

GUIDELINES FOR ETHICAL RELATIONSHIPS BETWEEN CLERGY AND CONGREGATIONS

It is clear that there is no code that will adequately cover all relationships and circumstances. The following is intended as a framework and a point of departure for the building and maintenance of trust among the people of God. Our purpose is to raise consciousness and to provide an atmosphere of support for anyone to speak out.

Clergy are bound by their baptismal vows to respect the dignity of every human being and through their ordination vows to be faithful and accountable pastors. Abuse of power occurs when accountability is absent or appropriate supports and personal care are not in place and/or relationship boundaries are violated. The following guidelines support the principles and practice of ordained ministry.

The following foundational premises are strongly recommended for clergy:

GENERAL GUIDELINES

- A. Avoid discrimination in collegial, pastoral or employment situations on the basis of race, gender, sexual orientation, national origin, age, class or educational status.
- B. Commit themselves to personal care and growth through supervisory, collegial or therapeutic support and spiritual direction.
- C. Manage their personal lives, caring for body, mind and spirit, seeking appropriate assistance for their own personal problems or conflicts.
- D. Provide counseling, pastoral support and spiritual direction only for those problems or issues that are within the reasonable bounds of their competence.
- E. Establish and maintain appropriate professional relationship boundaries.

PROFESSIONAL PRACTICES

- A. Use knowledge and skills for benefitting those they serve and not for securing unfair personal, professional or financial advantage.

SEXUAL GUIDELINES

PARISHIONER RELATIONSHIPS

- A. Much trust is placed in clergy and in the power of the priest/parishioner relationship. While the complexity of some pastoral relationships is acknowledged, clergy are to avoid exploiting the trust and dependency of parishioners.

B. All humans are sexual beings. They cannot and should not try to separate their sexuality from the rest of their being. However, particularly because of the imbalance in a priest/parishioner relationship, it is important that clergy exercise great care in the sexual aspect of their behavior. Sexual behavior with parishioners is unethical, even when a parishioner invites or consents to such behavior or involvement. Sexual behavior is defined as but not limited to all forms of overt and covert seductive speech, gestures and actions, as well as physical contact of a sexual nature. Sexual harassment is always unethical. Harassment is defined as but not limited to repeated unwelcome comments, gestures or physical contacts of a sexual nature.

C. The priest/parishioner ethical concerns continue even with former parishioners, for the relationship involves a power imbalance that can continue to exist following the end of that relationship, and it has the potential to be abused even when a person leaves the parish.

D. Clergy are also expected not to engage in sexual behavior with or harassment of supervisees, students, employees, curates, assistants, or associates.

FINANCIAL GUIDELINES

INHERITANCE

A. When members of a congregation wish to leave money in thanksgiving for the role the Church has played in their lives or to further the work of religion, such money is appropriately left to the Church corporately and not to clergy as individuals. The behavior of clergy ought never be such as to induce or encourage people to leave money to them or to place it under their control. This acknowledges the responsibility placed on clergy by the Book of Common Prayer:

The minister of the Congregation is directed to instruct the people, from time to time, about the duty of Christian parents to make prudent provision for the well-being of their families, and of all persons to make wills, while they are in health, arranging for the disposal of their temporal goods, not neglecting, if they are able to leave bequests for religious and charitable uses.

B. The details of estate planning are appropriately left to legal and financial professionals. The role of clergy is best limited to general guidance about the importance of religious bequests and the procedures to be followed for bequests to the Church corporately.

C. The general principle is that the main temporal compensation for clergy for their ministerial work is their salary. To seek to profit otherwise from past or current pastoral relationships is harmful to the integrity of the pastoral ministry. It is commendable, therefore, that members of the clergy transfer to the Church bequests made to the clergy person in gratitude for his or her ministry. It is appropriate for members of the clergy to consult with the Bishop or the Committee when a personal bequest is made,

and when the clergy person's relationship with the testator was both personal and professional.

D. The relationship of trust which we prize so highly can be damaged by clergy's benefitting personally from any trusts established for the benefit of the Church or by in any way inducing someone in the clergy person's pastoral care to leave money or other property to them.

DISCRETIONARY FUND

A. Discretionary funds are placed in the care of clergy so that they may respond in Christ's name to the poor, and so that they may carry out the work of ministry in an appropriate, responsive and flexible manner. It is appropriate for the Vestry or Executive Committee and the clergy to agree on the needs other than charity to which discretionary funds can be applied.

B. The relationship of trust between clergy and congregations is ill-served by the use of discretionary funds for personal expenses. Clergy integrity in the eyes of the larger community is impaired by any use of such funds for the purpose of concealing income (their own or someone else's) from those charged with administering the laws relating to taxation at any level of government.

C. Discretionary funds belong to the congregation, not to the clergy. A separate checking account in the Church's name for such funds best preserves their integrity.

D. Clergy are accountable to their congregations for the use of discretionary funds; at the same time, it is essential to keep confidential the identities of any persons receiving charitable gifts, as well as those donors who wish to remain anonymous. Clergy accountability can best be expressed by an audit of the amounts of income and expense by type, and by discretionary funds, but not the canceled checks or any other document that might reveal the names of recipients of charitable gifts. Questions of impropriety in the handling of discretionary funds are best dealt with by the Bishop or the Committee.

COMPENSATION

A. When clergy receive a full-time salary and related benefits for their work for the Church, it is inappropriate for them to undertake other work for pay that could interfere with their capacity to give full time and energy to their pastoral work. At the same time, it is recognized that circumstances may arise in which the accepting of other additional employment may be a necessity for them. In that case, it is appropriate that they consult with their Vestry or Executive Committee to set appropriate parameters for such additional work. In particular, such consultation is essential if the additional employment contemplated is opening a counseling practice, particularly if on Church property. Charging their own parishioners for such counseling services is a dubious practice, and it is recommended that income from such work be returned to the congregation.

B. A Letter of Agreement between clergy and Vestry or Executive Committee is essential and vital to the process of annual review of the mutual ministry of clergy and congregation. The amounts of fees for occasional services, the circumstances under which they are assessed and their disposition should be a matter of agreement between clergy and Vestry or Executive Committee.

LOANS

Loans from congregation to clergy can inject an inappropriate note into the relationship, except when made to allow the purchase of a home in the area served. Recognizing that the repayment of loans is a legal responsibility, written evidence of the loan and of the clergy's obligation to repay it is essential. To avoid jeopardizing the pastoral relationship between the clergy and the people, it is important not to accept any loan from a parishioner or group of parishioners without both the Bishop and the Vestry or Executive Committee being aware of the loan. Such notice may enable them to respond to the clergy's need in a more appropriate way than permitting the clergy to go into debt.

FINANCIAL RELATIONSHIP

Every aspect of the financial relationship between clergy and congregation or anyone in the congregation must be deemed to be a matter of trust. Much anguish and disappointment can be avoided by openness, communication and agreement between clergy and Vestries or Executive Committees in matters of finance.

GENERAL PROCEDURES CONCERNING VIOLATIONS OF ETHICAL STANDARDS

It is anticipated that some continuing body of clergy and laity will be established concerned with the area of ethical behavior. For reference purposes, it is here designated "the Standing Committee on Ethics", or simply "the Committee". Whenever ethical questions arise concerning pastoral, collegial, employee or supervisory relationships where the answers do not appear clear, clergy or congregations are expected to consult with this body for information, clarification and advice.

A. GENERAL PROCEDURES

1. If clergy suspect an ethical violation, they are encouraged first to approach the person in question to see if the matter can be resolved through clarification or remonstrance.
2. If this fails, or if an alleged violation appears to be a serious threat to the well-being of the priest or others, the matter is immediately referred to the Standing Committee on Ethics.
3. If priests receive complaints of unethical conduct against them, they are advised to report the complaints promptly to the Committee.

4. If the Treasurer or Members of the Vestry or Executive Committee of a parish or mission have become concerned that actions of their clergy may have ethical implications that threaten the well-being of the parish or mission, they are encouraged to ask the assistance of the Committee in investigating or offering judgment in the matter.
5. The Committee chair will consult with the Bishop if an investigation is needed.
6. Investigations usually include separate personal interviews by the Committee with the person making the complaint, with the clergy person against whom the complaint is lodged and with anyone else deemed necessary to obtain needed information.
7. Any member of the Committee who has or has had a close personal relationship with the priest under investigation shall be excused from the investigation and deliberations. If this includes the chair, a chair pro-tem will be named.
8. When the Committee is established, legal advice will be sought to insure that proper procedures will protect all persons involved.

B. ACTIONS

When the investigation is complete, there are several courses of action that the Standing Committee on Ethics may take:

1. Complaint dismissal. Advise that the complaint is unfounded.
2. Pastoral advisory. This action is meant to be educational, when a clergyperson has been unaware of having violated the guidelines. It is especially desirable to be sensitive to whether the clergy person has had a one-time "fall from grace" or is habitually close to the edge of impropriety.
3. Referral to the Bishop for disciplinary canonical action. This may include a recommendation for therapy or treatment if it has been determined that the violation stems from alcohol or substance abuse or psychological dysfunction.