the personal and professional obligation of the Church leader to be aware of diocesan policies regarding sexual exploitation and sexual harassment.

C. Church leaders who have made a commitment to celibacy are called to witness this in all relationships. Likewise, those who have made a marital commitment are called to witness to this fidelity in all their relationships.

D. Any allegations of sexual misconduct must be reported to the proper diocesan authority and also to the appropriate government agency when required by Utah law. Diocesan policies and procedures will be followed to ensure the rights of all involved and to facilitate justice for the aggrieved.

E. Church leaders have a responsibility to comply with all mandatory reporting requirements as provided under Utah law. Information received under the seal of the confessional is exempt.

**5. Professional Behavior.**

A. Church leaders commit to a professional work environment which reflects the diocesan policy of fair and equal employment to every person regardless of race, religion, color, sex, sexual orientation, national origin, age, marital status, arrest or conviction record, veteran, handicap status or any other

status protected by law. Church leaders will provide a work environment that is free from intimidation and harassment based on any of these factors. Church leaders do not engage in physical, psychological or verbal harassment of employees, volunteers, parishioners, or others and will not tolerate such harassment by other Church employees or volunteers.

B. Harassment encompasses a broad range of physical or verbal behavior, which can include, but is not limited to, the following:

- 1) physical or mental abuse;
- 2) racial insults;
- 3) derogatory ethnic slurs;
- 4) unwelcome sexual advances or touching;
- 5) sexual comments or sexual jokes;
- 6) requests of sexual favors used as a condition of employment or affecting any personal decision such as hiring, promotion, or compensation;
- 7) display of offensive materials.

C. Harassment can occur as a result of a single severe incident or a pattern of conduct which results in the creation of a hostile, offensive, or intimidating work environment.

D. Church leaders are to follow the established procedure for reporting of harassment, and are to ensure that no retaliation for bringing forward a claim of harassment will be tolerated.

E. Church leaders are to ensure that there is a clear policy on reporting harassment for both employees and volunteers.

**6. Confidentiality.** Information disclosed to a Church leader during the course of counseling, advising, spiritual direction and any other professional contact will be held in strictest confidence.

A. Parishioners and other persons who come to the Church leader must feel that they are entering a relationship marked by respect, trust and confidentiality.

B. Church leaders are also bound to safeguard the confidentiality of any notes, files, or computer records pertaining to professional contact with individuals.

C. If consultation with another professional becomes necessary, utmost care should be taken to do so only by using non-identifying information; when this is not possible, the other professional must be bound to the same degree of confidentiality as the Church leader. If the other professional is not so bound, the disclosure should not be made.

D. When consultation is necessary the Church leader must exercise great care to limit the content of the information to be shared. The Church leader must first determine: what is the precise information that the Church leader needs to have shared; with whom is the information to be shared; and why does it need to be shared.

E. Knowledge that arises from professional contact may be used in teaching, writing and preaching or other public presentations only when effective measures have been taken to absolutely safeguard individual identity and confidentiality.

F. Except as provided above with respect to consultation, confidential information can be disclosed only with the written, informed consent of the individual. In legal proceedings in which the Church leader is a defendant and the allegations stem from a professional contact, the disclosure of confidential information gained in that contact is permitted only to the minimum necessary to achieve the purpose of defense.

G. When entering into a counseling or pastoral relationship with a minor or vulnerable adult, Church leaders must instruct the minor or vulnerable adult from the outset regarding several exceptions to the ordinary rights to confidentiality: the reporting of child abuse; threats of self-inflicted harm to the minor or vulnerable adult and threats against others because of the minor or vulnerable adult's emotional status or behavior. Threats of self-harm may also include suicidal ideation with a plan to commit the act and/or plans to commit violence against another. In these situations, which pose a grave risk for the minor or vulnerable adult's welfare and the welfare of others, communication of information to a parent or legal guardian and/or to the civil authorities should occur expeditiously with or without the consent of the minor or vulnerable adult. The Church leader must exercise great care and judgment in determining the appropriateness of this kind of disclosure and in balancing the ultimate welfare of the minor or vulnerable adult being counseled with the duty to warn.

H. These obligations are independent of and supplementary to the confidentiality of the confessional. Under no circumstances whatsoever can there be any disclosure, even indirect, of information received through the confessional.

**7. Records and Information.** Appropriate confidentiality shall be maintained in creating, storing, accessing, transferring and disposing of parish or institutional records.

A. Sacramental records shall be regarded as confidential. When, for valid Church reporting or statistical purposes, information from these records is made public, great care must be taken to preserve the anonymity of the individuals.

B. Parish financial records are to be held as confidential unless an appropriate Governmental agency or office requires review. The Diocesan Finance Office and Office of the Vicar General should be contacted regarding the release of all financial records.

C. The records of individual contributions to the parish shall be regarded as private and therefore shall be used only as necessary.

**8. Conflicts of Interest.** Church leaders must avoid putting themselves in a position that might present a conflict of interest, since the existence, or even the appearance, of a conflict of interest can call into question one's integrity and professional conduct.

A. The potential for a conflict of interest exists in many circumstances. Examples of such behavior by a Church leader include: 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 his or her friends or relatives; acting with partiality toward employees or Church members; or violating a confidence of another for personal gain.

B. Disclosure of all relevant factors can in some circumstances lessen the potential for a conflict of interest.

**9. Reporting Misconduct.** Church leaders have a responsibility to report ethical misconduct on the part of other Church leaders.

A. In cases where there are clear indications of illegal actions by a Church leader, notification must be made immediately to the proper civil and Church authorities.

B. In cases where there are clear indicators of unethical, but not illegal actions by a Church leader, notification must be made to the proper Church authorities.

C. When Church leaders believe that one of their colleagues may have seriously violated this Code of Ethical Standards they must attempt to resolve the issue, if possible, by bringing it to the attention of the individual. If this fails, the Church leader shall take further action by reporting to the supervisor or next higher authority, or by referral to the diocese.

D. All accusations and concerns, either past or present, involving the sexual abuse of a minor or vulnerable adult, and/or adult sexual exploitations, as defined by Utah law or Diocesan Policies, must be reported promptly to the appropriate diocesan official.

E. When Church leaders are uncertain whether a particular situation or course of conduct would violate this Code of Ethical Standards, they must consult with peers knowledgeable about ethical issues and this Code, or the diocese, in order to determine the proper response.