



## *Roman Catholic Diocese of Albany*

### *Code of Conduct for Church Personnel*

This *Code of Conduct (Code)* of the Roman Catholic Diocese of Albany establishes standard policies and provides guidance for the service of Church Personnel. It is the mission of the Diocese to make disciples of Jesus Christ and to witness the love of Jesus Christ to all. We recognize, as disciples of Jesus Christ, that we must witness to Jesus both by what we say and what we do, and that our conduct should always seek to be in accord with the Faith, which we profess. As Jesus said, “Let your light so shine before all, that they may see your good works and give glory to your Father who is in heaven” (Matt 5: 16).

This *Code* aims to further the Church’s mission by providing concrete guidelines that achieve several overarching objectives:

- Promote authentic witness to Jesus Christ by those who serve in the Church,
- Protect, nurture and guide children, vulnerable adults and all others with whom we interact,
- Provide practical guidance to Church Personnel to enable them to serve effectively and safely,
- Promote personal well-being and professional competence, and
- Build positive relationships founded upon trust and integrity.

This *Code* applies to Church Personnel conduct that relates to their role with the Church.

Church Personnel means:

- All Employees regardless of position
- All Volunteers

*All employees and volunteers that have contact with children are required to complete the entire Safe Environment Program before beginning volunteer service or employment.*

. *This includes:*

1. *An Application,*
2. *sexual abuse awareness training for adults,*

3. *Diocesan approved background check,*
4. *Signed Code of Conduct,*
5. *Signed Technology and Social Media Policy.*

Church Personnel under the age 18 who work or volunteer with minors or vulnerable adults must agree to follow the *Code of Conduct for Youth Employees and Volunteers Who Interact with Children, Other Youth, or Vulnerable Adults* before beginning volunteer service or employment.

## **GENERAL PRINCIPLES**

1. Church Personnel must demonstrate respect for the mission of the Church through their conduct.
2. Church Personnel must exhibit high ethical standards and personal integrity. They must be aware of the responsibilities and positions of trust that accompany their work and exhibit this awareness by maintaining appropriate boundaries. Relationships are at the foundation of our ministries and are central to Catholic life. Healthy and safe relationships demonstrate our sincere respect and compassion for all of those we serve and foster respect for the Church.
3. Church Personnel are responsible for their own spiritual, physical, mental and emotional well-being. They are also responsible for maintaining professional competence and for meeting the commonly recognized professional standards of their particular roles. They should seek the necessary help when either personal or professional areas of their life need attention.

## **KEY TERMS**

**“Diocese”** means The Roman Catholic Diocese of Albany, which encompasses 14 counties and serves approximately 300,000 Catholics.

**“Clergy”** means any persons ordained – bishops, priests, and deacons – who administer the rites of the Catholic Church.

**“Cleric”** means a member of the Clergy.

**“Code of Conduct”** means the Code of Conduct for Clergy, the Code of Conduct for Church Personnel, and the Code of Conduct for Youth Volunteers, as applicable.

**“Minor”** means person who has not reached the age of 18.

**“Parish”** means a parish within the Diocesan territory that is recognized as Catholic by the Diocese.

**“School”** means a primary school or a secondary school of the Diocese, as well as parish-based early childhood centers.

**“Seminary”** or **House of Discernment** includes the Saint Isaac Jogues House of Discernment.

**“Unprofessional”** means below or contrary to the standards expected in a particular profession.

**“Vulnerable Adult”** means any person in a state of infirmity, physical or mental deficiency, or deprivation of personal liberty, which, in fact, even occasionally, limits the person’s ability to understand or to want or otherwise resist the offense.

## **ETHICAL STANDARDS**

### **1. Professional and Personal Interaction**

1.1 Church Personnel will maintain appropriate boundaries in professional relationships, and not use the power inherent in their position to exercise unreasonable or inappropriate authority over others.

1.2 Church Personnel will relate to others respectfully and professionally, and will work collaboratively and cooperatively with others serving the Diocese and the Church.

1.3 Church Personnel must not engage in physical, psychological, or sexual harassment of any person, and must not tolerate such harassment by others serving the Church. Harassment may be a single incident or a persistent pattern of behavior where the purpose or result is to create a hostile, offensive, or intimidating work environment.

1.4 Church Personnel must act with integrity according to their life vocation and to exhibit respectful behavior.

1.5 Church Personnel must not exploit another person for any purpose.

1.6 Church Personnel must not acquire, possess, distribute or view any pornographic images. Church personnel are prohibited from viewing pornographic materials on, or taking pornographic materials onto, the property of the Diocese, a parish, or a school.

1.7 Church Personnel must not possess, use, or distribute alcohol or other drugs illegally. Church Personnel must not be under the influence of illegal drugs, or under the influence of alcohol or medications that impair stable functioning or sound judgment in the exercise of their duties.

1.8 Church Personnel are prohibited from showing pornographic material to minors.

1.9 While reasonable debate on matters of social import is valued, Church Personnel must conduct themselves in a manner consistent with Catholic teaching in all public communications. Public communications are communications offered in a public forum or disseminated to a general audience, and also include communications whose potential for broad dissemination is reasonably foreseeable (e.g., public speech, bulletin article, op-ed submission to media, social media post, or blog).

1.10 Church Personnel must exercise discretion and confidentiality in handling sensitive information and may not disclose confidential information to others not entitled to such information.

1.11 Church Personnel will dress professionally, appropriately, and commensurate with their role.

## **2. Conduct with Minors**

2.1 Church Personnel must use prudent judgment and common sense when working with minors.

2.2 Church Personnel should be aware of their own vulnerability and the vulnerability of others when working with minors. Church Personnel should avoid any conduct that a reasonable person could misconstrue as improper. A team approach should be used when working with minors or vulnerable adults, and appropriate supervision should be in place to promote safe environments for all.

2.3 Church Personnel should avoid being alone with any unrelated minor, except for reasonable, common sense exceptions, such as emergency situations and circumstances where the interaction is incidental and not extended. One-on-one meetings with an unrelated minor are best held in a public area; or, if that is not appropriate or possible, in an area visible to others through a window or open door.

2.4 Physical contact with a minor must be public, non-sexual and appropriate. Some examples of *permissible physical contact* includes:

- a. Brief side hugs or an arm around the shoulder,
- b. Brief pat on the shoulder /upper back,
- c. Hand-shakes or “high fives”,
- d. Holding hands during prayer,
- e. Holding hands while walking with young children and those unsteady, and
- f. Brief touching of hand, head, shoulder or arms.

Some examples of *non-permissible physical contact* include:

- a. Tickling,
- b. Massages,
- c. Prolonged hugs from the front or rear, and

d. Touching of breasts or genitals, and

e. Kissing

2.5 Church Personnel who minister to the homebound and to minors are encouraged to serve in the company of another safe-environment trained adult whenever possible.

2.6 Church Personnel are prohibited from using alcohol or tobacco, or illegal drugs, when working with minors. The provision of supplying alcohol or tobacco to a minor is prohibited, except as permissible during sacramental, liturgical, or prayer services.

2.7 Church Personnel must not travel alone in a vehicle with an unrelated minor except in documented emergencies. In situations where groups of minors are being transported with only one adult in a vehicle, a sufficient number of drivers should be available to manage unanticipated situations.

2.8 Church Personnel must not share private overnight accommodations (bedroom, hotel room, tent, camper, bed, etc.) with any unrelated minor. In situations in which overnight accommodations are in open spaces (gymnasiums, campgrounds, classrooms, gathering spaces, etc.), actions should be taken to provide suitable supervision and create reasonable separation between sexes and between adults and minors.

2.9 All overnight events require all adults 18 and older to be trained in the entire Safe Environment Program.

2.10 Communications by Church Personnel with unrelated minors must be for professional reasons only. Church Personnel must maintain appropriate boundaries in all communications with an unrelated minor, including communications through the use of electronic devices or web-based media in accordance with the Diocesan social media policy.

a. Church Personnel should make certain that the parents or guardians of an unrelated minor are aware of the content of private electronic or print communications sent to or received from that unrelated minor or vulnerable adult. In exceptional situations, when a parent or guardian is not made aware of the content of a private communication, Church Personnel must share the communication with another Church Personnel.

b. Informing parents or guardians is not required for non-private communications, such as those sent to youth groups regarding meeting locations or times, or other administrative matters.

c. Some Church Personnel have been issued school, parish, or Diocesan computers or other communication devices that are monitored for proper usage. Electronic communications sent to, or received from, unrelated minors using such devices are not private for the purposes of this *Code*.

2.11 Church Personnel will not use physical force or use profane, demeaning, or abusive language in interactions with a minor; except that proportional physical force may be used as necessary in situations of self-defense, or when the minor or vulnerable adult is a danger to self or others.

2.12 Church Personnel should not accept expensive or excessive gifts from an unrelated minor, or give expensive or personal gifts to an unrelated minor. Exchanges of modest, appropriate gifts between groups of minors and Church Personnel in the ordinary course of parish programs and school settings are permissible.

### **3. Conduct Related to Counseling**

3.1 When engaged in counseling or spiritual direction, Church Personnel must take great care to respect the rights of and advance the welfare of all involved.

3.2 When counseling services are provided to two or more people who have a relationship with each other, Church Personnel must:

- a. Clarify the nature of the relationship(s);
- b. Identify potential conflicts of interest; and
- c. Discuss how to eliminate or manage the conflicts.

3.3 Counseling services provided by Church Personnel must be within the scope of their expertise, training, certification or professional licensing.

3.4 Church Personnel are responsible for establishing and maintaining clear, appropriate boundaries in counseling relationships.

3.5 Counseling sessions must be held in appropriate settings and at appropriate times. Sessions must not be held at places or times that might confuse the person being counseled as to the nature of the relationship with the counselor.

3.6 Physical contact during counseling or spiritual direction may be misconstrued, and such, should be avoided.

3.7 Upon ending a counseling relationship, Church Personnel should recommend appropriate arrangements for the continued care of person(s) they have been counseling.

### **4. Confidentiality in Pastoral Counseling Relationships**

4.1 Church Personnel must discuss the nature of confidentiality and its limitations with each person in counseling.

4.2 Information obtained by Church Personnel in the course of religious or spiritual advice, aid, or comfort is confidential and may be disclosed only:

- a. With the written, informed consent of the person being counseled;
- b. When there is clear and imminent danger to the person being counseled or to others (in this situation, Church Personnel must act in good faith to disclose only the information necessary to protect the parties affected and to prevent harm; if prudent, Church Personnel should inform the person being counseled about a possible disclosure before the disclosure is made).
- c. When there is a serious threat to the health, safety, or welfare of a minor or vulnerable adult and disclosure of confidential information to a parent, legal guardian, or civil authorities is essential to the minor's or vulnerable adult's health, safety, or welfare (in this situation, Church Personnel should attempt to obtain informed consent from the minor before disclosure, and must act in good faith to disclose only the information necessary to address the health, safety or welfare threat);
- d. When consultation with another professional would be beneficial to the person being counseled (in this situation, Church Personnel should attempt to obtain written informed consent from the person being counseled before disclosure, must act in good faith to disclose only the information necessary to receive assistance, and must obtain assurance from the other professional that he/she agrees to be bound by our standards of confidentiality);
- e. When a member of Church Personnel is a defendant in a legal proceeding and the disclosure of confidential information is necessary to his/her defense (in this situation, Church Personnel may disclose only the information necessary for their defense and only as permitted by civil and canon law); or
- f. When legally required to do so consistent with civil or canon law.

4.3 Church Personnel must safeguard the confidentiality of any notes, files, or electronic records pertaining to counseling services.

4.4 Knowledge that arises from professional pastoral counseling interactions may be used with discretion in teaching, writing, or public presentations only when effective measures have been taken to safeguard individual identity and confidentiality.

## **5. Confidentiality Records and Information**

*As Church Personnel, it is understood that you may have access to confidential, personal and sensitive information regarding the Diocese, its member parishes and affiliated entities, its officers, agents, or employees, members of the clergy and other religious, parishioners or members of the public or other entity. Therefore, employees and volunteers should follow these guidelines:*

5.1 All Diocesan, parish, or Catholic school records are solely the property of the respective entity and usually should not be removed from Diocesan premises.

5.2 Confidential, personal or sensitive information includes but is not limited to information maintained in confidential, personal or sensitive files by the Diocese, parishes, and affiliated entities, or confidential, personal or sensitive information obtained by the Diocese, parishes, and affiliated entities, or any of its officers, agents, or employees in the course of their employment; information recognized as confidential under Federal or New York State Law, and financial information.

5.3 Records include all recorded information, documents, letters, maps, books, photographs, videos, film, sound recordings, tapes, records generated in an electronic format, emails and any other documentary material regardless of media format.

5.4 No records will be accessed, shared, removed, destroyed, stored, or transferred into another media format, or otherwise disposed of, except in compliance with Diocesan, parish, or Catholic school policies.

5.5 Confidential records will be kept separate from public records for privacy purposes. Confidential records include sacramental records, clergy files, personnel files, and records of individual financial contributions to, as well as financial records of, the Diocese, parish, or Catholic school.

5.6 When compiling and publishing statistical information from records, great care must be taken to preserve the anonymity of individuals.

5.7 Discussion of confidential, personal or sensitive matters even within the confines of the Diocese, parish, school or entity, with individuals who do not have a business reason to know such matters, may also be grounds for discipline.

5.8 Church Personnel who have been issued a Diocesan, parish, or Catholic school email account are expected to use their issued account solely in the course of their clerical duties, whenever possible.

5.9 Violations of said policies may be considered grounds for discipline, including termination.

## **6. Stewardship**

6.1 Church Personnel must exercise responsible stewardship of all financial and material resources.

6.2 Church Personnel will not misappropriate church funds or materials for personal uses or purposes.



6.3 Church Personnel must provide a clear and accurate accounting of all funds and material resources for which they are responsible, and must ensure that adequate systems and safeguards are in place and followed according to Diocesan financial guidelines.

## **7. Conflicts of Interest**

7.1 Church Personnel must avoid actions that may reasonably be perceived as exploiting their position with the Church to further their personal, religious, political, or business interests. Church Personnel should avoid situations that present conflicts of interest. Even the appearance of a conflict of interest can call integrity and professional conduct into question and should be avoided.

7.2 A conflict of interest may exist when Church Personnel have an ownership interest in, an investment interest in, or a compensation arrangement with, an entity or individual who engages in regular or substantial business with the Diocese, parishes, Catholic schools or other Diocesan entities.

7.3 Conflicts of interest situations that are to be avoided include:

- a. Acting with unfair bias or partiality toward anyone with whom Church Personnel have an existing professional or personal relationship;
- b. Violating the confidence of another person for personal gain; and
- c. Accepting any gift of excessive material value.

7.4 Church Personnel must exercise discretion when considering assumption of fiduciary obligations or financial responsibility for a person associated with a parish or Catholic school, with the exception of family members, and should consult with the pastor or canonical administrator before assuming such obligation or responsibility.

7.5 Church Personnel must disclose conflicts of interest to all affected parties. In resolving the issues, primary attention must always be given to the protection of the person receiving ministry or services.

## **8. Reporting Misconduct**

8.1 Church Personnel must adhere to high ethical standards and report illegal, unethical or unprofessional behavior to their supervisor or other appropriate church authority.

8.2 Church Personnel must self-report to their supervisor and to the Office of Human Resources and Safe Environment as promptly as possible if they are arrested or charged with a crime.

8.3 Church Personnel who have reason to believe that a minor or vulnerable adult is being abused or neglected, or has been abused or neglected, must immediately report the basis for their belief to:

a. Proper civil authorities;

b. The Director of Human Resources and Safe Environment (or other appropriate Diocesan official), and

c. Parents or guardians, unless to do so would expose the minor or vulnerable adult to additional risk, or unless instructed otherwise by civil authorities.

8.4 Suspected child pornography must be referred to proper civil authorities immediately.

8.5 Failure to comply with these standards will result in corrective measures including disciplinary action up to and including termination.

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This code of conduct does not abrogate or replace any other obligations that I have under any applicable law, guideline, policy or regulation.

Name: \_\_\_\_\_ Date \_\_\_\_\_

Signature: \_\_\_\_\_

Name and location of school/parish/agency: \_\_\_\_\_

Check one:                      Employee                      Volunteer