

Reflecting on the Code of Ethics and Ministry Practice



A resource for Uniting Church
in Australia ministers

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with assistance from Uniting Communications,
Queensland Synod 2014



The Uniting Church in Australia
QUEENSLAND SYNOD

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The Code of Ethics and Ministry Practice¹ is a code of ethics for Uniting Church in Australia ministers whether in approved placement or not. When the Code of Ethics was originally introduced it was accompanied by a support document² an extract of which is below.

A Code of Ethics stipulates the behaviour appropriate to a specific profession. This Code of Ethics outlines the behaviours that the Church and the ministers themselves accept as necessary for those who fulfil a ministry in the Church. This means that the Church wants to clarify for its members, and for those people who have contact with the Church, what behaviour they can expect from a minister.

A Code of Ethics provides guidelines for the way that ministers relate to those in their care. It does not mean that ministers are not already fulfilling these expectations, rather the Code of Ethics should support existing good practice and encourage all to act in that way.

Ministers are required to participate in regular training workshops in relation to the Code of Ethics and Ministry Practice. Through such workshops ministers are enabled to learn about and reflect on the Code of Ethics and their exercise of ministry.

These worksheets are a resource for ministers to use for their own individual reflection on the Code of Ethics. Ministers could also use them as conversation discussion starters with people within their placement, ministry colleagues or with their spouses/partners. They focus on five key Code of Ethics concepts: intimate community, boundaries, pastoral relationship, confidentiality and power.

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¹ Uniting Church in Australia Code of Ethics and Ministry Practice approved by the twelfth Assembly July 2009 and updated 2012. Through this document the Code of Ethics and Ministry practice will be shortened to 'the Code of Ethics'.

² Support document for the Interim Code of Ethics 1997 Uniting church in Australia p2

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Worksheet 1

The context of the Code of Ethics and Ministry Practice

Reflect on the following questions

Who comes under the Uniting Church in Australia Code of Ethics and Ministry Practice? (Who does not come under this Code?)

Ministers are required to inform the appropriate council or officer of the church if the behaviour of any minister, lay employee or lay appointee could be considered sexual misconduct. Who would you inform?

Why do you think the Uniting Church in Australia has a Code of Ethics for ministers?

What is the purpose of the Uniting Church Code of Ethics?

How would you explain to others the relationship between awareness, knowledge, understanding and commitment to the Code of Ethics and healthy and effective ministry?

How is the Code of Ethics to be applied? (What is the relationship between the Code of Ethics and other foundational documents of the Church e.g. *Basis of Union*, Constitution, Regulations?)

Who needs to be aware of the Uniting Church in Australia Code of Ethics?

The Code of Ethics does not detail and discuss every topic and situation that a minister might expect to address in ministry. What would you do if a situation arose that was not expressly covered by the Code of Ethics?

Who would you go to for support and advice if you were concerned that you are at risk of breaching the Code of Ethics/may have breached the Code of Ethics? What would you do if you were concerned that a colleague was at risk of breach of the Code of Ethics? (Refer to section 8 of the Code of Ethics)

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Worksheet 2

Intimate community

Read these extracts from the Code of Ethics and Ministry Practice

1.1 The Christian community is called into being by God through the incarnation, life, death and resurrection of Jesus Christ and the gift of the Holy Spirit. As the *Basis of Union* says:

“The Uniting Church acknowledges that the Church is able to live and endure through the changes of history only because its Lord comes, addresses and deals with people in and through the news of his completed work.” (Paragraph 4).

The church is sustained by Christ through baptism, the Eucharist and preaching of the Word. Its life and fellowship is derived from the fact that the Church is the Body of Christ, the presence of Christ in the world. We are united in a fellowship of love, service, suffering and joy through our shared faith in Christ. We worship, pray, give our witness, study Scripture and other sources of faith, offer pastoral care to each other, develop deep friendships, and seek to be mutually accountable. We are, for this reason, a deeply intimate community.

1.2 Ministers have a particular place within that community. They touch people’s lives at many points of joy, pain, celebration, grief and vulnerability. They are responsible for providing leadership in the community’s task of worshipping, proclaiming the good news of Jesus, providing pastoral care, standing with those who suffer, and working for justice and peace. They minister within a pastoral relationship in which they seek to enable other people to focus on God as the source of healing, restoration and wholeness.

As part of their responsibility to promote and maintain the Church as a missional community ministers may occupy ministry positions in any of the Councils of the Church. This may mean that they will give more emphasis to some parts of their ministry than they would in a congregational placement. This form of ministry carries particular responsibilities in regard to other staff in the organisation.

1.5 Because the pastoral relationship occurs in a deeply intimate community, friendships will develop. These will, at times, challenge the capacity of ministers to provide the pastoral care that belongs to their role as minister. Ministers have responsibility to distinguish times when objective pastoral care is required. They have the responsibility to discern the boundaries of the pastoral relationship, to offer professional pastoral care when it is required, and to discern when their relationships overstep the appropriate level of friendship and intimacy, or when they are exercising power inappropriately in relation to others in the pastoral relationship.

1.8 The Uniting Church is a multi-cultural church and as such is made up of faith communities from across many different cultural backgrounds. Each culture has its own unique expression of community and relationships which need to be borne in mind when overseeing the behaviour of ministers. In ministry with people from diverse cultural backgrounds these unique expressions form an important part of the intimate community which is formed and inform how ministers express their ministry.

Questions for reflection

What would you say to explain the concept of the church as an intimate community?

How does the church being an intimate community make you and other ministry colleagues vulnerable?

How will you develop awareness and sensitivity to your own cultural bias?

How will you develop knowledge, awareness and sensitivity to the cultural traditions, practices and needs of others?

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Worksheet 3:

Boundaries

Read these extracts from the Code of Ethics and Ministry Practice

1.5 Because the pastoral relationship occurs in a deeply intimate community, friendships will develop. These will, at times, challenge the capacity of ministers to provide the pastoral care that belongs to their role as minister. Ministers have responsibility to distinguish times when objective pastoral care is required. They have the responsibility to discern the boundaries of the pastoral relationship, to offer professional pastoral care when it is required, and to discern when their relationships overstep the appropriate level of friendship and intimacy, or when they are exercising power inappropriately in relation to others in the pastoral relationship.

2.4 Ministers shall exercise their ministry in a manner that expresses:

- a. commitment to God;
- b. inclusiveness of the Gospel;
- c. accountability;
- d. commitment to the call of the church to ministry;
- e. the professional nature of the relationship, and ensures:
 - i. that ministers do not seek to meet their personal needs through the pastoral relationship;
 - ii. that clear boundaries are recognised and observed (i.e. the relationship and behaviour are appropriate to the pastoral relationship);
 - iii. respect, sensitivity and reverence for others;
 - iv. confidentiality;
 - v. non-abusive use of power;
 - vi. commitment to justice.

3.5 Professionalism

- a. Ministers shall exercise their ministry to the other person in the pastoral relationship in a professional manner. This includes, but is not limited to:
 - i. offering the best quality care, leadership of worship and preaching of which they are capable;
 - ii. offering appropriate Christian teaching;
 - iii. appropriately dealing with emotional and spiritual needs;
 - iv. being sensitive to people's different social contexts;
 - v. following recognised and acknowledged modes of working in specialist areas such as bereavement, trauma and suicide;
 - vi. being sensitive to the needs and vulnerability of the children and young people with whom they work, ensuring that the professional nature of the relationship is made clear in an appropriate way;
 - vii. being sensitive to the needs of, and ways of relating to, people from any different cultures with whom they have contact including being aware of one's own inherent cultural bias.

- viii. Ministers shall not engage in sexual relationships with people in their professional pastoral care.
- ix. Ministers have a responsibility to provide unbiased pastoral care to those with whom they disagree, and to consult their supervisor in relation to the situation.
- x. Where there is an actual or potential conflict of interest in matters affecting ministers, their family or their financial interests, the ministers shall absent themselves from discussion and decision, except in the case of deliberations by presbyteries, synods and Assembly and their agencies on ministerial stipends and entitlements.

Questions for reflection

What do you understand by the term "boundaries in relationships"?

How do you develop, establish and maintain boundaries in your relationships?

What are the boundaries that the church requires ministers to observe in their ministry?

What boundaries might be established around the following areas: personal, physical, emotional, psychological, technological, financial, sexual, and spiritual?

It is the responsibility of the minister to "discern when their relationships overstep the appropriate level of friendship and intimacy". How do you do this?

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Worksheet 4

Pastoral relationship

Read these extracts from the Code of Ethics and Ministry Practice

1.5 Because the pastoral relationship occurs in a deeply intimate community, friendships will develop. These will, at times, challenge the capacity of ministers to provide the pastoral care that belongs to their role as minister. Ministers have responsibility to distinguish times when objective pastoral care is required. They have the responsibility to discern the boundaries of the pastoral relationship, to offer professional pastoral care when it is required, and to discern when their relationships overstep the appropriate level of friendship and intimacy, or when they are exercising power inappropriately in relation to others in the pastoral relationship.

2. The pastoral relationship (N.B. ministers should note the relationship between this section and section 4: particular relationships)

2.1 Recognising that all relationships in the Christian community are intended to nurture the church and people's relationship with Christ who is Lord of the Church, in the context of this Code of Ethics, the pastoral relationship means the relationship between a minister and another person:

- a. "in which the minister is providing spiritual care for the person; or
- b. where the person has looked to the minister for guidance, protection or care; or
- c. where the person has made contact with the minister in their responsibility or function as minister" (Reg 5.6.2).

Ministers are in a pastoral relationship with all members and adherents of a congregation through the commitments they make at their induction, commissioning or other service of recognition. Where ministers are in a non-congregational placement, they are in pastoral relationship with those persons they come in contact with by virtue of their placement. Where ministers are not in, or are yet to commence, a placement they are in a pastoral relationship with those persons they come in contact with by virtue of their role as a minister. Ministers may form pastoral relationships in a variety of contexts. Where ministers form relationships through the internet and other technology any pastoral relationships they form are to be conducted in a manner consistent with the Code.

2.2 The pastoral relationship is concerned for maturity in Christian life, and for fullness of life for all people, regardless of their age, gender, ethnicity, economic circumstances or other personal characteristics. It is a relationship in which ministers 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.

2.3 The pastoral relationship is nurtured and guided through the commitments of commissioning, ordination or other service of recognition. These commitments reflect the intention of ministers to exercise their ministry:

- a. through faith in Jesus Christ and relying on the power of the Holy Spirit;
- b. within the faith of the church, guided by the *Basis of Union*;
- c. by being nourished and guided by the study of Scripture;
- d. through announcing the Good News in Christ to those outside the community of faith;
- e. through faithful affirmation of, and celebration of sacraments;
- f. in a mutual manner, offering pastoral care and nurturing people in faith, recognising and valuing other peoples gifts, training them for ministry and working cooperatively with their ministry;
- g. through working for justice and peace;
- h. by striving for peace and unity among all Christian people;
- i. by engaging in ongoing study;
- j. by respecting the guidance and decisions of the councils of the church;
- k. within the discipline of the church.

2.4 Ministers shall exercise their ministry in a manner that expresses:

- a. commitment to God;
- b. inclusiveness of the Gospel;
- c. accountability;
- d. commitment to the call of the church to ministry;
- e. the professional nature of the relationship, and ensures:
 - i. that ministers do not seek to meet their personal needs through the pastoral relationship;
 - ii. that clear boundaries are recognised and observed (i.e. the relationship and behaviour are appropriate to the pastoral relationship);
 - iii. respect, sensitivity and reverence for others;
 - iv. confidentiality;
 - v. non-abusive use of power;
 - vi. commitment to justice.

4. Particular relationships

4.1 A particular relationship refers to a close personal relationship between a minister and another person such as:

- a. a very close personal friendship; or
- b. a close family relationship; or
- c. a marriage; or
- d. a relationship which is becoming romanticised.

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4.2 Some particular relationships may exist within the pastoral community. In such circumstances the minister should not be the sole provider of pastoral care, but steps should be taken to ensure professional pastoral care is available to the other person (e.g. the spouse of the minister, a close friend).

4.3 Ministers shall recognise those situations in which it is inappropriate for them to enter into, or continue in, a pastoral relationship. In such situations ministers shall ensure that appropriate care is arranged for the other persons involved.

4.4 In some circumstances it will be appropriate for a minister to cease a pastoral relationship in order to enter a particular relationship. In the event that a minister and a person with whom they have been in a pastoral relationship identify a potential particular relationship, the minister shall:

- a. disengage from the pastoral relationship and arrange alternative pastoral care for the other person;
- b. seek advice on the appropriateness of such a particular relationship, preferably through supervision;
- c. encourage the other person to talk with someone else about the relationship;
- d. disclose the relationship to an appropriate officer of the Church (e.g. chairperson of the Church Council, Presbytery Minister or other appropriate person within the appointing body).

How will you discern the boundaries of the pastoral relationship?

The Code of Ethics refers to ministers not being the sole providers of pastoral care when they have a “particular relationship” with another person. It gives four examples of a particular relationship. Identify who you are in ‘particular relationship with’.

The Code of Ethics refers to the possibility of ending the pastoral relationship. What would you do if you discerned you needed to end a pastoral relationship?

Questions for reflection

What is the pastoral relationship?

Who is a minister in pastoral relationship with in a congregation context? Who is a minister in pastoral relationship with in an agency/organisation context?

Does the Code of Ethics anticipate that pastoral relationships can be formed via the internet and other forms of technology?

What do you consider are the characteristics of a healthy pastoral relationship?

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Worksheet 5:

Confidentiality

Read these extracts from the Code of Ethics and Ministry Practice

3.7 Confidentiality

- a. Ministers shall not breach confidentiality. Confidentiality is not about secrecy. In the context of a pastoral relationship, it is an assurance that ministers will not share written or spoken information about an individual with other people [except as indicated in (d) below], or use it for a purpose other than for which it was collected.
- b. In the processes of the church, there are also times when, because of its personal nature or its potential for misuse or harm, some information may be designated confidential, and is only intended for a particular audience such as a Synod in closed session, a board or local church council.
- c. In a pastoral relationship ministers shall take care to discuss the nature and limits of their confidentiality with the other person.
- d. Information received in the context of a pastoral relationship shall remain confidential unless:
 - i. the person gives permission for the particular disclosure; or
 - ii. retaining such information would result in significant physical, emotional or sexual harm to another person or persons; or
 - iii. required by law; or
 - iv. disclosure is necessary to prevent financial loss to some other person due to fraud or other dishonesty or where undue hardship might result. (as stated in the Privacy Act 1988); or
 - v. disclosure is required in accordance with the terms of placement/employment applicable in a particular appointment.
- e. Ministers should ensure the integrity of any records, particularly electronic records, by putting in place appropriate security procedures.
- f. Confidentiality also requires that ministers shall not seek to gain sensitive or confidential information to which they are not entitled or which would require another person to breach a confidence.
- g. Ministers shall share with the intended audiences information from presbytery, synod and Assembly (and their agencies) that is meant to be disseminated.

6. Relationship with the law

6.1 Ministers shall inform the Synod General Secretary of any matter which may lead to legal action against the minister and/or the Church.

6.2 It is unethical for ministers deliberately to break the law or encourage another to do so. The only exception would be in instances of political resistance or civil disobedience.

Questions for reflection

What is confidentiality?

How would you distinguish between confidentiality and secrecy?

What are the limitations to confidentiality in ministry?

When might you tell another person that you need to share what they have told you with others? And how would you do that?

Can a Uniting Church in Australia minister refuse to reveal a confidential pastoral conversation to the Legal Courts? Who needs to be notified if a Uniting Church in Australia ministry agent is involved in a matter which may lead to legal action against the minister and/or the Church?

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Worksheet 6:

Power

Read these extracts from the Code of Ethics and Ministry Practice

1.4 It is the seriousness of the pastoral relationship, and the vulnerability of people in that relationship, which make it necessary for ministers to appreciate their unique position and the way they touch people's lives. They exercise considerable influence and power. It is essential that each individual minister recognises the power they have and understands the boundaries that the church requires to be observed within their ministry.

1.5 Because the pastoral relationship occurs in a deeply intimate community, friendships will develop. These will, at times, challenge the capacity of ministers to provide the pastoral care that belongs to their role as minister. Ministers have responsibility to distinguish times when objective pastoral care is required. They have the responsibility to discern the boundaries of the pastoral relationship, to offer professional pastoral care when it is required, and to discern when their relationships overstep the appropriate level of friendship and intimacy, or when they are exercising power inappropriately in relation to others in the pastoral relationship.

3.1 (c) Ministers have particular authority in relation to other ministers and lay staff and shall:

- i. Be guided by the principles of collegiate ministry (Reg 2.11.2);
- ii. Exercise their power justly and in a clearly accountable manner;

3.1 (g) Retired Ministers and Ministers in non-congregational placements shall recognise the inherent power they have in the congregations in which they are members. In seeking to express the principles of collegiality they:

- i. shall respect the call and placement of those in ministry;
- ii. may support and encourage those in ministry if asked to do so;
- iii. shall not encourage discontent about or seek to interfere with the ministry of a Minister (whether in their own congregation or elsewhere);
- iv. may express leadership within the congregation of which they are a member when invited to do so by the Minister in placement.

3.6 Power

- a. Ministers shall recognise the power that is inherent in their role and shall not use this power in a manner which is abusive or unprofessional. In particular, they shall not use their power to:
 - i. gain personal or financial advantage for themselves or family members;
 - ii. harass or intimidate other people including other ministers;
 - iii. exploit or abuse other people physically, mentally, emotionally, spiritually or financially.
- b. Ministers shall assist people to understand the power they have and to use it in appropriate ways.

- c. Ministers shall not engage in bullying. Bullying is considered repeated unwelcome and unsolicited behaviour towards a person who considers it offensive, intimidating, humiliating or threatening; and which a reasonable person, having regard to all the circumstances, would consider to be offensive, humiliating, intimidating or threatening.
- d. Ministers who believe they are the subject of an abuse of power or bullying should seek to resolve the issue consistent with section 7.4 and section 8 of the Code.

Questions for reflection

What do you say to explain the concept of power?

What are some types of power?

What are sources of power in ministry?

What does it mean to "exercise power appropriately in ministry"?

What might it look like to be exercising power inappropriately in ministry?