

Code of Good Practice for Clergy



The Anglican Diocese of Wangaratta



26 September 2010

The Exhortation for the Ordination of Bishops

(From the Ordinal of APBA)¹

A bishop is called to maintain the Church's witness
to the resurrection of Christ from the dead,
to protect the purity of the gospel,
and to proclaim Jesus Christ as Lord.

As a chief minister and pastor in Christ's Church,
you are to guard its faith, unity and discipline,
and promote its mission in the world.

You are to ensure that God's word is faithfully proclaimed,
Christ's discipline applied justly, with mercy.

You are to lead and guide the priests and deacons under your care,
and be faithful in the choosing and ordaining of ministers.

You are to watch over, protect and serve the people of God,
to teach and govern them, and to be hospitable.

You must, therefore, know and be known by them,
and be a good example to all.

These are the duties of a bishop, and they are weighty.

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The Exhortation for the Ordination of Priests

(From the Ordinal of APBA)

Our Lord Jesus Christ summons us all to obedience and discipleship.

In baptism we are called to be a royal priesthood,
a people belonging to God,
to make Christ known in all the world.

Now you are responding to the call of God and of the Church
to live and work as a priest, a pastor and teacher,
for God's glory and the strengthening of God's people.

You know the responsibility and significance of this office.
I now exhort you, in the name of Christ,
to take up your calling with joy and dedication.

As the Lord's messenger, proclaim the gospel of Jesus Christ.
Seek the lost, announce God's justice, warn and correct those in error.
You are to encourage and build up the body of Christ,
preaching the word of God,
leading God's people in prayer,
declaring God's forgiveness and blessing,
and faithfully ministering the sacraments of God's grace with reverence and care.

Together with your bishop and other ministers,
you are to take your part in the life and councils of the Church.

Be a pastor after the pattern of Christ the great Shepherd,
who laid down his life for the sheep.

Be a teacher taught by the Lord in wisdom and holiness.

Lead the people of God as a servant of Christ.

Love and serve the people with whom you work,
caring alike for young and old, rich and poor, weak and strong.

Never forget how great a treasure is placed in your care:
the Church you must serve is Christ's spouse and body,
purchased at the cost of his own life.

Remember that you will be called to give account before Jesus Christ: if it should come about that the Church, or any of its members, is hurt or hindered as a result of your negligence, you know the greatness of the fault and the judgment that will follow. Therefore apply yourself with diligence and care, and fashion your life and ministry in accordance with Christ's example.

As you depend on the Holy Spirit and the grace of God,
put away all that does not make for holiness of life.

Clothe yourself with humility; be constant in prayer.

Study the Scriptures wholeheartedly,
reflecting with God's people upon their meaning,
so that your ministry and life may be shaped by Christ.

We have every confidence that you have already pondered these things deeply.

The Exhortation for the Ordination of Deacons

(From the Ordinal of APBA)

Our Lord and Saviour Jesus Christ lived and died
as the servant of God.

All who follow him are called to serve God in the world,
setting forward Christ's kingdom through the power of the Spirit.

Christ has called you to the office of deacon.
You are to be an ambassador of Christ,
serving God as you serve others in Jesus' name.

Proclaim the good news of God's love,
so that many may be moved to faith and repentance,
and hearts be opened to do justice,
love mercy, and walk humbly in the presence of God.

Let the transforming love of Jesus be known to all
among whom you live and work.

Strengthen the faithful, teach the young,
search out the careless and indifferent.

Encourage the members of Christ's body by word and example,
ministering among the sick, the needy
and all who are oppressed or in trouble.

Together with your bishop, priest and people
you are to take your place in public worship,
assist in the administration of the sacraments,
and play your part in the life and councils of the Church.

You are to preach the word of God in the place to which you are licensed,
and to pray and work for peace and justice in the world.

As a deacon, you are to model your life according to the word of God.
Study the Scriptures, reflecting with God's people upon their meaning,
that all may be equipped to live out God's truth in the world.

Put away all that does not make for holiness of life.
Be faithful in prayer, that you may have strength to run
the race that is set before you.

Preamble

- A. The Anglican Church's understanding is that its bishops, priests and deacons are called to serve God with integrity. Their ministry to others is therefore to be characterised by the love, justice and compassion embodied in Jesus Christ. There is no place for self-interest, manipulation or betrayal.
- B. The vocation to ordained ministry demands moral, professional and accountable conduct by all engaged in it.
- C. The parish and a variety of Christian communities including neighbourhoods, schools, universities and hospitals, is the context of Christian ministry. It is developed and exercised through worship, prayer, witness, study, friendship, pastoral care and mutual accountability.
- D. Clergy have a particular role in the life of the parish and in the wider community, touching people's lives at critical stages of joy and pain, celebration and sorrow, empowerment and vulnerability. They are responsible for leadership in the Faith community's worship, proclamation, pastoral care, justice and peace. It is within the bonds of love, pastoral relationship and corporate life they seek to enable others to focus on God as the source of creativity and wholeness.
- E. Christian ministry implies and requires relationship both pastoral and personal. Clergy need to be aware that in the development of effective pastoral relationships they must neither overstep appropriate levels of intimacy nor misuse their inherent influence and power.
- F. The privileged position clergy enjoy carries corresponding responsibilities, including the observation of the professional boundaries the Church requires.
- G. Clergy should be aware of the provision of the General Synod Offences Canon adopted by the Diocesan Tribunal Act 1993 – 2006 of the Wangaratta Synod. A Diocesan Tribunal has power under the Canon to hear and determine charges of breaches of faith, ritual, ceremonial or discipline and of such offences as are specified by Diocesan legislation. It also has power to hear charges relating to unchastity, drunkenness, habitual and willful neglect of ministerial duty after written admonition by the bishop, willful failure to pay debts, disgraceful conduct or conduct productive of scandal or evil report.
- H. Historically, codes of practice have placed great importance on the teaching and nurturing of students and practitioners of the profession. Clergy have a responsibility to encourage the good practice and professional development of their colleagues, recognising and affirming their skills, abilities and role.
- I. This Code of Practice is intended to draw out appropriate standards of ministry across a wide range of specialist tasks: liturgical, pastoral, administrative and educational.
- J. Clergy are subject as is any other professional group to a host of criminal and civil legislation such as sexual abuse, domestic violence, etc.

- 1. Professional Competence in Matters Relating to Pastoral Ministry Issues**
- 1.1 Clergy have a responsibility to maintain high standards of knowledge in all areas of ministry appropriate to their position, and to continue to update their knowledge and ministry skills. They shall not misrepresent their competence, qualifications, training or experience. They shall recognise the boundaries of their professional competence, and respect the competence of others.
- 1.2 Clergy shall recognise the power inherent in their role and shall not use this power in a manner which is abusive or unprofessional.
- 1.3 Clergy are expected to be aware of their own personal weaknesses and limitations of professional skills and vulnerability and refer people as necessary to an appropriate professional or colleague.
- 1.4 Clergy shall provide care of sound quality in pastoral relationships and professionalism in ministerial responsibilities. This includes:
 - (a) providing care of the highest quality to the sick and dying, recognising professional modes of working in these sensitive areas,
 - (b) preparation that leads to the best leadership in public worship and preaching,
 - (c) providing for the spiritual and educational needs of parishioners or others in their pastoral care,
 - (d) being sensitive to and not exploiting the vulnerability of children and young people,
 - (e) relating appropriately to people from different ethnic, social and cultural backgrounds,
 - (f) working in a collaborative and co-operative manner with colleagues/curates and others in ministry, avoiding competitiveness.
- 1.5 Clergy will remember the solemn declaration made at their licensing that in leading public worship they will use the liturgies authorised by the church "and none other, except as far as shall be ordered by lawful authority".
- 1.6 Clergy are required to be accountable under the terms of their license to perform their ministry. Such authority is given to the Bishop or devolved through the Bishop to an Assistant Bishop or other delegated authority.
- 1.7 Clergy shall respect the Anglican diversity existing in this Diocese. Clergy shall operate with integrity towards colleagues who hold theological, liturgical and missiological positions different from their own.
- 1.8 Clergy should endeavor to be welcoming and sensitive in relation to requests for the sacrament of holy baptism, and in the pastoral rites of marriages and funerals.
- 1.9 Clergy, as an expression of their collegiality, shall assist one another to be aware of the norms and standards applicable to their ministry, the attainment of skills and knowledge for their work, and give adequate support to one another. This is especially applicable to clergy responsible for the professional training and development of others.

- 1.10 Clergy shall set aside a regular time for leisure, recreation and annual leave. Appropriate arrangements should be made within the Deanery to ensure response to urgent pastoral situations, eg. deaths and funerals. Long Service Leave is intended to be used during and not at the conclusion of active ministry.

2. Professional Responsibility and Competence in Relationship to Church Structures

- 2.1 Clergy shall participate responsibly in relationship to parish, deanery and diocese, and in the wider work of the church.
- 2.2 Clergy shall respect the decisions of parish, diocesan and national church councils, and practice accountability within the discipline of the church.
- 2.3 Clergy shall not exploit financially their relationship with a parishioner or member of the public in any way. (Refer to current guidelines for fee paying services, eg. weddings.)
- 2.4 Clergy shall be responsible in the care and use of the Rectory or other church-provided housing and allow for the annual inspection by the churchwardens or parish coucillors.
- 2.5 Clergy shall ensure that parish records and registers are maintained and kept in a safe place, and are available for the annual inspection by the Archdeacon.
- 2.6 Clergy are to be responsible in maintaining clear boundaries between their personal and church finances. To this end they will recognise that it is not advisable for them to be signatories to church accounts. They will ensure that personal debts including those to the Diocese and/or parish are paid promptly.
- 2.7 Clergy are required to observe Diocesan guidelines for use of the Corporate Card.
- 2.8 Clergy must not allow themselves to be influenced by offers of personal or monetary reward.
- 2.9 Clergy or other church employees must inform the Registrar immediately of any criminal legal action being taken or foreshadowed against them, the church or its officers.
- 2.10 Clergy must observe the laws of both church and state and encourage others to do likewise, excepting where political or civil disobedience may be justified. Prior to taking such action, they shall seek counsel and inform the Bishop.
- 2.11 There are specific Diocesan legislative requirements for clergy when moving to new ministry. Clergy must obtain a clearance for ministry when he or she intends for the purpose of ministry—
- (a) to transfer from one office licence or position of responsibility in a Church body in the Diocese to another in the Diocese;
 - (b) to take up an office licence or position of responsibility in a Church body in the Diocese;

- (c) to transfer from one office licence or position of responsibility in a Church body in the Diocese to another in another diocese; or
- (d) to take up an office licence or position of responsibility in a Church body in another diocese.

(s 50 of the *Professional Standards Act* 2010).

- 2.12 Under the Act, 'Ministry' means ordained ministry or lay ministry authorised under the Authorised Lay Ministry Canon 1992 (adopted by Act No. 6 of 1992) or an equivalent Act of the synod of another diocese, as the case may be. (s 3)
- 2.13 A 'clearance for ministry' means in relation to ministry–
- (a) within the Diocese, the licence, permission to officiate or other relevant authority as the case may be of the Archbishop; and
 - (b) outside the Diocese, written confirmation by the Archbishop that the Church worker is fit for ministry either unconditionally or subject to certain conditions or restrictions. (s 3) This includes the 'Letter of Good Standing' that traditionally the Bishop has issued in an appropriate case.

3. Professional Competence in Matters of Sexuality

It is acknowledged that most human relationships have a sexual dimension. In the light of this:

- 3.1 Members of the clergy must never take advantage of their vocation to gain a sexual favour from a parishioner or members of the public. In this regard members of the clergy must be aware of and not exploit those who are in a vulnerable state, through bereavement, divorce, illness or dependency.
- 3.2 It is a serious abuse of privilege to use the pastoral role to further a personal relationship of an emotional or sexual nature. Such abuse would be regarded as a breach of duty, and of damage to the relationship between the clergy and others, bringing discredit to the church.
- 3.3 Due care should be taken to protect and respect all parties. There is a need to be extremely cautious about making or receiving a visit alone at night.
- 3.4 Particular care needs to be exercised in ministry with children and young people.
- 3.5 A particular pastoral relationship is not to endanger the life and well-being of the church community.
- 3.6 Clergy should be fully aware of the Diocesan protocols concerning abuse harassment and other misconduct and clearance for ministry, and have a duty to bring these to the attention of the Christian communities in which they bear responsibility.
- 3.7 Clergy will maintain a commitment to faithfulness in marriage and the ideal of chastity in singleness.

- 3.8 In the course of one's ministry significant and lasting friendships may be formed. In the case of a single cleric, it may well be that such a friendship could develop into a life-long partnership. As soon as the possibility of the friendship developing into a personal and intimate relationship is recognised, with the knowledge of the other party, it is the responsibility of the cleric to seek advice from a supervisor or person to whom they are pastorally responsible with a view to the requirement that the pastoral relationship be severed.

4. Professional Responsibility in Relation to Confidentiality

- 4.1 Trust is fundamental to the pastoral relationship. Confidentiality is basic for the maintenance of that trust.
- 4.2 The location of a pastoral interview should provide complete confidentiality.
- 4.3 In the pastoral relationship, clergy shall take care to establish the nature and limits of confidentiality to be observed. Confidential information is not to be shared with the clergy spouse, family or friends.
- 4.4 It is acknowledged that for the purposes of professional accountability and development, clergy may need to share information from specific situations with supervisors, consultants or other colleagues, with the prior consent of the person/s concerned.
- 4.5 Confidentiality is basic for the protection of the person being counselled.
- 4.6 The Diocese maintains the Canon Law of absolute silence on matters shared with a priest in the context of a formal confessional situation. Whilst upholding the principle of confidentiality, clergy must do so within the constraints of the law and with regard to statutory requirements.
- 4.7 The Victorian **Evidence Act** 2008, section 127 provides:
- (1) A person who is or was a member of the clergy of any church or religious denomination is entitled to refuse to divulge that a religious confession was made, or the contents of a religious confession made, to the person when a member of the clergy.
 - (2) Subsection (1) does not apply if the communication involved in the religious confession was made for a criminal purpose.
 - (3) This section applies even if an Act provides-
 - (a) that the rules of evidence do not apply or that a person or body is not bound by the rules of evidence; or
 - (b) that a person is not excused from answering any question or producing any document or other thing on the ground of privilege or any other ground.
 - (4) In this section, religious confession means a confession made by a person to a member of the clergy in the member's professional capacity according to the ritual of the church or religious denomination concerned.

4.8 The Evidence Act provisions uphold and support the General Synod Canon **Concerning Confessions 1989** which was adopted by the Diocese of Wangaratta in 1992. Section 2 of that Canon provides:

2 If any person confess his or her secret and hidden sins to an ordained minister for the unburdening of conscience and to receive spiritual consolation and ease of mind, such minister shall not at any time reveal or make known any crime or offence or sin so confessed and committed to trust and secrecy by that person without the consent of that person.

4.9 The mandatory reporting provisions of the **Children and Young Persons Act 1989** do not apply to the clergy merely in their capacity as clergy. It should be noted that the Act does permit voluntary reporting where a person believes a child is in need of protection. Any such reporting does not expose the person to a charge of unprofessional conduct, nor, if made in good faith, does it expose the person to liability. (It is strongly recommended in such circumstances to seek the advice of the Director of Professional Standards.

4.11 A member of the clergy is subject to mandatory reporting obligations under Diocesan legislation. Section 22 of the *Professional Standards Act 2010* provides as follows -

22. (1) If any Church worker believes on reasonable grounds that a person has suffered harm or is at risk of harm as a result of misconduct by another Church worker and has no reason to believe that the Director or a member of the PSC is aware of those facts, the first mentioned Church worker shall as soon as possible report the matter to the Director or to a member of the PSC.
- (2) This section does not affect the operation of the Canon Concerning Confessions 1989 of General Synod or any other canon or legislative instrument relating to confessions in force in the Diocese.

5. Professional Conduct in Relation to Colleagues

5.1 Clergy shall act in such a manner as to uphold and enhance the good standing of the church and their professional colleagues in the pastoral care and well-being of others.

5.2 Clergy shall work within the polity of the Diocese.

5.3 Clergy are to respect the ministerial authority and responsibility of their colleagues which arises from the nature of the license granted by the Bishop. This has particular application to the inter-relationship between parochial and sector ministries and their respective boundaries.

5.4 When a clergy person has reason to believe that a colleague is acting unprofessionally, unethically, or that the colleague's standard of practice fails to meet standards required by this code, an approach should be made to the colleague. If such action fails to resolve the point at issue, relevant information should be conveyed to the Bishop or the Director of Professional

Standards or a member of the Professional Standards Committee if required by the Professional Standards Act 2010.

- 5.5 When clergy complete an appointment, all associated pastoral relationships should be professionally terminated. Clergy must respect the integrity of the newly appointed person holding the Bishop's license. Friendships which recognise the changed relationships may continue.
- 5.6 Clergy shall respect and support the ministry of both men and women with whom they are colleagues.

6. To Assist Good Professional Practice

Clergy should not:

- 6.1 Undertake any professional duties while under the influence of alcohol or drugs.
- 6.2 Abuse the privileged relationship between themselves and colleagues, trainees or parish staff.
- 6.3 Deal with church finances in such a way that the distinction between personal and church monies becomes blurred.
- 6.4 Enter into or continue any pastoral relationship with the purpose of receiving any personal advantage or gain, whether monetary, emotional, sexual or material.

7. Protocol for Changing Parishes

Leave:

- 7.1 Leave is not portable and is to be taken before leaving a parish.
- 7.2 If leave is taken immediately prior to leaving a parish, the farewell should be before the leave begins. It is unfair on a parish for a priest to have effectively left but to re-appear for one Sunday – this does not allow the parish to properly begin the grieving process and its preparation for a new priest; it makes it difficult for priests to look forward to the new parish/appointment, and it also makes it awkward for the Locum to get on with that very specialised task, especially if a relieving priest has been employed for the leave period.

Packing and Moving

- 7.3 The priest should be given the inside of a week, paid for by the parish he/she is leaving, to pack and move without interruptions of ministry demands.
- 7.4 The preferred model is for a priest to be farewelled on one Sunday, move during the week, commence holidays, if due, and for the new parish to be paying the stipend from the Sunday prior to the Induction. Other arrangements may be entered into with the agreement of the Archdeacon.

- 7.5 Not to give this time is unfair and may place unreasonable demands on the priest and family. Moving is no holiday, and the purpose of holidays is to enable the priest to be refreshed and ready to go into the new parish; it is not helpful for that parish if the priest arrives exhausted and needing a holiday.

Leaving the Rectory

- 7.6 The priest should notify the Archdeacon of the state of the Rectory, and any repairs or alterations that are needed or desirable. The priest is entitled to the use of the Rectory until the Sunday before the Induction into the new parish. It is the responsibility of the priest to leave the Rectory clean and tidy, to ensure the kitchen and stove are thoroughly cleaned, and to dispose of rubbish. It is not generally expected that the carpet would be steam-cleaned, as that may more appropriately be done prior to the new priest arriving.

Stipend

- 7.7 The stipend is to be paid up until the Sunday prior to the Induction (or as otherwise agreed with the Archdeacon).

Leaving the Parish

- 7.8 It is inappropriate for a priest to be committed to, agree to, or give the impression of a willingness to take any pastoral offices in the parish he/she has left. It may be appropriate for a priest who has recently left a parish to be invited by the Locum or new Rector to give the eulogy of someone who has received ministry from the priest, and who is not well-known to his/her successor.