

# Pastoral Code of Ethics

## Diocese of Gallup

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## **I. Principles of Ethics and Integrity in Ministry: Code of Ethics**

Relationships among people are the foundation of Christian ministry and are central to Church life. Defining healthy and safe relationships is not meant, in any way, to undermine the strength and importance of personal contact in the ministerial role. Rather, it is to assist all who fulfill the many roles that create the living Church to demonstrate their love and compassion for children and adults in the most sincere and genuine relationships.

It is with the intention that relationships in ministry be experienced at all times as charitable and safe, that the following Code of Ethics has been adopted by the Diocese of Gallup. The public and private conduct of Diocesan personnel can inspire and motivate people or it can undermine the faith of people. Diocesan personnel 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.

## **II. General Definitions**

- 1) Diocesan Personnel:
  - a) All clergy, religious and/or laity employed by the Diocese or its parishes, missions, schools, institutes, etc. on a full-time, part-time or seasonal basis.
  - b) All seminarians and those enrolled in the Permanent Diaconate and lay Ministry Formation Programs.
  - c) All those who contract their services to the Diocese who have regular contact with minors, such as counselors, music ministers, etc.
  - d) All volunteers, that is, any person who performs a Church related service of his/her own free will, on a regular and continual basis (e.g., catechists, coaches, youth ministers, lectors, extraordinary ministers, ushers, etc.)
- 2) Minor -- is defined as anyone under the age of eighteen (18) years.
- 3) Vulnerable Adult -- is a person who, because they:
  - a) are impaired by reason of mental illness, mental deficiency, physical illness or disability to the extent that they lack sufficient understanding or capacity to make or communicate responsible decisions concerning their person or effectively manage their estate; or
  - b) are wholly or partially dependent upon one or more other persons for care or support, either emotional or physical and who would be in danger if that care or support were withdrawn; is considered incapacitated or dependent in the eyes of the law.
- 4) Physical abuse is non-accidental injury that is intentionally inflicted upon anyone but particularly a minor or vulnerable adult.
- 5) Sexual abuse of a minor or vulnerable adult includes sexual molestation or sexual exploitation and other behavior by which an adult uses a minor or a vulnerable adult as an object of sexual gratification.
- 6) Emotional abuse is behavior that causes observable and material impairment in a person's psychological well-being.
- 7) Immediate family, as used in this document, refers to parents, sons, daughters, grandparents, grandchildren, siblings, aunts, uncles, nieces, nephews, cousins, legal guardians and legal custodians.

## **III. Diocesan Standards**

The following fundamental principles which spring from Church teachings and traditions shall apply to the behavior of all Diocesan personnel:

- 1) Diocesan personnel will strive to exhibit the highest Christian ethical standards and personal integrity in their day-to-day work and personal lives, supporting the teachings, discipline and traditions of the Catholic Church.
- 2) Diocesan personnel shall strive to conduct themselves in a professional and respectful manner in both Church and work environments avoiding any flagrant or public misconduct.
- 3) Diocesan personnel will respect the integrity of all individuals and protect the confidentiality and privacy of all information to which they have access.
- 4) Diocesan personnel will not take unfair advantage of a pastoral relationship for their own benefit.
- 5) Diocesan personnel will not physically, sexually or emotionally abuse anyone.
- 6) Diocesan personnel will not neglect a minor or vulnerable adult who is in their care.
- 7) Diocesan personnel will share concerns about inappropriate behavior with their pastor/parish coordinator, their administrator, or in cases where the behavior directly involves these people, with the Chancellor.
- 8) Inappropriate activity outside of the workplace would include:
  - Formally rejecting the teachings of the Catholic Church or the Christian way of life.
  - Exhibiting actions that are disruptive to ministry and public worship.
  - Procuring or participating in abortion or euthanasia.
  - Possessing pornographic materials.
  - Engaging in adultery, flagrant promiscuity or illicit co-habitation which might give scandal.
  - Abusing alcohol, drugs or gambling.
- 9) Legal malfeasance must be avoided:
  - Misappropriating Church funds or assets.
  - Engaging in any type of criminal conduct.
- 10) Diocesan personnel should not harm the reputation of others through:
  - \* Disclosing the faults or failings of others to persons who have no cause to know them.
  - \* Making false allegations against another.
  - \* Disclosing confidential information that could cause an individual to suffer embarrassment, humiliation or public ridicule of any kind, except in cases of mandated reporting.

#### **IV. Special Categories of Ministry**

##### **1) Working with Minors and Vulnerable Adults:**

Abuse of minors or vulnerable adults is contrary to the teachings of the Church and is prohibited by the Diocese. Accordingly, the Diocese of Gallup has adopted a separate policy to address the issues to provide a safe environment for minors and vulnerable adults in all the facilities and activities of the Diocese. This document, the ***Diocese of Gallup Policy and Procedures for the Protection of Minors*** provides the framework to reduce risk of harm through

education of adults and youth, improved screening procedures, clear reporting requirements and firm procedures in handling cases of suspected abuse.

- a.a. Diocesan personnel are expected to know the precepts of the ***Diocese of Gallup Policy and Procedures for the Protection of Minors*** and follow its guidelines in dealing with minors or vulnerable adults.
- a.b. Diocesan personnel are required to participate in the joint efforts to provide a safe environment for minors and vulnerable adults.
- a.c. Diocesan personnel will report any suspected abuse or neglect of a minor or vulnerable adult in accordance with legal requirements and the directives of this and other diocesan policies.

## 2) **Professional Behavior**

The business environment of the Diocese demands adherence to professional standards of behavior in order to conduct the affairs of the organization efficiently. This includes compliance with numerous requirements both from the secular community and those imposed by canon law. Unprofessional behavior is contrary to the mission and success of the Diocese. All diocesan personnel, especially employees, must become knowledgeable with the ***Diocese of Gallup Policy and Procedure Manual*** in order to meet personal responsibilities and to know their benefits from the organization.

- a.a. Diocesan personnel will not engage in physical, psychological, written or verbal harassment of others and will not tolerate such behavior by anyone especially if such adverse actions are based on age, race color, sex, disability, national origin or veteran status.
- a.b. Diocesan personnel will support a professional work environment that is free from sexual harassment, that is, any unwelcome or unwanted conduct of a sexual nature, verbal or physical.
- a.c. Diocesan employees will be familiar with the policies on absence from work so as to facilitate legitimate time off with the least adverse impact on the organization.
- a.d. Diocesan personnel are expected to refrain from acting in an unprofessional manner which includes, but is not limited to:
  - Physical or emotional abuse of anyone
  - Display of offensive materials
  - Abuse of power
  - Making false statements, fraud or theft
  - Insubordination or refusal to comply with reasonable assigned duties
  - Disorderly conduct
  - Excessive tardiness
  - Destruction of Diocese property due to careless or willful acts

## 3) **Counseling**

### a.a. **Proper Relationships and Behavior**

Strict adherence to professional guidelines promotes a healthy counseling experience for all concerned. (Exploitation in the context of this counseling policy refers to Diocesan personnel taking unfair advantage of the counseling relationship for the benefit of the counselor. Sexual exploitation is sexual contact between Diocesan personnel and the recipient of his or her counseling services, regardless of who initiates the contact.) The following guidance is given:

- Clergy, parish coordinators, pastoral associates, and members of religious orders providing pastoral counseling are generally not licensed as professional counselors and are expected to limit their counseling to spiritual, religious, moral or pastoral matters.
- Diocesan personnel shall not step beyond their competence in counseling situations and shall refer matters to other professionals when appropriate.

- Counselors should avoid situations and conduct that are exploitive or are likely to give the appearance of exploitation.
- Counselors should avoid counseling situations and conduct that further their own personal, religious, political, or business interests.
- If a conflict of interest exists or arises, Diocesan personnel should inform all parties. Resolution of the issues must protect the person being counseled.
- Counselors must never engage in sexual intimacies with the people they counsel. This includes non-consensual and consensual contact, forced physical contact and sexually explicit conversations not related to counseling issues.
- Counselors shall not engage in sexual intimacies with relatives, friends or other individuals who are close to the person they counsel, when there is a risk of exploitation or potential harm to the person counseled. Diocesan personnel should presume that a potential exploitation or harm exists in such intimate relationships.
- Counselors are fully responsible for setting and maintaining clear, appropriate boundaries in all counseling and counseling related relationships.
- Physical contact should be respectful and consistent with the intent to provide a safe and comfortable counseling environment.
- 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. For example, regular counseling sessions with minors or vulnerable adults should be scheduled when there is another adult readily available in the building. No sessions should be conducted in private living quarters.

a.b. **Confidentiality**

- Information disclosed to Diocesan personnel during the course of counseling or other one-on-one inter-relationships shall be held in the strictest confidence. Disclosure will be made as permitted by canon and civil law and only as follows:
- If there is clear and imminent danger to the person being counseled or to others, the counselor is to disclose the information necessary to protect the parties involved and to prevent harm.
- Before disclosure is made, if feasible, the counselor will inform the person being counseled about the disclosure and the potential consequences.
- If the counselor has reasonable cause to suspect the existence of child abuse or abuse to a vulnerable adult, the counselor must cause a report to be made to public authorities in accordance with the ***Diocese of Gallup Policy and Procedures for the Protection of Minors***.
- If counselors discover, while counseling a minor or vulnerable adult, that there is a serious threat to the welfare of the minor or vulnerable adult and that communication of confidential information to a parent or legal guardian is essential to that person's health and well-being, the pastoral counselor or spiritual directors will disclose only the information necessary to protect the health and well-being of the minor or vulnerable adult.
- Counselors should discuss the nature of confidentiality and its limitations with each person in counseling.
- Any priest who hears the confession of someone who reveals information about past or present abuse of a minor or vulnerable adult shall strongly urge the penitent to report the abuse to the proper civil and Church authorities. However, in accordance with the norm of canon law (c.983), the sacramental seal of confession is inviolable; therefore, it is forbidden for a confessor to betray the

confidence of a penitent. This is applicable whether the penitent is living or dead.

- Information about abuse of a minor or vulnerable adult is sometimes revealed during private spiritual direction. In the event that a victim of abuse reveals to a cleric providing private spiritual direction that he/she was abused, the cleric will strongly urge that person to make a report to the proper civil and Church authorities or to permit the cleric to make a report. However, in accordance with state law, and to avoid further victimization, the spiritual director will respect any request by the victim that the information be kept confidential. If during spiritual direction someone other than a victim reveals information about abuse of a minor or vulnerable adult, the spiritual director in accord with diocesan policy, will not deem the information confidential. The Diocese has made a policy choice that the protection of victims outweighs the person's desire for confidentiality. In this case the cleric will report to the proper authorities and inform the person that he will do so.
- In teaching, delivering homilies and other public presentations, Diocesan personnel will never refer to specific situations, even anonymously, regarding information learned in counseling.

#### 4) **Financial Management**

The Church accomplishes its spiritual mission with the support of the material resources at its disposal. The management of these assets must be efficient and free of any appearance of impropriety for the sake of the confidence of the faithful. Diocesan personnel, particularly employees and any volunteer who manages financial assets must be knowledgeable of the policy, *Finance Directives and Finance Council Norms for Parishes and Organizations in the Diocese of Gallup*. Ethical performance for persons with financial duties will include:

- a.a. Diocesan personnel be familiar with the specific directives about bank accounts, insurance, financial statements and accounting records.
- a.b. Internal controls will be established to safeguard cash management, donations & gifts, securities and real estate.
- a.c. Expenditures will be managed according to guidelines and with clear accountability by all persons involved.
- a.d. Parish financial managers and pastors must be knowledgeable about the proper salary and benefits due the priest in accord with the policy without any independent negotiation at the parish level
- a.e. All Diocesan personnel at the parish should support the formation and proper function of a Finance Council to accomplish the duties assigned to it by the policy.
- a.f. Personnel involved will adhere to guidelines for the maintenance of record files for completeness and proper retention.
- a.g. All persons involved with fund raising will familiarize themselves with the USCCB Fundraising Norms and abide by its guidelines.

#### **V. Conflicts of Interest**

Activities and assets outside of the area of employment may create a potential for a conflict of interest. This exists when Diocesan personnel are in a position to make decisions that could personally benefit them or might give the appearance of that benefit. This compromises both the intellectual freedom of the employee and the confidence of the faithful who are served. The *Conflict of Interest Policy for the Diocese of Gallup* is the primary guidance in this matter with the following principles:

- 1) Diocesan personnel must obtain approval for outside work activity
- 2) Outside work activity must not interfere with work for the Diocese.

- 3) Diocesan personnel may not own direct interest in entities that do business with the Diocese.
- 4) Diocesan personnel must protect the work products of the Diocese as it retains ownership.
- 5) If a potential conflict of interest exists or arises, Diocesan personnel should inform all parties in writing immediately upon discovery.
- 6) Diocesan personnel must establish clear, appropriate boundaries with anyone with whom they have a business, professional, or social relationship (e.g., parishioners, vendors, prospective employees, etc.).

## **VI. Social Media Issues**

The Diocese views social media and social networking as an important tool for educational and evangelization. However, responsible and appropriate use of this electronic communication is critical to preserve good order and discipline and the safety of all those touched by this activity. The ***Social Media Policy for the Diocese of Gallup*** provides sound guidance and should be very familiar to all personnel accessing the electronic media. The following are important guidelines from that policy:

- 1) Avoid appearing to represent the Diocese on social media sites.
- 2) Include a disclaimer clause (“These views are solely my own”) when making statements.
- 3) Properly represent the standards of the Diocese and Catholic values and teaching
- 4) Use Diocese email accounts and Diocese approved social media sites for all Diocese related business.
- 5) Avoid use of social networks on duty time except for official business
- 6) Use extreme caution not to create or download any offensive information, especially anything that could be construed as discriminatory or a form of harassment.
- 7) Any online website created by Diocesan personnel and identified with the Diocese must be open to the Diocese for review and changed if requested.
- 8) Exercise caution in all dealings with minors in the social/electronic media to include:
  - a.a. Only contact minor through Diocese email or Diocese approved website.
  - a.b. Copy all communications with minors to their parents
  - a.c. Diocesan personnel may communicate with minors by text message but copies must be sent to parent and to the Diocesan person’s immediate supervisor.
  - a.d. Minors may not use the devices or the accounts of Diocesan personnel
  - a.e. When a minor is given access to a non-public Diocese website, their parent must also be given access.
  - a.f. A minor’s information may not be electronically distributed without parent permission.
- 9) In the case of a compromised account the Diocesan personnel will not be held responsible if appropriate remedial actions are taken:
  - a.a. Document the account breaches and remove inappropriate content
  - a.b. Change passwords and any other necessary measure to secure the site
  - a.c. Notify the personnel’s supervisor and identify others that may have been affected.

## **VII. Protocol for Handling Reports of Misconduct by Diocesan Personnel**

As part of its commitment to living the Word of God, the Diocese of Gallup renews its commitment to integrity in ministry, to living the Christian values in our daily work, to protecting children or vulnerable adults from abuse, and to providing pastoral care for the victims of abuse and their families, to those who have abused and to the religious communities affected.

### **1. In Cases of Physical Abuse or Neglect of a Minor or Vulnerable Adult**

The policy of the Diocese of Gallup is that all Diocesan personnel should consider themselves mandated reporters of information that any minor or vulnerable adult is being or has been abused or neglected, whether by sexual, physical or emotional means. The ***Diocese of Gallup Policy and***

*Procedures for the Protection of Minors* provides clear guidance for such reporting and all Diocesan personnel must be sufficiently familiar with the document to find the necessary information when needed.

## **2. In Cases of Other Immoral or unethical Misconduct by Diocesan Personnel**

Though we all strive to uphold the standards of the Catholic Church in our day-to-day work and personal lives, we do not always succeed. Forgiveness and “Judging not” are bedrock principles on which our faith is based. However, serious immoral and unethical conduct can weaken that bedrock and cause harm to the Church, the people of God. If serious immoral or unethical misconduct by Diocesan personnel is observed, it will be reported in the following manner:

- a.a. A report will be made to the pastor, administrator or parish coordinator.
- a.b. If the reporter is not satisfied with the response of the pastor, administrator or parish coordinator, they should appeal to the Chancellor.
- a.c. If the case of misconduct involves a pastor, administrator or parish coordinator, the report will be made to the Chancellor.

## **VIII. Coordination of Documentation**

1. This document is a compendium of essential ethical and practical guidance that crosses multiple different ministries, duties and disciplines within the Diocese and its functions. In this attempt to be comprehensive it is also abbreviated and dependent upon all the other Diocesan policies that are cited herein.

2. This policy serves as a summary of expectations of Diocesan personnel and a means for them to acknowledge the obligation to be knowledgeable of all the policies that are pertinent to their duties and their commitment to comply. As such it is a document that will need to change as the various other policies undergo revisions. Since the updates may not be synchronized, the principal policy for each special area must be considered primary and will take precedent. Due to this process of change it is appropriate for employees (and volunteers as in some cases) to review and sign this annually.

3. A copy of this document shall be filed with the United States Conference of Catholic Bishops. The Diocese will file all amendments to these policies with the United States Conference of Catholic Bishops within thirty (30) days of the revision.

## Appendix:

### Code of Ethics Acknowledgment Form

- ❖ Diocesan personnel (all clergy, religious, lay volunteers and employees) will strive to exhibit the highest Christian ethical standards and personal integrity in their day-to-day work and personal lives, supporting the teachings, discipline and traditions of the Catholic Church.
- ❖ Diocesan personnel shall strive to conduct themselves in a professional and respectful manner in both Church and work environments avoiding any flagrant or public misconduct.
- ❖ **It is the policy of the Catholic Diocese of Gallup that any sexual, physical, or emotional abuse of any person is not acceptable and will not be tolerated, especially minors and vulnerable adults.**
- ❖ Diocesan personnel will not neglect a minor or vulnerable adult who is in their care.
- ❖ Concerns about inappropriate or questionable behaviors and circumstances involving minors will be reported to the program supervisor, pastor or principal.
- ❖ In accordance with the law of the State of Arizona, State of New Mexico or Federal Law and policies of the Diocese of Gallup, any suspected abuse or neglect of a minor will be reported immediately. The Office of Safe Environment is available for clarification when in doubt of policy or procedure
- ❖ Diocesan personnel will not possess or distribute pornographic images by any type of media and will report pornographic images of minors as abuse.
- ❖ Diocesan personnel will provide a professional work environment that is free from physical, psychological, sexual, written or verbal abuse or harassment and will avoid any discrimination based on age, race color, sex, disability, national origin or veteran status.
- ❖ Diocesan personnel will respect the integrity of all individuals and protect the confidentiality and privacy of all information to which they have access.
- ❖ Diocesan personnel will not take unfair advantage of a supervisory or pastoral relationship for their own benefit.
- ❖ Personnel involved in counseling will maintain an appropriate professional environment so as to avoid any setting for misconduct or the appearance thereof. Counselors will take care to function within the scope of their training and credentials.
- ❖ Diocesan personnel will conduct financial affairs with diligence to adhere to Diocese policies to make certain that all activities meet the tests of integrity and transparency. Diocesan property will be protected.
- ❖ All personnel will be alert to conflicts of interest with outside activity so as to avoid compromises in management or appearance of inappropriate influence. Potential conflicts will be reported to supervisors.
- ❖ Diocesan personnel will use social media and social networking with appropriate care to avoid any appearance to represent the diocese in personal communication and to maintain appropriate interactions. Communications must be free of any harassment or discriminatory language or anything that would reflect negatively upon the Diocese.
- ❖ All personnel will exercise caution in any communication with a minor via electronic media. All such communication must be open to parents and supervisors. Sharing of any minor's information may not be done without parental consent.
- ❖ Diocesan personnel will maintain proper security procedures to protect the network from unwelcome intrusion and compromise.
- ❖ Diocesan personnel will share concerns about inappropriate behavior (not involving minors) with their pastor/parish coordinator, their administrator, or in cases where the behavior directly involves these people, with the Chancellor.

This document is a compendium of the essential ethical and practical guidance that crosses multiple different ministries, duties and disciplines within the Diocese and its functions. Because it is impossible to compile a comprehensive list of specific acts constituting misconduct, employees and volunteers must use common sense, guided by the principles set forth above, to direct their behavior and to abide by the current policies of the Diocese. The major policies that guide the function and ethical performance of duties for all Diocesan personnel are as follows:

- Diocese of Gallup Policy and Procedure Manual*
- Diocese of Gallup Policy and Procedures for the Protection of Minors.*
- Social Media Policy for the Diocese of Gallup*
- Finance Directives and Finance Council Norms for Parishes and Organizations in the Diocese of Gallup*
- Conflict of Interest Policy for the Diocese of Gallup*
- Office of Catholic Schools Administrative Handbook*

By signing this I am stating that I have received a copy of the *Code of Ethics (Acknowledgement Form)*, I have read it, and understand it, and I agree to abide by it. I also am aware of the major Diocesan policies and my obligation to read and abide by any of the guidance in those documents which applies to my duties in my work and interaction with Diocese of Gallup and its personnel. I am aware that all of these policies are available on the Diocesan Webpage and I may obtain printed copies by request.

A violation of this *Code of Ethics* can result in disciplinary action up to and including removal from serving in programs and/or termination of employment. It may also result in a release of information to law enforcement officials, the church community and the public media. No right of privacy may be assumed in this circumstance.

**Acknowledgment:**

I have potential conflicts of interest with my Diocesan duties: (Please check)

NO

YES (please list on the lines below your signature.)

**Please check one:**

- Priest                       Deacon                       Religious Brother                       Employee
- Seminarian                       Deacon Candidate                       Religious Sister
- Volunteer

\_\_\_\_\_

\_\_\_\_\_

Date	Printed Last Name	Printed First Name	Signature
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**Potential Conflicts of Interest:** (Please specify any perceived conflict to include membership on nonprofit and for-profit boards (and your spouse), any for-profit businesses for which you or an immediate family member are an officer of director, or a majority shareholder and the name of your employer and any businesses you or a family member own.)

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(use a separate page if needed)

To be kept on file at the Chancery for all Clergy of the Diocese, and employees of the Chancery plus other religious members who do not have an organization office in the Diocese. All others to be kept on file in local parish, mission, school or other agency.