



Diocese of Fall River

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# **CODE OF PASTORAL CONDUCT**

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**For Clergy, Staff, and Volunteers  
within the Diocese of Fall River  
Revised February 2019**

# Code of Pastoral Conduct

For Clergy, Staff, and Volunteers

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# Code of Pastoral Conduct

## For Clergy, Staff, and Volunteers

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### I. Preamble

The Catholic Diocese of Fall River (the Diocese) is committed to providing a safe environment for children within all diocesan activities and ministries. Children are the most precious gift God has entrusted to our care and all the faithful cooperate in taking every reasonable action to ensure their safety. Priests, deacons, pastoral ministers, administrators, staff, and volunteers in our parishes, religious communities/institutes, schools, agencies, and youth-serving agencies must exemplify Christian values and appropriate conduct must meet civil and canon law obligations and also reflect Catholic social teachings and this Code of Conduct. The Code of Pastoral Conduct for Priests, Deacons, Pastoral Ministers, Administrators, Staff, and Volunteers (Code of Conduct) provides a set of standards for conduct in certain situations. Within the pretense or context of a ministry relationship, certain behaviors and situations are unacceptable. To ensure the proper monitoring of activities, especially those pertaining to youth and vulnerable adults, this Code of Conduct intends to establish a balance between encouraging positive and appropriate interactions and hindering inappropriate and/or potentially harmful or unsafe interactions. Establishing standards of conduct with this balance in mind assists in creating and maintaining environments where there is no opportunity for sexual misconduct or other harmful acts.

### II. Responsibility

The public and private conduct of clergy, staff, and volunteers, can inspire and motivate, but when the actions are inappropriate it can also scandalize and undermine the people's faith. Clergy, staff, and volunteers must know that God's goodness and grace support them in their ministry and they must also be aware of the responsibilities that come with the trust offered by those seeking services.

Responsibility for adherence to the Code of Conduct is not optional and rests with the individual. All adults performing work, ministry, or volunteer service within the Diocese are expected to follow these guidelines and be compliant within the guidelines of the Office of Safe Environment. Clergy, staff, and volunteers who disregard this Code of Conduct or fail to act consistently with the Code of Conduct will be subject to remedial action by the Diocese. Violations of these guidelines are a serious matter and will be investigated and resolved in accordance with the organization's policy & procedures. Corrective action may take various forms—from a verbal reproach to removal from ministry based on the specific nature and circumstances of the offense and the extent of the harm or potential harm.

### III. Definitions

#### 1. Counselors/Spiritual Directors

- 1.1 There are some persons within the organization who have the role of being a counselor or a spiritual director as part of a ministerial relationship to a "client" or another member affiliated with the Diocese. These include Pastors, Counselors, and Spiritual Directors who provide pastoral, spiritual, and/or therapeutic counseling services to individuals, families, or other groups.
- 1.2 Clergy may also have a role as a counselor or spiritual director.
- 1.3 Appropriate pastoral conduct is expected on behalf of all Clergy, Counselors, and Spiritual Directors. *[See Section IV]*

#### 2. Client

- 2.1 For the purposes of this Code, the terminology of "client" refers to the person receiving the service provided within the ministerial relationship.

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### 3. Adult volunteer

- 3.1 Adult volunteers are defined as those 18 or older who are no longer in high school.
  - 3.1.1 Students who are in high school and have not reached their 19<sup>th</sup> birthday are to be treated as minors when participating in parish or diocesan activities.
- 3.2 Adult volunteers are not counselors. Their response to situations and conversations by minors may have potential legal implications and they must, therefore, know their boundaries. The role of an adult volunteer is limited to compassionate listening, along with communicating concerns to the appropriate party per policy and procedures and the Code of Conduct.

### 4. Child

- 4.1 For the purposes of this Code, “children,” “child,” “minor,” “youth,” or “young person” is defined to mean any person less than 18 years of age. Anyone under the age of 18 or, per the *Charter for the Protection of Children and Young People (2018)*, “a person who habitually lacks the use of reason is to be considered equivalent to a minor.”
- 4.2 Under no circumstances may a child be placed in a supervisory role over other children. It is the responsibility of adults to properly supervise the children in their care. Any teenager who is designated to assist in a youth program must be compliant with safe environment policy and procedures.

### 5. Vulnerable adult

- 5.1 While each of us can be vulnerable in any given set of circumstances, the phrase “vulnerable adults” has a wide and varied definition. In the Diocese of Fall River the terminology can apply, but is not limited to:
  - 5.1.1 Persons 18 years of age and older, with physical, mental, emotional, or behavioral conditions;
  - 5.1.2 Adults with an illness or situation that renders an inability to defend, protect, or get help when injured or abused;
  - 5.1.3 Individuals whose condition or disability impairs their ability to provide adequately for their own care, including adults who habitually lack the use of reason, along with individuals who have a court-appointed guardian.
  - 5.1.4 The elderly, whose various circumstances might make them susceptible to persons or situations that cause them harm, or individuals who are residents or patients within hospitals, group homes, nursing homes, day service facilities, day activity centers, adult foster-care homes or an adult who receives care services from a licensed home care or personal care service within their own homes.

### 6. Social Media

- 6.1 Social Media is defined as any form of electronic communication through which a user creates, utilizes, accesses, retrieves, and/or visits online communities or systems to share information, ideas, personal messages, and other content.

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- 6.2 For the purposes of this Code of Conduct, Social Media is to encompass but is not limited to, all of the following: email, texting, chat rooms, instant messaging, social networks, video messaging, online message boards, gaming systems, landline and mobile telephones, online voice communications, etc.

### IV. Pastoral Standards

#### 1. Conduct for Clergy, Counselors, and Spiritual Directors

- 1.1 Clergy, Counselors, and Spiritual Directors must respect the rights and advance the welfare of each person.
- 1.2 Clergy, Counselors, and Spiritual Directors must not step beyond their competence in counseling situations and must refer clients to other professionals when appropriate.
- 1.3 Providing counseling services to someone with whom the Clergy, Counselor, or Spiritual Director has an existing relationship is not recommended. This does not preclude ministers providing services to members of their congregations or institutions. However, the nature of the relationship must be given careful consideration before entering into a counseling relationship particularly given the disparity of power that occurs in ministerial relationships. Clergy, Counselors, and Spiritual Directors should avoid counseling relationships with people whom they have a close or professional relationship (i.e., employee, professional colleague). They should also decline to provide counseling services to family members, friends, and other close personal relationships.
- 1.4 Clergy, Counselors, and Spiritual Directors must not record audio or video of any of the sessions. In the case that professional observation of the counselor is required, the client must be notified, and, if at all possible, the conversation should be conducted in an environment that allows for anonymous observation (i.e. within an office that includes an observation window or video conferencing capability).
- 1.5 Clergy, Counselors, and Spiritual Directors must never engage in sexual intimacies with the persons they counsel. "Sexual intimacy" means physical sexual contact as well as inappropriate conversation, communication, or body language of a sexual or perceived sexual nature. This guideline applies to both nonconsensual sexual intimacies and what might be considered consensual sexual contact.
- 1.5.1 If at any time, a client indicates interest in establishing or pursuing an intimate relationship or any relationship outside the counseling sessions with his or her counselor, the supervisor must be immediately notified, with the end goal of working together to decide an appropriate course of action to interrupt this thinking.
- 1.5.2 Clergy, Staff, and volunteers should also avoid the appearance of inappropriate contact via behavior, conversation, other forms of communication, travel, etc.
- 1.6 Clergy, Counselors, and Spiritual Directors must not engage in sexual intimacies with individuals who are close to the client—such as relatives or friends of the client. Such relationships can pose a risk of exploitation or potential harm to the client and should be avoided. The leader must presume that the potential for exploitation or harm exists in such intimate relationships and refer the client to another trusted professional.

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- 1.7 Clergy, Counselors, and Spiritual Directors are fully and completely responsible for establishing and maintaining clear, appropriate boundaries in all counseling, counseling-related, and ministerial relationships. The responsibility for upholding proper boundaries must always reside on behalf of the person providing the counsel. Attempts by the client to initiate an inappropriate relationship with the counselor will not mitigate this responsibility for maintaining an appropriate, professional relationship.
- 1.8 Physical contact of any kind (i.e., touching, hugging, holding) between Clergy, Counselors, and/or Spiritual Directors and the persons whom they provide ministry or counsel can be misconstrued and should be avoided and must always adhere to the principle of maintaining transparency in all interactions. They must be sure that any contact is public, appropriate, and non-sexual. Behavior conducted via electronic methods of communication must also be proper and transparent. *[See Section V.4]*
- 1.9 Sessions should be conducted in appropriate settings at appropriate times.
  - 1.9.1 No sessions may be conducted in private living quarters.
  - 1.9.2 Sessions should not be held at places or times (outside of acceptable ministry practices) that could cause confusion about the nature of the relationship for the person being counseled or for others in the environment.
  - 1.9.3 Clergy, Counselors, and Spiritual Directors should never meet alone with a client or recipient of ministerial service in a location or at a time when no one else is in the facility to observe interactions. Always promote an atmosphere and attitude of openness and transparency when meeting with clients.
    - i. If a client comes for an unscheduled appointment or arrives at a time when there are no other adults in the facility, the ministerial leader should either reschedule the appointment or require another adult to stay in the facility during the appointment.
- 1.10 Clergy, Counselors, and Spiritual Directors must maintain a log of the times and places of sessions and a brief summary of the sessions with each person being counseled. These logs are permanent records.
- 1.11 Clergy, Counselors, and Spiritual Directors must know what practices are in place to ensure safe environments and be aware of proper behavior while planning activities for youth.
- 1.12 Clergy, Counselors, and Spiritual Directors should inform supervisors and/or other staff on the premises of one-on-one meetings with youth, and invite random visual observation or status checks—even if the meeting is not on the organization’s property. For example, being able to visually observe the Clergy, Counselor, or Spiritual Director at all times from outside the room provides assurance that the interactions are appropriate to the relationship without compromising the privacy of the session.
- 1.13 Clergy, Counselors, and Spiritual Directors should establish a type of emergency response system with colleagues and/or other staff to properly respond to emergencies or unforeseen situations that could create a risky or unsafe environment.

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- 1.14 Clergy, Counselors, and Spiritual Directors should limit interactions between youth they are serving and other adults affiliated with the programs or agency while the young person is receiving services. They must ensure that any contact with affiliated adults is also public, appropriate, and non-sexual.

## 2. Confidentiality

*Information disclosed to Clergy, Counselors, or Spiritual Directors during the course of any session must be held in the strictest confidence possible. **NOTE:** The following guidelines and obligations are independent of the confidentiality of the confessional. Under no circumstances can there be any disclosure—even indirect disclosure—by priests of information received through the Sacrament of Reconciliation or any communication protected under Internal Forum.*

- 2.1 Information obtained in the course of professional counseling sessions must 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 to others, the Clergy, 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 Clergy, Counselor, or Spiritual Director should inform the person being counseled about the disclosure and the potential consequences.
- 2.2 Clergy, Counselors, and Spiritual Directors should discuss the nature of confidentiality and its limitations with each person in counseling. This includes telling the client from the beginning the circumstances under which confidentiality is considered “waived” (i.e., a risk of imminent danger to the client or others, reporting abuse as mandated by law, etc.).
- 2.3 The 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.
- 2.4 **DUTY TO WARN:** If a Pastoral Counselor or Spiritual Director discovers that there is a) a serious threat of imminent harm to a specific person or b) a serious threat to the welfare of a minor client and that communication of confidential information to a parent, legal guardian, person at risk, or law enforcement is essential to the health and well-being of all parties, the Counselor or Spiritual Director must:

2.4.1 Attempt to secure written consent from the client for the specific disclosure.

2.4.2 If consent is not given, disclose only the information necessary to protect the health and well-being of the client and any other person at risk of harm.

Consultation with the appropriate supervisory personnel is required before disclosure.

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### V. Standards of Appropriate Behavior

#### 1. Conduct With Youth

*Clergy, staff, and volunteers interacting with youth must maintain an open, transparent, and trustworthy relationship between youth and adult supervisors.*

- 1.1 Clergy, staff, and volunteers must be aware of their own and others' vulnerability when working alone with youth and should use a team approach to manage youth activities.
  - 1.1.1 Establish appropriate ratios of adults to youth in all programs and activities.
  - 1.1.2 Ratios should be determined separately for each activity based on a) age and development of the youth involved, b) the level of risk of isolation in the activity, and c) location of the activity and ability for others to casually observe the youth and adult(s) involved.
  - 1.1.3 The required minimum ratio for Chaperones/Supervisors to children for a day trip:
    - i. Preschool 1:4
    - ii. Grades K-5 1:5
    - iii. Grades 6-8 1:8
    - iv. Grades 9-12 1:10
  - 1.1.4 The required minimum ratio for Chaperones/Supervisors to children for events lasting more than 12 hours is 1:7.
- 1.2 Physical contact with youth can be misconstrued and must occur in public, and be appropriate and completely non-sexual. Physical contact must never occur in private. *[For information on contact via electronic communication, See Section V.4]*
  - 1.2.1 Except in emergencies, physical contact between adults and minors in professional relationships should be initiated by the minor. Adults should not generally initiate physical contact other than an occasional congratulatory pat on the upper back, handshake, "high five," etc.
- 1.3 Clergy, staff, and volunteers must not possess or use illegal drugs at any time and must not consume or have consumed alcohol when working with youth. The Diocese has a "No Tolerance" policy regarding the use or possession of illegal drugs and the use of alcohol when working with youth. Anyone found to be using, or in possession of illegal substances, will be terminated. Anyone using alcohol when working with youth will be subject to disciplinary action including possible termination.
- 1.4 Pastors, Counselors, and Spiritual Directors must not allow individual young people to visit or stay overnight in the professional's private accommodations or residence.
- 1.5 Clergy, staff, and volunteers must not provide shared, private, overnight accommodation for individual young people including, but not limited to, accommodations in any Church-owned facility, private residence, hotel room, or any other place when no other adult is present.



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- 1.5.1 In rare emergency situations when accommodation is necessary for the health and well-being of the youth, the clergy, staff, or volunteer must take extraordinary care to protect all parties from the appearance of impropriety and from all risk of harm. This includes assuring that more than one adult is present. In the rare case that no other adult is available, it is the responsibility of the clergy, staff and/or volunteers to be in communication with a supervisor or colleague to create a plan to provide for the needs of the youth and, at the same time, maintain safety.
- 1.5.2 Use a buddy system or team approach to managing emergency situations. Provide the plan to all staff and responsible adults in writing and review it together periodically.

## 2. Sexual Conduct

*Clergy, staff, and volunteers must not exploit the trust placed in them by the faith community for any purpose, and particularly not for sexual gain or intimacy.*

- 2.1 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.
- 2.2 Clergy, staff, and volunteers who provide pastoral counseling or spiritual direction must never develop intimate relationships with minors, including online relationships, and should avoid developing inappropriately intimate relationships with other staff, or parishioners. Clergy, staff, and volunteers must act in a professional manner and be an example of Christian chastity at all times.
- 2.3 No clergy, staff, or volunteer may exploit another person for sexual purposes.
- 2.4 Allegations of sexual misconduct should be taken seriously and reported to civil authorities when the situation involves a minor and to the Office of Safe Environment in all circumstances. Diocesan procedures will be followed to protect the rights of all involved.
- 2.5 Clergy, staff, and volunteers should review and know the contents of the child abuse regulations and reporting requirements for the Commonwealth of Massachusetts and should follow those mandates.

## 3. Harassment

*Clergy, staff, and volunteers must not engage in physical, psychological, written, or verbal harassment of staff, volunteers, or parishioners and must not tolerate such harassment by other Church staff or volunteers.*

- 3.1 Clergy, staff, and volunteers must provide a professional work environment that is free from physical, psychological, written, or verbal intimidation or harassment.
- 3.2 Harassment encompasses a broad range of physical, written, or verbal behavior, including without limitation the following:
  - 3.2.1 Physical or mental abuse.
  - 3.2.2 Racial insults or discriminatory practices.

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- 3.2.3 Derogatory ethnic slurs.
- 3.2.4 Persecution based on religious beliefs or practices.
- 3.2.5 Disparaging remarks and treatment because of disability
- 3.2.6 Provoking bullying and ridicule as a result of illegal disclosure of medical information.
- 3.2.7 Unwelcome sexual advances or touching.
- 3.2.8 Sexual comments or sexual jokes.
- 3.2.9 Requests for sexual favors used as:
  - i. A condition of employment; or
  - ii. A condition for favorable personnel decisions, such as promotion or compensation; or
  - iii. An agreement to provide or continue professional counseling or pastoral services.
- 3.2.10 Display of offensive materials.
- 3.3 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 or professional environment.
- 3.4 Allegations of harassment should be taken seriously and reported immediately to the appropriate person in the parish, community/institute, diocese, or agency. Diocesan policy and procedures will be followed to protect the rights of all involved.

#### 4. Electronic Communication

- 4.1 All information and messages that are created, sent, received, or stored using Diocesan communication assets are the sole property of the Diocese, and no user has any ownership interest or expectation of privacy in such communications. The Diocese retains the right, in its sole discretion, to review all information or communications sent, received, stored, or posted using Diocesan communication assets. The Diocese also retains the right to track Internet sites, chat rooms, and newsgroup visits, as well as file downloads, for compliance with Diocesan policies and for other business reasons. The Diocese has the right to conduct such a review without prior notice to the employee. The user consents to allow Information Technology and Diocesan access to, and review of, all materials created, stored, sent, or received by the user through any Diocesan network or Internet connection. Employees may not intercept or disclose, or assist in intercepting or disclosing, electronic communications.
- 4.2 Any content posted or communicated online by staff or volunteers must reflect Catholic teachings and values.
- 4.3 Further advancements in technology may require periodic updates and addendums to this section of the Code of Conduct. The universal principles provided for are to be applied prudently and judiciously in the event an update has not occurred.

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### 5. Electronic Communication with Minors

*All decisions related to electronic communication with minors must be made by a pastor, principal, or administrator. No individual employee or volunteer may use electronic communication with minors who participate in any of this organization's activities without written permission from both the organization's leadership and the minor's parent or another responsible party. "Electronic communication" includes all aspects of social media as defined in the "Definitions" portion of this document.*

- 5.1 No clergy, staff, or volunteer shall collect email addresses, phone numbers, or any other medium of communication from minors without written permission from parents or guardians.
  - 5.1.1 Parents or guardians must designate, in writing, which form(s) of communication with children may be used and must provide the contact information.
  - 5.1.2 In the case of elementary or middle school age children, parents should always be contacted directly.
  - 5.1.3 In the event of any direct communication between professionals, staff, or volunteers and minors, parents and/or guardians must be copied on the content of the communication.
- 5.2 Electronic communication should be brief and on topic using language appropriate for communicating with the minor and his or her parent or guardian. Additionally, all communication must conform to the Diocesan Code of Conduct and Safe Environment policies, practices, and training. Communication that disregards or violates the Code of Conduct standards in any way will not be tolerated regardless of the medium used for conveyance.
- 5.3 Except in an emergency, all communication (including electronic) between professional clergy, staff, and volunteers and any program services participant should take place between the hours of 7:00 a.m. and 9:00 p.m. including posting to websites and social networking sites.
- 5.4 Appropriate boundaries that must be respected in face-to-face or verbal communication also apply to any electronic communications with minors or adults.
- 5.5 The following guidelines apply to specific forms of electronic communication:
  - 5.5.1 Cell phones, texts, Twitter, Instagram, and other messaging services:
    - i. Clergy, staff, and volunteers will use office lines to conduct conversations with Diocesan services participants.
    - ii. Except in case of an emergency, clergy, staff, and volunteers must not call minors directly (on the minor's cell phone), and must instead contact parents or call family phones.
    - iii. Clergy, staff, and volunteers must not share personal cell phone numbers with minors unless approved by parents, guardians, and administrators.
    - iv. Clergy, staff, and volunteers must not communicate with minors by text or other electronic messaging services (Exception: A one-on-one messaging option on a group page sponsored by the appropriate supervisor of the parish, school, agency, or organization).

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### 5.5.2 Email

- i. Clergy, staff, and volunteers must not contact youth from personal email accounts, and may only use only official Diocesan accounts.
- ii. Except in exceptional circumstances, clergy, staff, and volunteers must copy parents or guardians on all email communications. If copying parents or guardians is not possible or not recommended, copy a supervisor or administrator. In the case of elementary and/or middle school children, only email parents.
- iii. Clergy, staff, and volunteers must not add any minor to personal email lists. When copying minors on approved communications, blind copy options must be used.
- iv. If at any time, clergy, staff, and volunteers receive an inappropriate personal communication from anyone participating in or affiliated with the Diocese, the individual should maintain an electronic copy, print a hard copy, and notify a supervisor immediately.

### 5.5.3 Social Networking Sites

- i. Clergy, staff, and volunteers should not use personal social networking sites to contact minors. The individual parish or agency can create a group or agency page strictly for agency-related communications. These accounts must be approved in advance by the appropriate minister registered with the parish or agency, and labeled to reflect their official nature. More than one individual must have oversight over the content and internal messaging, although passwords and administrative authority for such pages should be limited to the pastor or agency administrator or their designee.
- ii. No personal contact information should be provided in profiles or the accounts used on behalf of the representative of the Diocese.
- iii. Only official email addresses, office phone numbers, and job titles may be used.
- iv. All accounts should be set to maximize privacy. Parishes and agencies may publicize their presence on social media. However, no effort should be made to seek out minors as participants on the sites.
- v. Clergy, staff, and volunteers should ignore “friend requests” from minors that are addressed to the adult’s personal social media account/application.
- vi. No pictures may be posted without written permission for all those appearing in the photo (for minors, this would be the parent or guardian), and persons may not be tagged or identified in a photo.
- vii. Clergy, staff, and volunteers must comment only on services or ministry-related threads from the ministry-related account.
- viii. Clergy, staff, and volunteers may not use instant messaging programs on social networking sites to communicate with minors, unless the material is recorded and kept on file, and reviewed by a supervisor.
- ix. Supervisors and/or their designees should monitor sponsored sites. Inappropriate posts must be promptly removed/deleted.
- x. Monitoring responsibility also applies to any unofficial site created by third parties about the program or services. If inappropriate content is present, monitors should report the pages/groups/users to the hosting site and ask that the site be removed. This includes but is not limited to unauthorized use of logos, bullying, harassment, or defamatory language.

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### 6. Monitoring Behavior

*All Clergy, staff, and volunteers must monitor their own behavior and the behavior of all others in the Diocese to prevent, recognize, and respond to risky, inappropriate, and harmful behaviors and to reinforce, acknowledge, and appreciate appropriate behavior.*

- 6.1 Clergy, staff, and volunteers should continuously observe interactions between adults and youth and youth and other youth in the agency and/or environment and react appropriately.
- 6.2 Clergy, staff, and volunteers should be clear about the established boundaries for the Diocese as set out in the applicable Codes of Conduct and be able to identify any actions in violation of those boundaries. Clergy, staff, and volunteers should pay particular attention to adults showing favoritism, giving gifts, setting up unsupervised or unscheduled time alone with a young person, or any other sign of possible grooming activity.
- 6.3 Clergy, staff, and volunteers should identify potentially risky situations and create proactive plans to address them in advance.
- 6.4 Clergy, staff, and volunteers should reward and reinforce appropriate actions as well as monitoring and addressing inappropriate behavior.
- 6.5 Clergy, staff, and volunteers must report concerns about possible inappropriate behavior or activities to the supervisor responsible for that program. If the incident involves the supervisor, a report must be made to the person to whom that potential offender is responsible.
- 6.6 Clergy, staff, and volunteers must document any reports of behaviors that raise concerns, violate boundaries, or are inconsistent with the program/agency's policies and procedures.
  - 6.6.1 Documentation must be written and include any supporting documentation.
  - 6.6.2 Reinforce positive supervisory behavior.

### 7. Conflicts of Interest

*Clergy, staff, and volunteers must 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 The Diocese should provide all clergy, staff, and volunteers with a written "Conflict of Interest" policy that defines the agency's expectations including the relevant factors that could result in a conflict of interest.
- 7.2 Clergy, staff, and volunteers must disclose all relevant factors that potentially could create a conflict of interest.
- 7.3 Clergy, staff, and volunteers must inform all parties when a real or potential conflict of interest arises. Resolution of the issues must protect the person receiving ministry services.
  - 7.3.1 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.

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- 7.3.2 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.
- 7.3.3 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:
- i. Clarify with all parties the nature of each relationship,
  - ii. Anticipate any conflict of interest,
  - iii. Take appropriate actions to eliminate the conflict, and
  - iv. Obtain from all parties written consent to continue services.
  - v. Provide documentation of these conversations to the program or agency supervisor.
- 7.4 Conflicts of interest also may arise when a Pastoral Counselor or Spiritual Director's independent judgment is impaired by (a) prior dealings, (b) becoming personally involved, or (c) becoming an advocate for one (person) against another. In these circumstances, the Pastoral Counselor or Spiritual Director must advise the parties that he or she can no longer provide services and refer them to another Pastoral Counselor or Spiritual Director or to the agency's supervisor for reassignment.

## 8. Reporting Ethical or Professional Misconduct

*Clergy, staff, and volunteers have a responsibility to monitor their behavior and that of other clergy, staff, and volunteers, and a duty to report ethical or professional misconduct, inappropriate or harmful behavior, potentially risky situations, and potential boundary violations by anyone.*

- 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. Also notify the Office of Safe Environment, parish, religious community/institute, agency, or organization.
- 8.2 When uncertainty exists about whether a situation or course of conduct violates this Code of Conduct or other religious, moral, or ethical principles, consult with:
- 8.2.1 The supervisor of the agency of the person with concerning behavior,
  - 8.2.2 The supervisor of the person observing the questionable behavior, or
  - 8.2.3 The Office of Safe Environment or responsible administrative authority for the religious community/institute, agency, or organization.
- 8.3 When it appears that a member of the clergy, a staff member, or a volunteer has violated this Code of Conduct or other religious, moral, or ethical principles:
- 8.3.1 Consider communicating directly to the person.
  - 8.3.2 In addition, communicate the issue to a supervisor or next higher authority, or
  - 8.3.3 Refer the matter directly to the Office of Safe Environment and/or the Diocesan Human Resource Department.

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The obligation of Pastors, 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 2.5.

- 8.4 The Diocese, parish, and/or agency should develop a system to track credible allegations of the sexual abuse of minors by clergy, staff, and volunteers.
- 8.4.1 Include child sexual abuse as a category on general incident reporting forms for significant physical injuries. Clergy, staff, or volunteers who first notice the injuries or learn of the alleged abuse should complete these forms.
- 8.4.2 All reports of suspected child abuse and child sexual abuse should be reviewed by a trained investigator (internal or external) for purposes of assessing the agency's policies and procedures. Reports should include the results of child abuse and child sexual abuse cases.
- 8.4.3 The investigator should make recommendations for:
- i. Policy modifications that could prevent future similar occurrences
  - ii. Training or re-training of staff to clarify procedures and correct any missteps in following proper procedures.
- 8.5 Clergy, staff, and volunteers must not conduct investigations. However, in certain circumstances, a few clarifying questions may be asked to determine whether a report is necessary and to adequately report suspicion or allegation to the authorities.
- 8.5.1 The name of the parties involved is a relevant piece of information for reporting.
- 8.5.2 Basic information to clarify the nature of the interaction to assure that the report is necessary (i.e. to understand what a youth means by using certain words with several interpretations).

## 9. Administration

*Employers and supervisors must 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 must meet civil and canon law obligations and also reflect Catholic social teachings and this Code of Conduct.
- 9.2 No clergy, staff, or volunteer must use his or her position to exercise unreasonable or inappropriate power and authority.
- 9.3 Each volunteer providing service to children and youth must read and sign the Code of Pastoral Conduct before providing services.

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# Code of Pastoral Conduct

For Clergy, Staff, and Volunteers

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## VI. Acknowledgment of Receipt

The purpose of this Code of Conduct is to make clear to clergy, administrators, staff, and volunteers that certain behaviors are unacceptable and to ensure proper monitoring of all youth. The following is the official receipt denoting that the individual whose signature appears below has read and understands the guidelines contained in the attached Code of Conduct document.

**Please complete, sign, detach this entire page from the full packet, and submit:**

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I have read and understand the guidelines contained in the attached Code of Conduct, and I intend to follow these guidelines and to monitor and protect children and young people in my service to the Diocese of Fall River. I understand that any action inconsistent with this Code of Conduct or failure to take action mandated by this Code of Conduct may result in my removal as clergy, a volunteer, or an employee.

_____	
<b>Full legal name (please print)</b>	
_____	_____
<b>Signature</b>	<b>Date</b>
_____	
<b>Position / Ministry</b>	
_____	_____
<b>Email and phone number</b>	<b>Parish / School / Organization</b>

*Please complete this page, sign it, detach it from the full packet, and return it to your parish, school, agency, or organization location. This sheet will be kept on file at the parish, school, agency, or organization indefinitely.*

### Office Use Only

Date submitted / processed: \_\_\_\_\_ Received by (name): \_\_\_\_\_

Notes: \_\_\_\_\_