

Code of Conduct for Personnel

Diocese of Des Moines

I. Introduction

Personnel of the diocese uphold Christian values and conduct. They also know that God's goodness and graces support them in their work. In following the Gospel, they are to act properly at all times. The conduct of personnel, both public and private, has the potential to inspire and motivate people, or scandalize and jeopardize their faith.

This Code of Conduct establishes a framework for ethical behavior for personnel. Personnel must be aware of the responsibilities that accompany their work. This code is also intended to stimulate discussion within the Church community in order to broaden consensus on standards of practice and further refine them. These standards cannot address all the ethical questions which involve personnel; nor does it supersede canon or civil law. Current and new employees are to receive training and education about this Code of Conduct.

Responsibility for adherence to this Code of Conduct rests with personnel themselves. Disregard of these standards will be dealt with by the appropriate authorities. Remedial action may take various forms from counseling to removal from the position and/or termination of ministry/employment.

(* For purposes of this Code of Conduct, "personnel" includes those listed in Appendix A of this document.)

II. General Principles

The following principles have guided the development of this Code of Conduct.

Integrity

Personnel are persons of integrity and conduct themselves in an honest and open manner, free from deception or corruption.

Respect for Others

Personnel respect the rights, dignity and worth of each person, respecting each individual as a creation of God. Personnel are sensitive to cultural differences among people and appreciate the opportunities that diversity brings.

Well Being

Personnel attend to their own human, spiritual, intellectual, and pastoral well-being, and support others in their developing well being.

Competence

Personnel maintain high levels of professional competence in their particular work. Training, education and experience all contribute to make them competent and credible in their areas of expertise.

III. Standards for Conduct In Professional Relationships

1. ADMINISTRATION

Personnel exercise just treatment of others in day-to-day operations.

- 1.1 Personnel relate to all people with respect, sensitivity and reverence. Meetings/conversations are conducted with patience and courtesy respectful of the views of others, in an environment where it is safe for others to offer constructive criticism.
- 1.2 Personnel empower others, supporting each person to live the life to which God calls them. They work in ways that respect the different talents people bring to the Church.
- 1.3 Personnel exercise responsible stewardship of all resources. They ensure that in their area of work, there is a clear accounting of all funds and materials. Parish finances are to be managed in cooperation with the parish finance council as required by canon law.

2. CONDUCT IN COUNSELING

Personnel who conduct counseling for families, individuals, or groups, respect their rights and advance the welfare of each person.

- 2.1 Personnel do not exceed their competence in counseling situations. The parameters are dictated by their training, certification, or licensure from the state of Iowa.
- 2.2 If conducting group sessions, individuals are not subject to trauma or abuse resulting from group interactions. Personnel must state to group participants the nature of the group, and the parameters of confidentiality of all individual disclosures.
- 2.3 Personnel do not disclose information learned from counseling sessions. Personnel should inform the counselee that confidentiality is limited when there is clear and imminent danger to the client or to others. In such cases, personnel must contact the necessary authorities or other professionals.
- 2.4 In cases where the counselee is in a counseling relationship with another professional, personnel should make clear what services they can provide to the counselee.
- 2.5 Personnel who leave their position while conducting counseling should help make appropriate referrals for continued care. When possible personnel should provide those whom they are counseling thirty days written notice they are leaving their position.
- 2.6 Personnel ordinarily do not begin a counseling relationship with someone with whom they have a preexisting relationship (i.e., employee, professional colleague).
- 2.7 Personnel are forbidden to engage in sexual conduct with those whom they counsel.
- 2.8 Physical contact with the counselee should be avoided. In situations where physical contact is initiated by a counselee, use sound discretion and moderation.

2.9 It should always be clear to both the personnel and the counselee that a counseling relationship is in process. This presumes that counseling is conducted in an appropriate setting and at appropriate times. Counseling should not be done in private living quarters or at places or times that would be ambiguous or misleading to the counselee.

2.10 Personnel maintain appropriate boundaries in all counseling relationships. During the course of the counseling relationship, personnel ordinarily do not engage in socializing with counselees.

2.11 Personnel who conduct counseling should exercise personal accountability by engaging in professional peer consultation and/or supervision as appropriate and maintain a written record of all counseling sessions.

2.12 When personnel are unable to provide appropriate assistance, they should advise the party/parties that he/she can no longer provide counseling and refer the counselee to other counselors.

3. CONDUCT WITH MINORS

Personnel working with minors should use appropriate judgment to ensure trusting relationships marked by personal and professional integrity. There are times when one-on-one involvement with minors is unavoidable. If it is necessary to depart from these guidelines, adults should be aware of any departure and be able to explain their actions as conforming to principles of Christian ministry.

3.1 Personnel must be aware of their own vulnerability and that of any individual minor with whom they may be working. In every instance possible, a team approach to youth activities should be considered. Personnel should avoid establishing any exclusive relationship with a minor and exercise due caution when they become aware of a minor desiring such a relationship.

3.2 Avoid physical contact when alone with a minor. In situations where physical contact is necessary and proper, use sound discretion and moderation. If a minor initiates physical contact out of affection, an appropriate response is proper if not prolonged.

3.3 Seek more than one responsible adult to be present at events involving minors, such as games and athletic activities.

3.4 Personnel do not use or supply alcohol and/or illegal drugs when working with minors.

3.5 Personnel do not provide any sexually explicit, inappropriate, or offensive material to minors.

3.6 Other than a close familial relationship, church leaders should not provide shared or private, overnight accommodations for individual young people including, but not limited to, accommodations in any church-owned facility, private residence, hotel room, or any other place where there is no other adult supervision present.

3.7 Personnel should know and understand the Diocesan policy regarding sexual abuse by clergy and Diocesan procedures contained in this code for reporting misconduct involving minors.

4. SEXUAL CONDUCT

Personnel do not exploit the trust of the community for sexual gain or intimacy.

4.1 Personnel are not to exploit persons for sexual purposes.

4.2 It is the personal and professional obligation of personnel to be knowledgeable about what constitutes sexual exploitation of another and to be familiar with the laws of the State of Iowa regarding sexual exploitation, sexual harassment, sexual abuse, and sexual assault.

4.3 Personnel who have made a commitment to celibacy are called to witness this in all relationships. Likewise, those who are single or who have made a marital commitment are called to witness to this fidelity in all their relationships.

4.4 Allegations of illegal misconduct will be reported to the authorities. Any sexual exploitation of others is contrary to the policy of the diocese.

4.5 Personnel should be knowledgeable of and comply with the State of Iowa mandatory reporting requirements, as well as the diocesan Code of Conduct and policies on sexual abuse.

5. PROFESSIONAL BEHAVIOR

Personnel do not engage in physical, psychological or verbal harassment of employees, volunteers, or others and will not tolerate such harassment by other employees or volunteers.

5.1 Personnel are committed to providing a professional work environment for their employees, which is totally free from such harassment. Personnel should strive for a work environment that is free from intimidation and harassment based on any of these factors.

5.2 Harassment encompasses a broad range of physical or verbal behavior, which can include, but is not limited to, the following:

physical or mental abuse;

racial insults;

derogatory ethnic slurs;

unwelcome sexual advances or touching;

sexual comments or sexual jokes;

requests for sexual favors used as a condition of employment or affecting any personnel decision such as hiring, promotion, or compensation;

treating someone less favorably based upon their gender;

display of offensive materials.

5.3 Harassment can occur as a result of a single incident or a pattern of conduct which results in the creation of a hostile, offensive, or intimidating work environment.

5.4 Personnel are to follow the established procedure for reporting of harassment, and are to ensure that no retaliation for bringing forward a claim of harassment will be tolerated. (cf Diocesan Board of Education regulation 471.1)

5.5 Personnel are to ensure that there is a clear policy on reporting harassment for both employees and volunteers. (cf Diocesan Board of Education policy 471)

6. CONFIDENTIALITY

Information disclosed to personnel during the course of counseling, advising, spiritual direction and any other professional contact shall be held in strictest confidence.

6.1 Individuals who come to personnel should feel that they are entering a relationship marked by respect, trust and confidentiality.

6.2 Personnel are bound to safeguard the confidentiality of any notes, files, or computer records pertaining to professional contact with individuals.

6.3 If consultation with another professional becomes necessary, utmost care should be taken to do so only by using non-identifying information; when this is not possible, the other professional must be bound to the same degree of confidentiality as the personnel. If the other professional is not so bound, the disclosure should not be made.

6.4 When consultation is necessary, personnel must exercise great care to limit the content of the information to be shared. Personnel must first determine: what is the precise information that personnel needs to have shared; with whom is the information to be shared; and why does it need to be shared.

6.5 Knowledge that arises from professional contact may be used in teaching, writing and preaching or other public presentations only when effective measures have been taken to absolutely safeguard individual identity and confidentiality.

6.6 Except as provided above with respect to consultation, confidential information can be disclosed only with the written, informed consent of the individual. In legal proceedings in which personnel is a defendant and the allegations stem from a professional contact, the disclosure of confidential information gained in that contact is permitted only to the minimum necessary to achieve the purpose of defense.

6.7 When entering into a counseling or pastoral relationship with an individual, personnel instruct the individual from the outset regarding several exceptions to the ordinary rights to confidentiality: threats of self-inflicted harm to the individual and threats against others because of the individual's emotional status or behavior. Threats of self-harm may also include suicidal ideation with a plan to commit the act and/or plans to commit violence against another. In these situations, which pose a grave risk for the individual's welfare and the welfare of others, communication of information to a parent or legal guardian and /or to the civil authorities should occur expeditiously with or without the consent of the individual.

6.8 Under no circumstances whatsoever can there be any disclosure, even indirect, of information received through the confessional.

7. REPORTING MISCONDUCT

Personnel have a responsibility to report ethical misconduct on the part of other personnel.

7.1 In cases where there are indications of illegal actions by personnel, notification should be made immediately to the proper civil and Church authorities.

7.2 In cases where there are indicators of unethical, but not illegal actions by personnel, notification should be made to the proper Church authorities.

7.3 All accusations and concerns, either past or present, involving the sexual abuse of a minor and/or adult sexual exploitations, as defined by Iowa law, must be reported promptly to the Vicar General or the Chancellor.

7.4 In cases relating to the sexual abuse of a minor by clergy, the Diocese of Des Moines Policy Regarding Sexual Abuse of a Minor by a Member of the Clergy will pertain. Other allegations of unethical misconduct will be investigated by the diocese and restrictions/termination of ministry/employment may be imposed. Diocesan protocol and procedures will be followed to insure the rights of all involved and to facilitate justice for the aggrieved.

7.5 Where circumstances dictate, the reporting and investigation procedures set forth under Iowa Administrative Code Section 281.102 should be followed. (cf DBE policy 471 and regulation 471.1)

8. ELECTRONIC COMMUNICATIONS

Information and technology resources are used to support the pastoral, educational, instructional and administrative endeavors of church leaders.

8.1 Under no circumstances shall any postings, voicemail, e-mail or Internet originating at diocesan or parish property be in violation of teachings of the Catholic Church, the letter or spirit of the diocesan Equal Employment Opportunity or Sexual Harassment policies or the restrictions against 501c(3) tax exempt organizations. Communication tools should not be used for personal gain, partisan political activity, for gambling, or to solicit others for activities unrelated to diocesan business. Under no circumstances can electronic communications be used to carry defamatory, discriminatory or obscene material.

8.2 The intended transmission or reception of any material in violation of any national, state or local regulation is prohibited. The intended transmission or reception of materials such as pornography that would violate the moral teaching of the Catholic Church or be scandalous to the Church on diocesan or parish equipment is also prohibited.

8.3 The diocese respects the personal privacy of its personnel. However, because communication tools are provided for business purposes, personnel rights of privacy in this context are quite limited. There should be no expectation that any information transmitted or stored on diocesan or parish equipment is, or will remain, private. In the course of their duties, system operators and managers may monitor employee use of the Internet or review the contents of stored or transmitted data. E-mail should not be considered a confidential means of correspondence. Illegal activities or usage will be reported to law enforcement.

8.4 Violations of these procedures can result in responses ranging from denial of future access to termination of ministry/employment.

Acknowledgment

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Appendix A

“Personnel” includes the following categories:

- A. All incardinated clerics.
- B. All priests and deacons who have the faculties of the Diocese of Des Moines.
- C. All those non-ordained persons to whom participation in the exercise of the pastoral care of the parish is entrusted according to Canon 517, Section 2, of the *Code of Canon Law*.
- D. All clerics or seminarians of other dioceses or religious communities who are working for the diocese or diocesan entities.
- E. All religious working for the diocese or diocesan entities.
- F. All staff of St. Thomas More Center in Panora.
- G. All staff in the offices, parishes, Catholic schools, and religious education programs of the diocese or diocesan entities.
- H. All volunteers in the offices, institutions, and programs listed in #F and #G who have continuing contact with minors (e.g., an average of one hour per week).
- I. Such other personnel as designated by the Bishop of Des Moines.
- K. All seminarians of the diocese.

Note: Catholic corporate entities within the Diocese of Des Moines that are listed in *The Official Catholic Directory* or the Diocesan Directory that do not have the Bishop of Des Moines as their President are not covered by this policy (e.g., Catholic colleges, hospitals, religious communities).