



CODE OF ETHICS AND MINISTRY PRACTICE

for Ministers of the Word, Deacons, Deaconesses, Youth Workers, Community Ministers and Lay Pastors in the Uniting Church in Australia (whether in approved placements or not).

In this Code, "Minister" refers to Community Ministers, Deacons, Deaconesses, Lay Pastors, Ministers of the Word and Youth Workers.

This Code of Ethics is to be applied within the context of the Constitution and Regulations of the Church which state the Church's requirements in relation to the conduct and accountability of its Ministers.

1. INTRODUCTION

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." (para 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.

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.
3. The pastoral relationship occurs within a faith community whose life and relationships are established by Jesus Christ. The pastoral relationship has its meaning, and is established and maintained, as the church enables others to meet Jesus who nourishes our lives. The pastoral relationship is part of the way the

church is nourished and built up as the Body of Christ, and nurtures life in the world. As a result of this context, ministers also have relationships and responsibilities within the broader community which are based on their responsibilities within the faith community.

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.
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.
6. The Uniting Church understands that as Ministers live out God's call to ministry, all relationships shall be characterised by the love, care and compassion that was embodied in Jesus Christ. The requirement is that the Minister will embody integrity, trust and compassion.
7. People enter ministry as a response to a call from God and the Church. It is this call that requires that all Ministers carry out their ministry in a professional and accountable manner.
8. It is recognised that rural and isolated communities present particular difficulties in term of professional/ personal relationship; availability of supervision and access to support. This intensifies the responsibilities of Presbyteries for care of such persons, and in assisting Ministers to fulfil the Code of Ethics.

2. THE PASTORAL RELATIONSHIP

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 7.7.5).

Ministers are in a pastoral relationship with all members and adherents of a Congregation through the vows they make at their induction. 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.

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 seeks 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. The pastoral relationship is nurtured and guided through the vows of commissioning or ordination. These vows 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. 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 people are encouraged to identify and use their power;
- iii. that clear boundaries are recognised and observed (ie. the relationship and behaviour are appropriate to the pastoral relationship);
- iv. respect, sensitivity and reverence for others;
- v. confidentiality
- vi. non-abusive use of power;
- vii. commitment to justice.

3. PROFESSIONAL CONDUCT

3.1 Relationships with Colleagues

- a. Ministers shall work within the polity of the Uniting Church as guided by the Basis of Union and defined in the Constitution and Regulations, respecting the rights and responsibilities of those who share leadership in the Uniting Church, both lay and ordained.
- b. Ministers shall respect the call and placement of other Ministers. They shall recognise those people who are colleagues, or those with whom they are in team ministry, as equals in standing and responsibility in the fulfilment of their duties as a Minister in that placement as outlined in the Regulations (2.3.10 and 2.3.11).
- c. Ministers who have particular authority in relation to other Ministers and lay staff shall exercise their power justly and in a clearly accountable manner.
- d. Ministers shall:
 - i. accept the theological validity of the ordination of both women and men for ministry in Christ's church as a Minister;
 - ii. be willing to work with and support women and men as colleagues in the ordained ministries; and
 - iii. be willing to encourage, equip and support both women and men in all forms of ministry in the Church and to teach the Church's position in this regard (ASC minute 92.61.5).
- (e) Ministers shall respect the professional expertise of members of other disciplines/professions with whom they work in the Church or other institutions.

3.2 Teaching

Ministers have a responsibility to represent accurately the teachings of the Scriptures and of the Church.

When teaching, preaching or leading worship, Ministers have an obligation to present the gospel of Jesus Christ, guided by the witness to Christ in the Scripture, to take seriously the tradition of faith and worship of the church catholic; and to share that faith in the language and forms of the particular worshipping community and to address its issues.

In particular, Ministers shall:

- a. live out the vision of the Basis of Union;
- b. accurately represent the meanings of biblical passages;
- c. accurately represent the degree to which experts in a discipline support their views;
- d. accurately represent opposing views;
- e. uphold the theological and liturgical tradition of the Church;
- f. be guided by the decisions of the Assembly;
- g. be open to challenge and correction from colleagues.

3.3 Relationships with Church Councils

(a) Ministers shall respect the guidance and decisions of the councils of the church, and maintain accountability within the discipline of the church.

(b) Ministers have a responsibility to participate fully in their local church councils, Presbytery, and in the wider work of the church.

(c) Ministers may not use their preaching role to inflame conflict within the Congregation, or between the Congregation and other councils of the church. Processes and decisions of church councils should be reported accurately and fairly. Disagreements need to be conducted within the framework of principles provided by *A Manual for Meetings*, (ie. in a way that expresses Christian community and commitment to rational debate based on evidence and argument, not personal attacks and mere assertion of opinion).

3.4 Competence

- a. Ministers have a responsibility to maintain high standards of knowledge and skills in all the areas of ministry relevant to their placement. This responsibility requires that Ministers undertake continuing education appropriate to this ministry.

- b. Ministers shall not misrepresent their competence, qualifications, training or experience.
- c. Ministers shall refrain from offering to undertake and or engage in work beyond their professional competence; and shall make appropriate referrals.
- d. Where Ministers are forced by circumstances to provide care beyond their normal competence they shall:
 - i. discuss this with their supervisor;
 - ii. seek guidance from a person with appropriate competence;
 - iii. where warranted, seek opportunities to develop the appropriate skills.
- a. Ministers shall end pastoral care when it is not beneficial for the other person or where the help needed is outside their pastoral competence.

3.5 Professionalism

- 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.
- b. 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.
- a. Ministers shall not engage in sexual relationships with people in their professional pastoral care.
- b. 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.
- c. 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.

3.6 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) 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.

(f) Ministers shall share with the intended audiences information from Presbytery, Synod and Assembly (and their agencies) that is meant to be disseminated.

3.7 Self Care

Ministers shall take responsibility:

- a. to maintain their physical, spiritual and emotional health;
- b. to participate in supervision;

- c. to give adequate priority to their relationship with their family;
- d. to nurture personal relationships which assist them in their wholeness.

3.8 Supervision

- (a) Ministers have a responsibility to recognise that they are also vulnerable, requiring them to maintain their professionalism in difficult circumstances.
- (b) Ministers shall keep appropriate pastoral records (eg. details of appointments and referrals and a journal of critical incidents).
- (c) Professional supervision means the relationship Ministers have with another professional or group whereby the Minister is assisted to maintain the boundaries of the pastoral relationship and the quality of ministry (as per the definition at the commencement of the Regulations) including competencies, time management, priorities and any difficulties arising in ministry.
- (d) Ministers have a responsibility to ensure that they receive regular professional supervision. Such supervision is intended to assist Ministers to maintain the boundaries of the pastoral relationships and quality of ministry.
- (e) Ministers shall discuss with their supervisor any ongoing situations of conflict in which they are involved in the course of their work.
- (f) Where applicable, Ministers shall maintain membership requirements of any relevant professional association (eg. psychologists or counsellors.)

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.

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 (eg. 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 (eg. chairperson of the Church Council, Presbytery Minister or other appropriate person within the appointing body).

5. GIFTS AND FEES

5.1 Ministers shall not seek financial gain for themselves or their families from a pastoral relationship beyond recognised fees, stipends and entitlements.

5.2 Where Ministers receive gifts resulting from the pastoral relationship the Minister shall use discretion concerning the acceptance or return of gifts by considering the intent and affordability of the gift and whether there is a risk of the Minister being compromised or losing objectivity. Advice shall be sought from the appropriate Presbytery officer if the Minister is uncertain of the appropriateness of a gift.

5.3 Where Ministers accept a gift to satisfy cultural traditions they should then look at the appropriate use of the gift to benefit the community of faith.

5.4 Ministers shall not use their ministry to recruit clients for private practice or commercial interests.

6. RELATIONSHIP WITH THE LAW

6.1 Ministers shall inform the Synod Secretary if 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.

7. WORKING WITH ANOTHER INSTITUTION OR PROFESSION

7.1 Ministers shall be aware of the Codes of Ethics or similar guidelines in other institutions where they

may work (eg. hospitals, prisons). Ministers in such placements have a responsibility to abide by those Codes of Ethics also.

7.2 Where the demands of another organisation conflict with this Code of Ethics, Ministers shall clarify the nature of the conflict between those demands and the principles of this Code. Ministers shall inform all parties of any conflict and seek to resolve it.

8. BREACH OF CODE OF ETHICS

8.1 Breach of the Code of Ethics refers to any violation of the requirements or principles of the Code by Ministers. It includes any instance where Ministers have deliberately encouraged another to breach the terms of the Code.

8.2 When Ministers know of a Code violation by another Minister, and it seems appropriate, they shall informally attempt to resolve the issue by bringing the matter of concern to the attention of that Minister in a constructive manner. If this is not practical, or does not address the issue of concern, the facts shall be reported to the Presbytery or other appointing body.

8.3 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 as sexual misconduct (as defined in Regulation 7.7.5).

8.4 It is the responsibility of the Presbytery in the first instance to deal with an allegation of a breach of this Code in accordance with the Regulations. An allegation of a sexual misconduct which could amount to a breach of the Code should be forwarded immediately to the chairperson of the Synod Sexual Misconduct Complaints Committee as required under Regulation 7.7.9.

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