

GUIDELINES

Pastoral Support for a person accessing voluntary assisted dying guidelines

Related Policy	
Application	
Contact Officer	

1 Purpose and scope

This document outlines the Guidelines underpinning the provision of pastoral support by Uniting Church in Australia Queensland Synod Ministry Agents and Lay Leaders outside of a health care context to persons eligible to access voluntary assisted dying (VAD) across Queensland. The Guidelines supports compliance with the Voluntary Assisted Dying Act 2021 (Qld) (The Act).

2 Definitions

Presbytery Leadership	Means the Presbytery Minister or his/her delegate or the Chair of the Presbytery.
Conscientious Objection	Refusal by an individual to participate in any aspect of the voluntary assisted dying process due to personal beliefs, values or moral concerns.
QVAD Support	The Queensland Voluntary Assisted Dying Support Service. Its purpose is to provide support, assistance and information to people relating to VAD.
VAD Pathway	Means the person has made a first request or subsequent request and assessment for voluntary assisted dying to a registered medical practitioner.
Ministry Agent	Means a person in a recognised ministry of the Uniting Church in Australia and is exercising pastoral responsibility in a placement.
Lay Leader	Means all lay leaders, including but not exclusively Church Councillors, elders, worship leaders, chairs of committees, team / activity leaders. who accepts a leadership role within a Congregation and exercising pastoral ministry.

GUIDELINES

3 The Nature of Pastoral Conversation

- 3.1 All spiritual and pastoral conversations with a person who is considering, or has decided to undertake VAD, are to be conducted in accordance with the professional standards of the Uniting Church in Australia Code of Ethics and Ministry Practice.
- 3.2 In the pastoral relationship, Ministry Agents seek to express an ethic of care, which includes nurturing the other person's power over their own life as they relate to others and to God.
- 3.3 Ministry Agents shall recognise the power that is inherent in their role and shall not use this power in a manner which is coercive or unprofessional.
- 3.4 *The Remaining with People in Lament and Hope: A Pastoral Response to the Voluntary Assisted Dying Pathway* is a resource to support Ministry Agents and Lay Leaders in pastorally accompanying people in line with the Code of Ethics and Ministry Practice.

4 Request for Information and Discussions about VAD

- 4.1 Ministry Agents and Lay Leaders must not initiate discussions about VAD with, or suggest VAD to, persons, their family members or friends.
- 4.2 This does not prevent Ministry Agents or Lay Leaders from providing information about VAD to a person at that person's request.
- 4.3 The Act emphasises the importance of autonomy of a person in relation to all decisions relating to VAD. Ministry Agents or Lay Leaders must take care not to induce, or engage in any conduct which may be seen to induce, a person to make, or revoke, a request for access to VAD. Doing so may constitute an offence under the Act which is punishable by imprisonment.
- 4.4 When a person makes a request for information about VAD, the Ministry Agents or Lay Leaders may provide the person with the contact details of QVAD Support.
- 4.5 Alternatively, if the Ministry Agent or Lay Leader has a conscientious objection to providing information about VAD, they can simply state this to the person in a respectful way.
- 4.6 When a Ministry Agent or Lay Leader has a pastoral conversation in which VAD is prominent, and they are aware that **the person has entered into a VAD Pathway**, they are to notify the Presbytery Leadership, without disclosing any personal information. This includes not providing information from which the person's identity can reasonably be ascertained unless the person consents to this. The purpose of this notification is to ensure compliance with the Act and this Guideline.
- 4.7 The Presbytery Leadership is to ensure compliance with this Guideline and to notify the General Secretary or his/her delegate.
- 4.8 Where it becomes clear that a conversation extends beyond a pastoral conversation insofar as it relates to VAD, the Ministry Agent or Lay Leadership is to refer the person to QVAD Support for ongoing access to relevant information/support.

5 Documentation and Privacy

- 5.1 Ministry Agents and Lay Leadership are to document pastoral conversations held with a person involving VAD, **and the person is on a VAD pathway**, by way of pastoral notes.

GUIDELINES

- 5.2 Pastoral notes are to be stored in a secure location and kept for no longer than three years before being destroyed.
- 5.3 As with other sensitive information in a pastoral context, Ministry Agents or Lay Leadership involved in the care of a person considering or accessing VAD must only record or share the person's personal information as necessary, considering privacy / confidentiality obligations.
- 5.4 Verbal consent to the recording of information should be obtained from the person prior to documenting a discussion regarding VAD. This is to be noted in a pastoral note recorded by the Ministry Agent.
- 5.5 Information that is to be recorded in pastoral notes is listed below. This is to be undertaken after every conversation with the person in which VAD was prominent in the meeting and the person is on a VAD Pathway.

6 Visiting Clergy and Pastoral Care Volunteers

- 6.1 If you are a visiting clergy or volunteer at a Health Care context, you need to be familiar with the facility policy and procedures for VAD.

Consent to the recording of information

Consent can be obtained verbally, with the fact of verbal consent subsequently noted in the pastoral notes. There is no need to ask the person to sign a form.

Example of verbal consent:

Now that the topic of voluntary assisted dying has come up, this raises certain obligations under legislation. These include making sure that any choices you make are your own and not influenced by other people.

I am able to talk about voluntary assisted dying with you but I will need to make some notes about that part of the discussion in your records afterwards. These notes are confidential pastoral records securely stored and accessible only to me.

Are you happy for me to do that?

Documentation

Notes should be written immediately afterwards while memory is clear.

Documentation of the following information is recommended:

- Date and time of conversation
- Names of all persons present
- How the topic of VAD was raised and by whom
- The fact that the person gave their verbal consent to documentation of the discussion
- The substance of matters discussed by the person
- The substance of any comments, statements or questions from you
- What was the outcome? Eg. information provided, referral to QVAD Support, person considering their position, person planning to speak with doctor etc.

GUIDELINES

Example: Recording the Substance of the conversation

Visited Jane. She shared with me some significant emotions and feelings about life and death. She asked about the ethics of VAD from a religious perspective. I encouraged her to reflect on her understanding of God and life, and her faith tradition. There was no statement made by me regarding support for or opposition to VAD. The conversation concluded with Jane requesting another visit which I will arrange for in the next week.

Version	Authorising Position	Approval Date	Effective Date	Change History	Review Date
1.0	Director of Mission			New document	