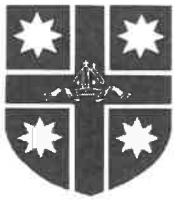

Faithfulness in Service

A national code for personal behaviour and the practice of pastoral ministry by clergy and church workers

General Synod of the Anglican Church of Australia
Child Protection Committee

As adopted by General Synod 2004
Amended July 2005
Amended March 2006
Amended October 2006
Amended April 2011
Amended November 2011
Amended May 2016
Amended November 2016

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The General Secretary
General Synod Office
The Anglican Church of Australia
Suite 4, Level 5
189 Kent Street, Sydney NSW 2000

33/04 CHILD PROTECTION – 1

The General Synod:

(a) receives the report of the Child Protection Committee;
(b) adopts as the Church's *Safe Ministry Policy Statement*:
"The Anglican Church of Australia is committed to the physical, emotional and spiritual welfare and safety of all people, particularly within its own community. The Church will:

- carefully recruit and train its clergy and church workers;
- adopt and encourage safe ministry practices by its clergy and lay church workers;
- respond promptly to each concern raised about the behaviour of its clergy and lay church workers;
- offer pastoral support to any person who has suffered abuse; and
- provide pastoral support to and supervision of any person known to have abused a child or another vulnerable person."

(c) adopts the *Safe Ministry Check* in the Report of the Child Protection Committee as the national applicant and referee questionnaires for the selection of ordination candidates and for the screening of clergy and church workers who have contact with children in their ministry;
(d) authorises the revision of the *Safe Ministry Check* by the Standing Committee;
(e) adopts Faithfulness *in Service* in the Report of the Child Protection Committee as the national code for personal behaviour and the practice of pastoral ministry by clergy and lay church workers; and
(f) authorises the revision of Faithfulness in Service by the Standing Committee.

Garth Blake – 4 Oct 04

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1 ABOUT THIS CODE

Faithfulness in service

When Jesus spoke to his disciples he said they were not to be like the rulers of the day who exercised authority over others. They were to be servants of others, even as Jesus did not come to be served, but to serve.

When Peter wrote to the Christians scattered throughout Asia Minor, he reminded them of their identity in Christ as God's chosen people, sanctified by the Spirit for obedience to Jesus Christ. The call to be holy is reflected in both the Old and New Testaments as the appropriate response to God's grace. Christians live according to the knowledge that they have been created by God and redeemed by Christ.

When Paul wrote to the Philippian Christians he rejoiced in their fellowship and prayed that their love might grow in knowledge and discernment so that they might see what was significant for their Christian vocation and be enabled to live pure and blameless lives for the day of Jesus Christ. In the light of that growing knowledge of God's love they are to live in humility and faithfulness in the power of the Holy Spirit. They live out that love in their contact with others, especially those to whom they minister in Christ's name.

The Church is the fellowship that nurtures and sustains Christians as they seek to follow Christ faithfully and participate in God's mission. Its leaders especially are to be examples of Christian faith and obedience as they exercise their vocation, in dependence on the Holy Spirit.

The personal behaviour and practices of pastoral ministry required of clergy (bishops, priests and deacons) of the Anglican Church of Australia are specified in the Holy Scriptures as well as in its Constitution, canons, ordinances, the Book of Common Prayer and the Ordinal. Although not bound by the promises made by clergy, church workers (lay persons who are employed or hold a position or perform a function within the Anglican Church of Australia) are expected to conform to the same behaviour and practices as clergy—except in areas that apply only to clergy.

Purpose

This Code is intended to identify the personal behaviour and practices of pastoral ministry that will enable clergy and church workers to serve faithfully those among whom they minister. If the behaviour and practices it outlines are followed, our communities will be safer places for everyone, where integrity is honoured, accountability is practised and forgiveness encourages healing and does not conceal misconduct.

Implementation

This Code was adopted by the General Synod of the Anglican Church of Australia in 2004 as the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers.

It is important that this Code be understood by clergy and church workers. Each diocese will need to ensure that its clergy and church workers are trained in the Code and its application to personal behaviour and pastoral ministry. Clergy and church workers undertaking pastoral ministry will need to apply the standards and guidelines of this Code in their specific circumstances.

Format and presentation

Each section of this Code consists of three parts:

- a *preamble* which introduces the section;
- *standards* which state the Church's expectations for personal behaviour and the practice of pastoral ministry;
- *guidelines* which explain and illustrate best practice and highlight practical ways to achieve it.

Throughout the Code, all key terms appear in **bold text** the first time they appear in a section and their definitions are contained in the section headed 'Key Terms'. Some additional educational material and advice is included in Section 5[1], Children.

[1] Amended by Standing Committee, November 206 – SC2016/2/29

2 KEY TERMS

abuse in relation to an adult means the following conduct:

- bullying;
- emotional abuse;
- harassment;
- physical abuse;
- sexual abuse; or
- spiritual abuse.

bullying[2] means behaviour directed to a person or persons which:

- is repeated;
- is unreasonable (being behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening); and
- creates a risk to their health and safety.

Bullying can include:

- making derogatory, demeaning or belittling comments or jokes about someone's appearance, lifestyle, background, or capability;
- communicating in an abusive manner;
- spreading rumours or innuendo about someone or undermining in other ways their performance or reputation;
- dismissing or minimising someone's legitimate concerns or needs;
- inappropriately ignoring, or excluding someone from information or activities;
- touching someone threateningly or inappropriately
- invading someone's personal space or interfering with their personal property;
- teasing someone, or playing pranks or practical jokes on someone;
- displaying or distributing written or visual material that degrades or offends.

Bullying does not include lawful conduct of clergy or church workers carried out in a reasonable manner, such as:

- disagreeing with or criticising someone's belief or opinions or actions in an honest and respectful way;
- giving information about inappropriate behaviour in an objective way to the person or persons concerned and to any other person with a proper reason for having that information;
- setting reasonable performance goals, standards or deadlines;
- giving information about unsatisfactory performance in an honest and constructive way;
- taking legitimate disciplinary action.

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[2] Approved by Standing Committee, November 2016 – SC2016/2/29

Cyberbullying is a form of bullying which involves the use of information and communication technologies.

child means anyone under the age of 18.

child abuse means the following conduct in relation to a child:

- bullying;
- emotional abuse;
- harassment;
- neglect;
- physical abuse;
- sexual abuse; or
- spiritual abuse.

child exploitation material means material that describes or depicts a person who is or who appears to be a child –

- engaged in sexual activity; or
- in a sexual context; or
- as the subject of torture, cruelty or abuse (whether or not in a sexual context)

in a way that a reasonable person would regard as being, in all the circumstances, offensive. Child exploitation material can include any film, printed matter, electronic data, computer image and any other depiction.

child pornography means sexually explicit or suggestive material depicting children. Child pornography is a form of child exploitation material.

Church means the Anglican Church of Australia.

church authority means the person or body having authority to ordain, license, appoint, dismiss or suspend a member of the clergy or church worker.

church body includes a parish, school, or any body corporate, organisation or association that exercises pastoral ministry within, or on behalf of, or in the name of, the Church.

church worker means a lay person:

- who is licensed or authorised by the bishop of a diocese;
- who is employed by a church body in respect of whom this Code is part of their employment contract; or
- who, for payment or not, holds a position or performs a function with the actual or apparent authority of a church authority or church body, including an office, position or function:
    - of leadership in a parish, diocese of General Synod body;
    - as a member of the General Synod or a diocesan synod;

- as a member of a body incorporated by the General Synod, a diocese of a diocesan synod;

- as a churchwarden, member of any parish council of member of any committee constituted by or by the authority of the General Synod, a diocesan synod or a parish council;

in respect of whom the diocesan synod, the diocesan council, the church authority or the church body has adopted this Code.

civil authorities means the police and the relevant State or Territory government child protection authority.

clergy means bishops, priests and deacons of the Church.

corporal punishment means any punishment inflicted on the body.

Director of Professional Standards means the person in a diocese who has responsibility for the maintenance of professional standards of clergy and church workers.

emotional abuse means acts or omissions that have caused, or could cause emotional harm or lead to serious behavioural or cognitive disorders. It includes:
- subjecting a person to excessive and repeated personal criticism;
- ridiculing a person, including the use of insulting or derogatory terms to refer to them;
- threatening or intimidating a person;
- ignoring a person openly and pointedly; and
- behaving in a hostile manner or in any way that could reasonably result in another person feeling isolated or rejected.

grooming[3] refers to actions deliberately undertaken with the aim of engaging and influencing an adult or a child for the purpose of sexual activity.

In the case of sexual abuse of a child, an offender may groom not only the child, but also those close to the child, including the child's parents or guardians, other family members, clergy and church workers. Grooming can include providing gifts or favours to the child or their family.

In the case of sexual abuse of an adult, an offender may groom not only the adult, but also those close to them, including their children, clergy and church workers.

harassment means unwelcome conduct, whether intended or not, in relation to another person where the person feels with good reason in all the circumstances offended, belittled or threatened. Such behaviour may consist of a single incident or several incidents over a period of time. It includes:
- making unwelcome physical contact with a person;

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[3] Approved by Standing Committee, November 2016 – SC2016/2/29

- making gestures or using language that could reasonably give offence, including continual and unwarranted shouting;
- making unjustified or unnecessary comments about a person's capacities or attributes;
- putting on open display pictures, posters, graffiti or written materials that could reasonably give offence;
- making unwelcome communication with a person in any form (for example, phone calls, email, text messages); and
- stalking a person.

individual pastoral ministry means pastoral ministry carried out one-to-one. It includes spiritual direction, or pastoral counselling arising out of bereavement, divorce or other life crises.

neglect means the failure to provide the basic necessities of life where a child's health and development are placed at risk of harm. It includes being deprived of:

- food;
- clothing;
- shelter;
- hygiene;
- education;
- supervision and safety;
- attachment to and affection from adults; and
- medical care.

offensive language includes blasphemy, verbal harassment, racial and other forms of vilification, personal insult or comment and obscene words.

pastoral ministry means the work involved or the situation which exists when a member of the clergy or church worker has responsibility as part of their role for the wellbeing of others. This includes the provision of spiritual advice and support, education, counselling, medical care, and assistance in times of need.

pastoral relationship means a relationship between clergy or church workers and any person for the purposes of pastoral ministry.

physical abuse means any intentional or reckless act, use of force or threat to use force causing injury to, or involving unwelcome physical contact with, another person. This may take the form of slapping, punching, shaking, kicking, burning, shoving or grabbing. An injury may take the form of bruises, cuts, burns or fractures. It does not include lawful discipline by a parent or guardian.

professional supervision/consultation is a formal, collaborative process which a more senior or experienced person uses to develop and support a person in their ministry. This relationship is confidential, evaluative, and extends over time. It is preferable if the supervisor:

- has no other pastoral or personal relationship with the person being supervised; and

- has been trained in professional supervision.

prohibited material means:

- publications, films and computer games that have been classified by the Office of Film and Literature Classification as being unsuitable for a child to read, see or play;
- any other images or sounds not subject to classification by the Office of Film and Literature Classification that are considered with good reason within the Church to be unsuitable for a child to see or hear; and
- any substance or product whose supply to or use by children is prohibited by law, such as alcohol, tobacco products, illegal drugs and gambling products.

prohibited substance means any substance banned or prohibited by law for use or consumption by adults.

restricted material means:

- publications, films, and computer games that have been classified as Category 1 or 2 restricted, X or RC classification by the Office of Film and Literature Classification; and
- any other images or sounds not subject to classification by the Office of Film and Literature Classification (for example, internet material) that are considered with good reason within the Church as being offensive on the grounds of violence, sex, language, drug abuse or nudity.

sexual abuse of an adult means sexual assault, sexual exploitation or sexual harassment of an adult.

sexual abuse of a child[4] means the use of a child by another person for his or her own sexual stimulation or gratification or for that of others. It includes:

- making sexual advances to a child using any form of communication;
- exposing oneself indecently to a child;
- having or attempting to have vaginal or anal intercourse with a child;
- penetrating or attempting to penetrate a child's vagina or anus with an object or any bodily part;
- kissing, touching, holding or fondling or attempting to kiss, touch, hold or fondle a child in a sexual manner;
- staring at or secretly watching a child for the purpose of sexual stimulation or gratification;
- making any gesture or action of a sexual nature in a child's presence;
- making sexual references or innuendo in a child's presence using any form of communication;
- discussing or inquiring about personal matters of a sexual nature with a child;
- possessing, creating or exposing children to child exploitation material of a sexual nature;

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[4] Approved by Standing Committee, November 2016 – SC2016/2/29

- exposing a child to any form of sexually explicit or suggestive material including clothing with sexually explicit images or messages;
- giving goods, money, attention or affection in exchange for sexual activities with a child;
- giving goods, money, attention or affection in exchange for images of a child for the purpose of sexual gratification of themselves or others; and
- encouraging, or forcing or attempting to encourage or force a child:
  - to sexually touch or fondle another person;
  - to perform oral sex;
  - either to masturbate self or others, or to watch others masturbate; and
  - to engage in or watch any other sexual activity.

Sexual abuse of a child does not include:
- sex education with the prior consent of a parent or guardian; or
- age appropriate consensual sexual behaviour between peers (i.e. the same or a similar age).

sexual assault[5] means any intentional or reckless act, use of force or threat to use force involving some form of sexual activity against an adult without their consent. It includes:
- having or attempting to have vaginal or anal intercourse with a person without their consent;
- penetrating or attempting to penetrate another person's vagina or anus with an object or any bodily part without that person's consent;
- sexually touching and fondling or attempting to sexually touch or fondle a person without their consent;
- kissing or attempting to kiss another person without their consent;
- holding or attempting to hold another person in a sexual manner without their consent;
- forcing or attempting to force a person to sexually touch or fondle another person; and
- forcing or attempting to force a person to perform oral sex.

sexual exploitation refers to any form of sexual contact or invitation to sexual contact with an adult, with whom there is a pastoral or supervisory relationship, whether or not there is consent and regardless of who initiated the contact or invitation. It does not include such contact or invitation within a marriage.

sexual harassment[6] means:
- an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person, or
- other unwelcome conduct of a sexual nature in relation to the other person,

in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.

Such behaviour may consist of a single incident or several incidents over a period of time. It includes:

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[5] Approved by Standing Committee, November 2016 – SC2016/2/29
[6] Approved by Standing Committee, November 2016 – SC2016/2/29

- asking a person for sex;
- giving a person to understand that you would like sexual favours from them;
- making any gesture, action or comment of a sexual nature to a person directly or making a comment of a sexual nature about them in their presence;
- making jokes containing sexual references or innuendo using any form of communication;
- exposing a person to any form of sexually explicit or suggestive material;
- making unwelcome physical contact such as touching, pinching, or patting;
- making unwelcome or unnecessary inquiries about or attempts to discuss personal matters of a sexual nature;
- deliberately intruding on an individual's personal space;
- staring at or secretly watching a person for the purpose of sexual stimulation or gratification; and
- stalking a person.

spiritual abuse means the mistreatment of a person by actions or threats when justified by appeal to God, faith or religion. It includes:

- using a position of spiritual authority to dominate or manipulate another person or group;
- using a position of spiritual authority to seek inappropriate deference from others;
- isolating a person from friends and family members; and
- using biblical or religious terminology to justify abuse.

3 PUTTING THIS CODE INTO PRACTICE

Preamble

3.1 This Code will only be effective if it is widely known and available throughout the **Church**, practised consistently and implemented justly. **Clergy** and **church workers** will protect the safety of others and themselves by observing its standards and following its guidelines.

3.2 The absence of any reference to particular conduct in this Code does not imply that it is acceptable for clergy and church workers.

3.3 All clergy and church workers have a responsibility to ensure that personal behaviour and practices of pastoral ministry that are inconsistent with this Code are neither tolerated nor covered up.

3.4 Failure to meet the standards of this Code will indicate an area where clergy and church workers require guidance and specialised help. Such failures may result in formal disciplinary action if the conduct infringes an applicable disciplinary rule of the Church or is a breach of an employment contract.

3.5 Clergy and church workers are encouraged to follow the guidelines of this Code. Where this is impractical, the exercise of judgement will be required to ensure the safety of those to whom they minister and themselves. Wilful disregard of the guidelines may indicate an area where clergy and church workers require guidance and specialised help.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

3.6 It is your responsibility to be aware of and meet the standards of this Code.

3.7 If you have overall authority in a **church body,** you are to ensure that all clergy and church workers for whom you are responsible are made aware of this Code.

3.8 You are not to penalise, discriminate or take action against other clergy or church workers because of any action taken in good faith under this Code.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

3.9 If you know or have reason to believe that another member of the clergy or another church worker has failed to meet a standard of this Code, other than for **child**

abuse (the reporting of child abuse is addressed in paragraphs 5.14 and 5.15) you should:

- Where you believe that a person has not suffered harm or is not at the risk of harm, approach the member of the clergy or church worker and identify the concern; or

- Where you believe that a person has suffered harm or is at the risk of harm, report this to the **church authority** having responsibility for the member of the clergy or church worker or the **Director of Professional Standards**.

If in doubt seek advice from a colleague or supervisor or the Director of Professional Standards without identifying the member of the clergy or church worker.

3.10 If you know or have reason to believe that another member of the clergy or another church worker has not followed a guideline of this Code, you should approach the member of the clergy or church worker and identify the concern. If you consider that the member of the clergy or church worker is persisting in disregarding the guideline without good reason and a person has suffered harm or is at the risk of harm, you should seriously consider reporting this to the church authority with responsibility for the member of the clergy or church worker or the Director of Professional Standards. If in doubt seek advice from a colleague or supervisor or the Director of Professional Standards without identifying the member of the clergy or church worker.

4 PASTORAL RELATIONSHIPS

Preamble

4.1 All people are created in the image of God and are of equal value. This is the foundation of all **pastoral relationships**.

4.2 Clergy have authority conferred upon them by their ordination, consecration and licensing. Church workers have authority conferred upon them by their appointment. The authority and training associated with their roles means that they have power in pastoral relationships which is always to be exercised in the service of others.

4.3 Trust is of primary importance in the creation and maintenance of an effective pastoral relationship. Trust grows with the maintenance of physical, sexual, emotional and psychological boundaries suitable to pastoral ministry. (The issues of Children and Sexual Conduct are addressed in Sections 3 and 5 respectively.) Clergy and church workers will enhance their ability to maintain these boundaries by attending to their own wellbeing.

4.4 While clergy and church workers often enjoy personal friendships with those to whom they minister, their pastoral ministry responsibilities take precedence.

4.5 Clergy and church workers are colleagues in **pastoral ministry:** the activity of one inevitably impacts upon the ministry of others.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

4.6 If you have overall authority in a **church body**, you are to ensure that clergy and church workers for whom you are responsible are provided with:

- a safe working environment, including safe housing, where housing is provided;
- opportunities to maintain and enhance their ministry skills; and
- personal encouragement, support and regular feedback.

4.7 When exercising pastoral ministry you are to act in the best interests of those to whom you are ministering. You must recognise any potential conflict of interest and take steps to resolve it.

4.8 When exercising pastoral ministry you are not inappropriately to discriminate between people.

4.9 You are not to disclose confidential information received in pastoral ministry to your spouse, family, friends, colleagues or any other person without the consent of the person providing the information, except where:

- the information is known publicly;
- as required or allowed by law; or
- it is in the public interest (such as to avoid the risk of serious injury or harm to any person).

4.10 When you are on leave or unable to fulfil your responsibilities through illness or any other reason, you are to make alternative arrangements for pastoral ministry.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

Boundaries

4.11 Make sure you are clear about the requirements of your role, including the hours to be worked and the nature of your responsibilities as well as your leave and other entitlements. You need to be sure that your legitimate personal needs can be met.

4.12 Recognise the limits of your skills and experience. Do not undertake any ministry (such as relationship counselling, counselling for abuse or addictions, or an exorcism) that is beyond your competence or the role for which you have been employed or trained. If in doubt seek advice. A person who requires specialised help should be referred to an appropriately qualified person or agency.

4.13 Where ministry responsibilities overlap, be aware of the activities, function and style of other clergy and church workers. Consult with these colleagues and co-operate wherever possible.

4.14 Where your ministry responsibility to one person may conflict with your responsibility to another person to whom you are ministering, or with your own needs, you should seek advice from a colleague or supervisor. Consider the possibility of transferring ministry responsibility for one or both of these to another minister.

4.15 If you are unable to act in the best interest of the person to whom you are ministering because of your own interests you should seek advice from a colleague or supervisor and transfer ministry responsibility for the person to another minister.

4.16 Avoid behaviour that could give the impression of favouritism and inappropriate special relationships, particularly with individual children.

4.17 Think carefully before providing pastoral ministry to a person with whom you already have a close personal relationship, such as a friend or member of your

family. Care is needed because confusion between close personal relationships and pastoral relationships can lead to a loss of objectivity, failure to act in the other's best interest and harm to both parties.

4.18 Pastoral relationships can legitimately develop into romantic relationships. If this begins to happen:

- acknowledge to yourself that your personal interest and the pastoral relationship are at risk of becoming confused;
- tell the other person that your relationship is changing and becoming romantic;
- disclose the nature of the relationship to a supervisor or colleague to ensure accountability and prevent misunderstanding; and
- where practicable:
  - disclose to a supervisor or colleague any proposed alternative arrangements for ongoing **individual pastoral ministry**;
  - make alternative arrangements for ongoing individual pastoral ministry; and
  - cease providing individual pastoral ministry to the person.

4.19 If you are providing ongoing individual pastoral ministry or counselling, engage someone to provide regular professional supervision. This will help protect you and those to whom you minister.

4.20 When you resign or retire, you should generally terminate existing pastoral relationships. You should do this in a sensitive and timely manner to allow these responsibilities to be undertaken by your successors. Consult with your successor where the other person wishes to maintain an ongoing pastoral relationship with you.

Personal and professional development

4.21 Maintain a healthy lifestyle and do not overcommit yourself. Make sure you have adequate leisure time, through regularly taking time off, including your full holiday entitlement annually.

4.22 Try to develop interests outside your main area of ministry and continue to care for yourself and your personal and family relationships.

4.23 Look for, and take advantage of, opportunities to maintain and enhance ministry skills appropriate to the responsibilities of your role, through:

- regular ministry development;
- professional supervision / consultation;
- peer support;
- having a mentor; and
- regular feedback including an annual ministry review.

Confidentiality and confessions

4.24 When you are seeking or providing professional supervision / consultation you should not identify any person and only disclose what is necessary to obtain the supervision or advice.

4.25 In most cases you should tell someone who is to give you confidential information of the limits to confidentiality and the arrangements for supervision or obtaining advice. This should be done before the disclosure of the confidential information, such as at the beginning of an interview.

4.26 The Confessions Canon 1989 or the proviso to Canon 113 of 1603 is in force throughout the Church. These Canons make provision for the confession of sins to clergy and for the confidentiality of this confession. If you are a member of the clergy, you should be aware of the scope of, and your obligations under, the applicable Canon. For example, absolution is not automatic and may be withheld. You may require of the person making the confession of sins some appropriate action of contrition and reparation before you give them absolution.

4.27 There is a distinction between disclosures made in ordinary pastoral situations and disclosures made as a confession as provided in the applicable pastoral service in the Church's authorised liturgies. This service should normally be heard in a public place at advertised times or by arrangement.

4.28 If you are a church worker, remember that only clergy have the authority to receive a special confession of sins as provided in the applicable pastoral service in the **Church's** authorised liturgies.

4.29 You may have a legal obligation to report criminal offences to the applicable civil authorities (the issue of **child abuse** is addressed in Section 5). You may be subpoenaed to produce documents or to attend court to give evidence, or both. In some States or Territories, clergy may be able to claim privilege from producing documents and/or disclosing information obtained in a confession referred to in paragraphs 4.26 to 4.28.

4.30 You should be aware of and, when appropriate, seek advice in regard to:

- your legal obligations with regard to confidential information received during an interview or a confession, particularly in relation to criminal offences and child abuse;
- the pastoral consequences of breaching confidentiality; and
- the risk of physical, financial or emotional harm or hardship to another person by disclosing or not disclosing such information, particularly in writings, sermons or other public media.

4.31 Exercise special care that any illustrative material you use from personal experience does not involve a breach of confidentiality.

Conversations in a ministry context

4.32 Any communication in a ministry context, whether formal or informal, is a pastoral encounter. Communication may be face-to-face, in writing or involve some form of technology. Consider the appropriateness and impact of your words and actions.

4.33 Innuendoes or compliments of a sexual nature are always inappropriate. When a person asks questions or seeks advice around topics of a sexual nature, be aware that they may have motives or needs that you do not understand. Be realistic about your own ability to assist them.

4.34 To minimise the risk of being accused of or engaging in misconduct, particularly when conducting interviews, think carefully in advance about:

- the place of the meeting, the arrangement of furniture and lighting, and your dress;
- whether the physical location allows for privacy of conversation while maintaining the opportunity for supervision. (For example, doors to interview rooms, if closed, should not be locked.);
- the physical distance between you and the other person to maintain both hospitality and respect;
- whether the circumstances would suggest a social interaction;
- the propriety and circumstances of the interview when you are visiting or being visited alone, especially at night;
- the personal safety and comfort of all participants;
- establishing at the outset the interview's purpose and the boundaries with respect to the subject matter, confidentiality and its duration;
- the appropriateness of initiating or receiving any physical contact, such as gestures of comfort, that may be unwanted or misinterpreted; and
- whether the presence of a child's parent, guardian or another person chosen by the child is appropriate.

4.35 When considering using technology for communication, you should apply the same principles as you would in any other form of communication. Minimise the risk of harming others or yourself by asking:

- is this an appropriate way to communicate about this matter?
- should this communication be confidential? If so, do not use electronic media;
- how will the language and images used impact upon the person receiving the communication and any other person who may access it?
- could the circumstances of the communication, including the language and images used, suggest your relationship with the other person(s) is inappropriate?

Risks associated with using technology in communication

Clergy, church workers, and other participants in church activities – including children – may communicate using:

- text and picture messaging;
- email;
- instant messenger services and chat rooms;
- video conferencing;
- blogs and internet forums;
- websites;
- social networking sites; and
- other forms of electronic interaction.

Remember information posted online is tracked and can be retrieved. Dangers associated with the use of communication technology are not always appreciated by clergy and church workers. These dangers include:

- losing your privacy;
- losing control of information (such as photographs or emails);
- ignoring personal security settings on social networking sites;
- being unable to determine if people are who they say they are;
- being exposed to unwanted information; and
- becoming a victim of cyberbullying when someone sends or spreads threatening or embarrassing information.

Record-keeping and privacy

4.36 If you are engaged in individual pastoral ministry, consider keeping a factual record of your daily pastoral activity. Record details such as the date, time, place, participants, subject, and any proposed action arising from each activity. Record personal remarks accurately.

4.37 You need to know the relevant principles of the applicable privacy legislation in relation to the collection, use, disclosure and management of personal information. These have implications for:

- the publication of personal information in church directories, newsletters, rosters and websites;
- the recording and publication of voices and images of individuals; and
- the use and security of all personal information, and especially sensitive information, held by clergy and church workers or in church offices.

5 CHILDREN

Preamble

5.1 **Children** are entitled to be safe and protected. They have the right to be respected, listened to and their particular needs addressed in all church activities, whether mixed aged or child specific.

5.2 Ministry where children are involved requires absolute trustworthiness.

5.3 **Clergy** and **church workers** with overall authority in a **church body** (e.g. incumbents and school principals) have a responsibility that cannot be delegated for the implementation and maintenance of proper systems for the safety and welfare of children participating in its pastoral ministry.

5.4 When they are exercising a pastoral ministry involving children in a church body, clergy and church workers (e.g. Sunday school teachers, youth group leaders) have responsibility for the safety and welfare of children in their care.

5.5 Clergy and church workers have *authority* over children because of their position and *power* because of their greater age, maturity, physical size and life experience. Abuse arises from the misuse of authority or power. Any form of **child abuse** is always wrong.

5.6 Due to the inherent imbalance of power, children are incapable of giving valid consent to abuse.

5.7 Appropriate physical contact is important for children's healthy development.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

5.8 If you have overall authority in a church body, you are to ensure that:

- proper systems for the safety and welfare of children participating in the church's pastoral ministry are implemented and maintained;
- all applicable requirements of the civil authorities, the **church authority** and the church body are complied with; and
- all clergy and church workers for whom you have responsibility and who work with children:
    - comply with all civil and Church screening and selection requirements;
    - receive regular training in child protection; and
    - are aware of the provisions of this Code relating to children.

5.9 If you are exercising a pastoral ministry involving children in a church body you are to take reasonable steps to ensure the safety and welfare of the children in your care.

5.10 You are to not abuse children.

5.11 When engaged in pastoral ministry you are not to administer **corporal punishment** to children in your care.

5.12 You are not to make available to children any **prohibited material**, except wine in the context of a Holy Communion service.

5.13 Before you allow a person who is currently charged with or convicted of an offence against a child to participate in activities involving children, you are to:

- consult the **Director of Professional Standards**;
- ensure that a risk assessment is undertaken; and
- be satisfied that no child will be at an increased risk of harm.

5.14 If you know or reasonably suspect that a child is at risk of harm from child abuse, you are to report this to the appropriate civil authorities.

5.15 If you know or reasonably suspect that another member of the clergy or a church worker has abused a child, you are to report this to the appropriate civil authorities and the Director of Professional Standards.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

Recognising the characteristics and effects of child abuse

5.16 You need to be aware of the signs, symptoms and characteristics of child abuse and its impact on children.

Characteristics and effects of child abuse

Abuse of a child can be categorised as emotional, physical, sexual, or spiritual. It can also arise from neglect, bullying or harassment.

The signs and symptoms can include:

- **emotional abuse**—low self esteem, apathy, an over readiness to relate to anyone even strangers, unduly aggressive behaviour, withdrawn behaviour;
- **physical abuse**—bruises, bites, burns and scalds, fractures;
- **sexual abuse**—a level of sexual knowledge or desire for either contact or distance inappropriate to the child's age, self-harm, social isolation, and

a sudden onset of soiling, wetting or other behavioural changes;

- **spiritual abuse**—low self esteem, high levels of anxiety and fear, excessive deference to a leader and isolation from former friends and family members;
- **neglect**—failure of a child to grow within the normally accepted pattern, failure of a parent or guardian to provide adequate food, clothing, shelter, medical care and supervision;

Grooming actions are designed to establish an emotional connection to lower the child's inhibitions through the development of a relationship with the child, and increased opportunity to see the child. Grooming involves psychological manipulation that is usually very subtle, drawn out, calculated, controlling and premeditated. Typically, grooming occurs incrementally: accessing the victim, initiating and maintaining the abuse, and concealing the abuse.[7]

All Australian jurisdictions have grooming offences, which vary in scope and application. Grooming offences may target online or other electronic communications, subjecting children to child exploitation material, and/or using intoxicating substances to engage children for the purpose of sexual activity.[8]

Characteristics and effects of child abuse

- **bullying or harassment**—low self-esteem, loss of trust in others, apathy, an over readiness to relate to anyone even strangers, unduly aggressive behaviour, withdrawn behaviour.

Sexual abuse of a child is often preceded by **grooming.**

The sexual abuse of a child commonly has the following characteristics:

- it usually starts with something minor and gradually builds up to more involved behaviours through a process of grooming;
- it is secretive and generally known only to the abuser and victim making it extremely difficult to detect;
- it is perpetrated by someone known to the child and/or held in a position of trust by the child or their parents or guardians; and
- it is rarely a self-contained or one-off incident but rather part of an ongoing relationship that is corrupting and distorting.

The abuse of a child commonly causes psychological and spiritual harm

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7 Approved by Standing Committee, November 2016 – SC2016/2/29
8 Approved by Standing Committee, November 2016 – SC2016/2/29

and is likely to lead to the impairment of their social, emotional, cognitive, spiritual and intellectual development and/or disturbed behaviour.

The effects of child abuse extend well beyond the abuser and their primary victims. The families of the victim and abusers as well as their communities can also experience a high degree of distress when revelations of abuse emerge. Often they can deny the disclosure and so reject the victim rather than face reality. Once the reality is confronted, the community will commonly experience profound shock, guilt about failing to protect the primary victim, deep hurt and disillusionment.

Recognising the characteristics of sexual offenders

5.17 You need to be aware of the characteristics of sexual offenders. A sexual offender may be a friend, a family member, a neighbour, a peer, or a person in authority.

Characteristics of sexual offenders

Sexual offenders generally:

- do not stop unless there is some intervening factor;
- believe or assert that the victim is complicit or a willing participant;
- attempt to deny, justify, minimise or excuse their behaviour by:
  - claiming their behaviour was an expression of love for the victim;
  - claiming their behaviour was a result of their childhood abuse;
  - claiming their behaviour was influenced by stress, the use of alcohol or other substances; and

    blaming the victim;
- enjoy the activity, despite claims to the contrary; and
- are repeat offenders.

Sexual offenders who target vulnerable adults and children will often undertake a grooming process as a precursor to abusive behaviour.

Ensuring the safety of children

5.18 Taking all reasonable steps to ensure the safety and welfare of children for whom you have overall responsibility or are in your care requires you prepare a risk management plan which considers the following issues:

- screening and selection of personnel;
- your role and capacity to perform it;
- use of external service providers;

- supervision ;
- planning and conduct of activities;
- venue;
- health and safety;
- transport;
- disciplinary arrangements;
- physical contact;
- photographs and images; and
- record keeping.

These issues are considered in paragraphs 5.19 and 5.47.

Screening and selection of personnel

5.19 If you have responsibility for compliance with civil and Church screening and selection requirements, you should exercise care with the selection of leaders involved in mixed age or children's activities. You should ensure that any parents or guardians assisting with these activities are screened.

5.20 Consult the Director of Professional Standards as to whether a risk assessment is required before you appoint someone who has:

- been acquitted of a charge of an offence against a child;
- had a charge of an offence against a child not proceed;
- had a prohibited status under applicable child protection legislation lifted; or
- been the subject of Church disciplinary proceedings involving child abuse.

Your role and capacity to perform it

5.21 You need to recognise your own limits and not undertake any ministry that is beyond your competence or certification or that is not part of the role for which you have been or are being trained. Arrange for any such ministry to be provided by an experienced person or specialist agency. This applies particularly to outdoor or adventure activities such as canoeing, abseiling and hiking. Refer any child who requires specialised help (e.g. counselling for depression, abuse or addiction) to an appropriately qualified person or agency.

5.22 While children should be able to trust and confide in clergy and church workers—and you should expect to develop relationships of this character with children—avoid fostering inappropriate dependence on the part of a child.

5.23 Encourage children to develop leadership skills and undertake leadership roles that are appropriate for people of their age.

Use of external service providers

5.24 When you engage or use an external service provider for an activity (e.g. when you engage a specialist in outdoor education or a speaker for a camp), you should:

- make reasonable enquiries as to whether they have been screened and selected in accordance with civil and any Church requirements;
- ensure that they are only used in a supplemental capacity; and
- wherever practicable, ensure that they are not left alone with any child.

Supervision

5.25 The degree of supervision required will vary according to the nature and environment of the activity, the age and maturity of the children and the size of the group. Having multiple leaders to ensure that supervision and accountability standards are maintained is vitally important. You should:

- clearly distinguish the different levels of responsibility between you and any other supervisor and ensure that these differences are understood;
- consider the extent of supervision required taking into account:
  - the age, number, ability and gender mix of the children; and
  - the venue, time, duration and nature of the activity;
- have a register of all children with contact details and parents' or guardians' names for emergencies; and
- monitor and periodically review the application of Church child protection procedures.

Activities

5.26 You should identify and minimise all potential hazards before embarking on any activity with children. This would include:

- being aware of the fire safety and evacuation procedures;
- ensuring that emergency exits on church premises are clearly marked and never obstructed or internally locked;
- not permitting smoking in any church premises where the activity is held; and
- not knowingly permitting children with serious contagious diseases to attend the activity.

5.27 Games or activities that emphasise gender, physical, intellectual or ethnic differences should be assessed for their appropriateness. Think about what message children may learn from the way events are organised and conducted.

5.28 You should review in their entirety aural and visual materials, such as videos, films, computer games, graphics, photographs and lyrics, to ensure that any elements containing violence, sexual activity or lifestyle are appropriate for the intended audience. Exercise care if a film or computer game has been recommended by the Office of Film and Literature Classification as unsuitable for

viewing or playing by children of a particular age (e.g. MA, M and PG classifications). In assessing whether something is suitable you should take into account the age of the youngest child present. If in doubt, seek the advice of a supervisor or colleague.

5.29 To minimise the possibility of children being harmed, give careful consideration to any activities or games that require children to act alone or in pairs independent of leaders.

5.30 Ensure that no children's activity includes:

- secret initiation rites and ceremonies;
- nudity or engagement in sexual conduct;
- the use or availability of prohibited materials, except wine in the context of a Holy Communion service.

5.31 When taking children away from church premises, obtain the written consent of a parent or guardian and keep them informed of the place and timing of the event. If you can, include parents or guardians in a leadership team of mixed gender.

5.32 When meeting a child privately, you should:

- have parental or guardian consent, where practicable;
- ensure where appropriate that a parent, guardian or suitable adult is present;
- inform another member of the clergy, an adult church worker or another adult of the time, location and duration of the meeting; and
- not invite or have children to your home or visit children in their home when no other adult is present; and
- make a record of the time, location, duration and circumstances of any meeting where it is impracticable to follow these guidelines.

Venue

5.33 Avoid working alone or in isolation with children. You should ensure that:

- all activities have defined boundaries that are easily observed or patrolled;
- all aspects of children's activities are open to observation;
- children are not permitted to leave church premises unsupervised; and
- where individual or small group ministry is needed, it occurs in the presence of adults, a public place or a location with high visibility.

5.34 When events require children to sleep over, you should ensure that where possible:

- parents or guardians are involved in the events and their supervision;
- sleeping accommodation is segregated between males and females;
- sleeping accommodation is supervised by more than one person, preferably including a parent or guardian or another adult of each gender; and

- supervisors do not sleep in close personal proximity to a child, unless they are a parent or guardian of the child.

5.35 Venues should allow for the privacy of all parties to be respected, particularly when changing clothes, washing and toileting. If you need to wash or toilet a child, tell another adult what you are doing.

Health and safety

5.36 Ensure that the risk management plan includes relevant contact details (e.g. emergency services and specialised help) and that a first aid kit appropriate to the activity is available. In the case of camps and similar activities, ensure that at least one adult present has first aid training.

5.37 Do not administer prescription medications to a child without the written consent of a parent or guardian.

5.38 Obtain information from parents or guardians about the particular physical and mental health or safety needs of children in your care (e.g. allergies, depression).

Transport

5.39 When making transport arrangements, take reasonable steps to ensure that:

- all drivers or operators are licensed, responsible, experienced and are not impaired by alcohol or any other mind-altering or addictive substance; and
- all motor vehicles and other forms of transport used are registered, insured, safe and fitted with appropriate child restraints or safety devices (e.g. seat belts, life jackets).

5.40 To the extent practicable, avoid being alone with a child in a motor vehicle or driving a child home unaccompanied. If such a situation is unavoidable, inform another adult of the trip and the reason for it.

Discipline

5.41 If you have overall responsibility in a Church body, you should ensure that:

- there is a strategy to prevent child abuse from occurring during church activities. This includes giving age-appropriate warnings to children about their own behaviour; and
- parents or guardians are advised that abuse of any child during children's activities will not be tolerated

5.42 If you have overall authority for children's ministry in a Church body you should ensure that a disciplinary strategy is developed, made known and implemented.

Disciplining children

When a child's behaviour requires correction, either for the safety and welfare of themselves or the group, it is important that:

- a warning precedes any discipline, where the situation permits;
- the discipline is explained to the child;
- the child is given an opportunity to explain;
- the discipline is appropriate to the occasion and age of the child;
- the form of discipline is not corporal punishment, does not ridicule or humiliate, or is not otherwise abusive;
- very young children are not isolated as a form of discipline;
- physical restraint is only used to protect children from harm or to avoid an accident;
- when physical restraint is used, a record is kept that identifies the restraint used, the member of the clergy or church worker and child involved and any witnesses, and sets out the incident's circumstances; and
- the child's parents or guardians are informed of the circumstances of the incident and discipline; and
- you make a record of the circumstances of the incident and discipline; and
- you make a record of the circumstances of the incident and discipline.

Physical Contact

5.43 In general—excluding circumstances such as immediate physical danger or medical emergency—physical contact should be initiated by the child or occur with their permission. When you make physical contact with a child, be very careful that you respect the child's feelings and privacy.

5.44 Ensure that any physical contact you have with children is of a non-sexual nature and appropriate to the situation. Avoid any physical contact that is sexually stimulating, or that may be construed as sexually stimulating. Children may or may not be aware of creating such situations. It is your responsibility to be alert for such situations and to cease any inappropriate physical contact immediately.

Children and physical contact

You need to be very careful when making physical contact with children.

Appropriate contact includes:

- bending down to the child's eye level, speaking kindly and listening attentively;
- gaining permission before hugging a child and respecting their right to refuse;
- taking a child's hand and leading them to an activity;

Children and physical contact

- comforting a child by placing an arm around their shoulder and giving a gentle squeeze from the side;
- praising or welcoming a child by holding the child's two hands in yours;
- patting the child on the head, hand, back or shoulder in affirmation; and
- holding a preschool child who is crying, provided that they want to be held.

Inappropriate contact includes:

- kissing or coaxing a child to kiss you;
- extended hugging or tickling;
- touching any area of the body normally covered by a swimming costume, specifically the buttocks, thighs, breasts or groin areas; and
- carrying older children, sitting them on your lap or having them rub up next to you.

Communication

5.45 If you have overall responsibility in a Church body, you should ensure there is a policy for clergy and church workers which deals with the use of technology to communicate with children in pastoral ministry.

5.46 When considering using technology for communication, you should apply the same principles as you would in any other form of communication with children. You should take care that:

- it is an appropriate way to communicate with a child;
- it is an appropriate way to communicate about the matter;
- you are sensitive to the impact of your words, images and actions on the child and any other person who may access it;
- you do not use sexually suggestive, explicit or **offensive language** or images; and
- the circumstances of the communication, including the language and images used, do not suggest your relationship with the child is inappropriate.

Risks associated with using technology in communication with children

Clergy, church workers and other participants in church activities – including children – may communicate using:

- texting and picture messaging;
- email;
- instant messenger services and chat rooms;
- video conferencing;
- blogs and internet forums;
- websites; and
- group social networking sites.

Remember information posted online is tracked and can be retrieved. Dangers

associated with the use of communication technology with children are not always appreciated by clergy and church workers. These dangers include:

- ignoring personal security settings on social networking sites;
- disclosing contact details or images of the child in the communication;
- being unable to determine if people are who they say they are;
- exposing the child to unwanted or inappropriate information;
- the child becoming a victim of cyberbullying; and
- sexual predators gaining access to the child.

Clergy and church workers can assist children to stay safe when using technology to communicate with others by:

- educating children and their parents or guardians about the risks associated with the use of this technology;
- encouraging children to exercise care in disclosing personal information about themselves and others such as their contact details;
- encouraging children to talk about anything that worries them with their parents or guardians, older siblings, friends, and clergy and church workers with whom they have a **pastoral relationship** instead of posting their problems in a chat room or blog; and
- encouraging children to talk about anything they see or experience online that worries them.

Photographs and images

5.47 If you have overall authority in a church body, you should ensure that there is a policy requiring clergy and church workers to obtain the permission of relevant parents and guardians before making or using images (including photographs and videos) of children who are engaged in children's activities. The form of permission should clearly indicate the intended use of the images.

Record keeping

5.48 If you have overall authority in a church body, you should ensure that any Church screening documents:

- are treated with confidentiality and never left where they can be accessed by unauthorised persons;
- where kept on computer, are password protected and stored for an indefinite period of time with access limited to authorised persons; and
- where kept in paper form, are stored separately from any other documents and locked in secure place for an indefinite period of time, with access limited to authorised persons.

5.49 If you have overall authority in a church body, you should:

- ensure that a register of attendance of children and leaders and their emergency contact details is kept for each pastoral ministry involving children;
- consider including such registers in the church archives; and
- keep and store in a secure place all permission forms and records relating to discipline and private meetings.

5.50 If you are exercising a pastoral ministry involving children in a church body, you should keep a register of attendance of the children for whom you are responsible.

6 PERSONAL BEHAVIOUR

Preamble

6.1 The personal behaviour and relationships of **clergy** and **church workers** have a significant impact on the **Church** and the community because they are a model to others. In a context where their responsibility is to care for others, people will especially observe the way in which clergy and church workers exercise power.

6.2 Abuse of power is at the heart of many relationship problems in the Church and the community. In essence, abuse is one person's misuse of power over another. Sometimes abuse will be a one off event and at other times it will be a pattern of behaviour.

6.3 **Abuse** can take any of several overlapping forms: **bullying, emotional abuse, harassment, physical abuse, sexual abuse or spiritual abuse**. Abuse in a family or domestic context is commonly known as "family and domestic violence.[9]

6.4 It is important for clergy and church workers to be good citizens and obey the laws of the community, except where those laws conflict with Christian convictions.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

6.5 You are not to engage in:

- bullying;
- emotional abuse;
- harassment;
- physical abuse;
- sexual abuse; or
- spiritual abuse.

6.6 You are not to **abuse** your spouse, children or other members of your family.

6.7 You are to be responsible in your use of alcohol and other mind altering or addictive substances or services.

6.8 You are not to undertake any pastoral ministry when you are impaired by alcohol

[9] Approved by Standing Committee, November 2016 – SC2016/2/29

or any other mind-altering or addictive substances.

6.9 You are not to use any **prohibited substance**.

6.10 You are not to take property belonging to others, including intellectual property.

6.11 You are not knowingly to make statements that are false, misleading or deceptive.

6.12 You are not knowingly to use **offensive language**.

6.13 Without a legitimate purpose you are not to view, possess, produce or distribute **restricted material**.

6.14 You are to observe the law, other than any law that:

- is contrary to the Holy Scriptures;
- unjustly prohibits the practice of religion; or
- prohibits civil disobedience.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

6.15 You need to be aware of the impact that abuse can have on people.

The impact of abuse

A person who is abused may suffer emotionally, psychologically, physically, socially and spiritually. The impact can be life long and affect the person, their relationships and their capacity for ministry.

How abuse affects the person and their relationships

The person who is abused may experience:

- feelings of shame, humiliation, rejection, powerlessness, insecurity, anger and resentment;
- sadness, tearfulness, depression, anxiety;
- fatigue, disturbed sleep, changed appetite and ill health;
- substance abuse, gambling and use of pornography;
- becoming more withdrawn or aggressive;
- burn out;
- suicidal thinking and action;
- loss of self-esteem and self-confidence;
- marital and family problems;
- breakdown in community and collegial relationships.

How abuse affects ministry

Clergy or church workers who are abused may experience:

- loss of coping skills;
- disillusionment;
- inability to concentrate;

- loss of motivation;
- decreased productivity and competence;
- bad decision-making and poor judgement;
- loss of faith or crisis of vocation;
- difficulty trusting others;
- diminished employability;
- premature desire to cease employment.

6.16 You need to be able to identify bullying and the cultures and environments which encourage it.

Cultures and environments which encourage bullying

Contexts in which bullying is likely to flourish are characterised by:

- overbearing or inadequate leadership;
- poor management;
- a high level of competition;
- a climate of uncertainty and insecurity;
- lack of support and governance structures;
- poor handling of conflict;
- rigid structures;
- low level of participation or consultation;
- excessive demands on time;
- unclear role description and processes;
- inadequate grievance procedures.

6.17 If another person indicates by their words or actions that they feel bullied or harassed by you, review your conduct. If in doubt, cease the conduct and seek advice. When teaching, admonishing or exercising discipline as part of your pastoral ministry, be sure you do it respectfully.

6.18 Love and care for your family and pay particular attention to the effect of your ministry on your family relationships. Ensure that your behaviour in family relationships is consistent with this Code.

6.19 Take steps to prevent your spouse or children or other members of your family becoming victims of your stress. If you find yourself acting violently or abusively to any member of your family, seek professional help immediately.

6.20 Monitor your consumption or use of alcohol and other mind altering or addictive substances or product (e.g. gambling) to ensure your wellbeing and that of others. Seek professional help if the use of these substances or products adversely affects your ministry, personal wellbeing or relationships.

6.21 You should be sensitive to the effect of your language on others. Avoid using language that may be misunderstood or that bullies, threatens, belittles, humiliates or causes unnecessary offence or embarrassment. Take care when using:

- any swear word;
- language which has sexual connotations; and
- racial, religious or other group descriptions.

6.22 Exercise discretion when viewing or using restricted material. You should:

- consider the legitimate purpose of viewing or using the restricted material;
- consider whether your conduct will damage your reputation and impair your ministry; and
- disclose the purpose and circumstances of your conduct to a supervisor or colleague to avoid any misunderstanding.

6.23 When engaged in civil disobedience, do not act violently or intentionally provoke violence.

6.24 Be sensitive to the effect of your dress on others. Dress appropriately to the context.

6.25 You should comply with copyright legislation. Ensure that any licences for the use of copyright material are current and complied with and that copyright is duly acknowledged.

7 SEXUAL CONDUCT

Preamble

7.1 The sexual conduct of clergy and church workers has a significant impact on the **Church** and the community.

7.2 Sexuality is a gift from God and is integral to human nature. It is appropriate for **clergy** and **church workers** to value this gift, taking responsibility for their sexual conduct by maintaining chastity in singleness and faithfulness in marriage.

7.3 It is part of the role of clergy and church workers to care for, protect and respect all with whom they have a **pastoral relationship**. It is never appropriate for clergy and church workers to take advantage of their role to engage in sexual activity with a person with whom they have a pastoral relationship. Consent to such activity will not be regarded by the Church as valid, except within marriage.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

7.4 You are to be chaste and not engage in sex outside of marriage and not engage in disgraceful conduct of a sexual nature.

7.5 You are not to:

- sexually abuse an adult;
- sexually abuse a child;
- engage in prostitution;
- visit brothels and other places associated with the sex industry without a legitimate purpose;
- view, possess, produce or distribute **restricted material** containing sex or nudity without a legitimate purpose; and
- view, possess, produce or distribute any form of child pornography or **child exploitation material**.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

7.6 If you intend to make physical contact with another adult or speak to them about a sexual matter you should:

- take responsibility for your own actions;

- seek permission;
- respect the person's wishes;
- notice and respond to the person's non-verbal communication; and
- refrain from such conduct if in doubt about the person's wishes.

7.7 You should avoid situations where you are vulnerable to temptation or where your conduct may be construed as a breach of the standards of sexual conduct in this Code.

7.8 Any involvement in pastoral ministry to persons in the sex industry requires safeguards and a high level of accountability and collegial support. If in pastoral ministry you intend to visit people or places associated with the sex industry, you should:

- consider the legitimate purpose of visiting the person or place;
- consider whether your conduct will damage your reputation and impair your ministry; and
- to avoid any misunderstanding, disclose the purpose and circumstances of what you are doing to a supervisor or colleague.

8 FINANCIAL INTEGRITY

Preamble

8.1 In both their personal capacity and their pastoral ministry **clergy** are involved in matters of a financial nature. The ministry of **church workers** may include financial management. The financial dealings of clergy and church workers have a significant impact on the **Church** and the community.

8.2 Financial integrity is essential to all financial processes and transactions.

8.3 Clergy and church workers with overall authority for financial management in a church body are responsible for the implementation and maintenance of proper systems for financial integrity and accountability. They cannot delegate this responsibility to anyone else.

Standards for clergy and church workers

These standards state the Church's expectations for personal behaviour and the practice of pastoral ministry.

8.4 You are not to avoid payment of your just debts and family support obligations.

8.5 You are not to engage in tax avoidance.

8.6 You are not to seek personal advantage or financial gain for yourself or your family from your position or from a **pastoral relationship,** beyond your stipend or wage and recognised allowances and deductions.

8.7 You are not to allow yourself to be influenced by offers of money or financial reward.

8.8 You are to avoid situations of conflict between your personal financial interest and your pastoral ministry responsibilities.

8.9 You are to arrange your personal and church finances to ensure that clear account and transaction boundaries are maintained.

8.10 You are to fully disclose and be publicly accountable for all church monies which you handle.

8.11 If you have overall authority for financial management in a church body, you are to ensure that:

- proper systems for financial integrity and accountability are implemented and maintained;
- all clergy and church workers for whom you have responsibility and who have authority for financial management in a church body are informed of their roles and responsibilities; and

- all stipends, wages and allowances payable are adequate, and paid promptly and in full.

Guidelines

These guidelines explain and illustrate best practice and highlight practical ways to achieve it.

Financial management practices

8.12 You should ensure that your salary packaging and the accounts of any church body for which you have responsibility are in accordance with Church and civil taxation and accounting requirements.

8.13 If you have overall authority for financial management in a church body, you should minimise the risk of you and other clergy and church workers being accused of or engaging in financial impropriety by:

- having two persons unrelated by family to handle church money received;
- not involving paid clergy or paid church workers in the counting of church offertories;
- ensuring that church money on church premises is kept safely and securely;
- avoiding church money being taken home wherever possible;
- ensuring that all church money received is banked promptly;
- ensuring that proper accounting records are kept for church transactions, in the form of receipts, diary entries, tax invoices, accounts and account statements;
- ensuring that all church accounts have more than one signatory;
- ensuring that any accounts paid by cash are duly receipted; and
- ensuring that those with the responsibility for handling money have suitable training in financial matters.

Gifts

8.14 If you are offered or receive a gift, whether monetary or otherwise, from a person with whom you have a pastoral relationship, you should:

- establish for whom the gift is intended and exercise discretion as to whether the gift should be personally accepted;
- consider:
  - the size of the gift;
  - the intentions and circumstances of the giver;
  - the risk of your integrity being compromised; and

- whether acceptance of the gift would cause scandal and embarrassment if known publicly;

- if it is substantial, disclose the offer or receipt to a supervisor or colleague; and
- if there is any uncertainty as to the gift's appropriateness, seek advice from a supervisor or colleague.

Personal financial obligations

8.15 You should manage your finances so that personal debts, including those to any church body, are paid when due and in full.

8.16 You should avoid borrowing money from, or lending money to, a person with whom you have a pastoral relationship as this may place you in a position where your personal interest conflicts with your pastoral responsibilities. If you do, then disclose the circumstances to a supervisor or colleague. In some cultures where there are communal ownership and kinship obligations, this guideline may be applied differently.