

Ordained Local Ministry

In-service Handbook

with relevance to the Auxiliary Ministry



for Ordained Local Ministers
and Presbyteries

Church of Scotland, Ministries Council, December 2019

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Key:

- AM - Auxiliary Ministry/Minister
- CMD - Continuing Ministerial Development
- LP - Learning Plan
- MDS - Ministries Development Staff
- OLM - Ordained Local Ministry/Minister

Introduction

Welcome to this Handbook for OLMs In-service. The aim of this document is to give OLMs and Presbyteries information on the CMD of OLMS and on OLM working conditions. It draws together and updates previously published information. It also contains, at the end of the document, the 'Code of Professional Practice and Good Conduct for the Ministries of the Church of Scotland'.

This handbook will be updated as necessary and a digital copy made available on the web. It does not cover vocational discernment or OLM training.

If you have any further questions, please direct these in the first instance to Presbytery. Contact olmsinservice@churchofscotland.org.uk for central support.

OLMs today

There are over 70 OLMs in the Church of Scotland, spread across the country and involved in various ministries. They are ordained to a Ministry of Word and Sacrament and were introduced as a form of non-stipendiary ministry, i.e. self-supporting, to enhance and succeed AM. OLMs are deployed to a particular locality or role by Presbytery and sometimes work across presbytery borders. They do not receive a stipend and often combine their ministry with secular employment. They minister in a part-time capacity in support of the National Ordained Ministry. The 2011 Church Act governing OLMs can be found at: www.churchofscotland.org.uk/data/assets/pdf_file/0003/6681/2011_Act_9_Ordained_Local_Ministry.pdf

The components of Continuing Ministerial Development

The 2011 Act sets out some of the components of CMD. The relevant sections of the Act are given in Appendix I. It outlines three main components: (1) the development of an annual learning plan for those with a degree; (2) financial support for ongoing studies after ordination; and (3) an annual resource grant for ministry. In addition to these: (4) Ministries Council organises joint Reader/OLM conferences; (5) the Ascend programme provides various services for OLMS; and (6) some Presbyteries run their own CMD programmes. These six components are described below.

1) Learning Plans through annual review

Learning plans (LP) for OLMs are developed through undertaking an annual review at Presbytery level. A template and guidance notes for this process are offered in Appendices II and III, though presbyteries may devise their own. The purpose is to reflect on ministry and determine what learning needs should be engaged with.

While such plans are required only for OLMs with a degree, the process of regular review of learning is commended for all OLMs.

2) Financial support for ongoing studies

OLMs are encouraged to engage in further theological studies. The Ministries Council will consider paying fees for theological studies one level above that achieved at ordination, up until degree level. For example, if an OLM achieved a Certificate at ordination, they could claim fees towards attaining a Diploma. This is not open to AMs.

The LP review process can help to identify learning needs that support application for further studies. An application form can be found in Appendix IV. Each application is considered for approval by the Training Task Group at Ministries Council. Approval should be received prior to making any financial commitment.

3) Resource Grant

The Resource Grant can be used for a wide range of learning, e.g. conference attendance, spiritual accompaniment, and physical resources such as books and hardware/software. The grant is currently set at £275 per annum, and is non-accumulating. It is also open to AMs.

The LP review process can help identify learning needs that support application for a Resource Grant. An application form can be found in Appendix V. All applications must be supported by Presbytery, with evidence of its relevance to ministerial development. The grant is not automatic, funds are limited, and qualifying criteria apply.

4) Conferences

At present, Ministries Council offers an annual joint conference for Readers and OLMs/AMs.

5) Ascend

The Ascend centre for support and development, run by Ministries Council, provides a central point for information and services open to OLMs and AMs. Please refer to <http://ascend.churchofscotland.org.uk/>

6) Presbyteries

CMD events and opportunities for learning are often provided by Presbytery. Please refer to your Presbytery for more information.

Presbytery and the OLM

Supervision

The ministry of an OLM is exercised under presbytery supervision. The supervisor can be the minister of the charge, an Interim Moderator in a vacancy, or a nominated individual within Presbytery.

Designated appointment agreement

An OLM is not an employee, thus, not contracted to a post. However, they are expected to work in a designated appointment. This appointment should be framed in a working agreement between Presbytery and OLM. A template for such an agreement, adaptable to local context, can be found in Appendix VI. Presbytery, in consultation with the OLM and, if applicable, Kirk Session, decide on the terms and conditions of the agreement. An agreement should be written for any new role undertaken by the OLM. Presbyteries are encouraged to integrate OLMs into their Presbytery Plan.

In relation to the Courts of the Church

Once ordained as a Minister of Word and Sacrament, the OLM is no longer a ruling Elder and cannot remain as a member of a Kirk Session. However, an OLM

is expected to associate with the Kirk Session(s) of the charge in which they are deployed and could, if necessary, act as Moderator. If an OLM was acting as a Session Clerk, they would not necessarily have to resign as there is no requirement for a Session Clerk to be an Elder; the OLM would, however, need to consider the time commitments involved.

As a Minister of Word and Sacrament, ordained to a role within Presbytery, an OLM is a member of Presbytery with concomitant rights and responsibilities. Presbytery will have to appoint equalising Elders for each new OLM post within the bounds. When an OLM ceases to serve in a designated appointment he or she becomes subject to section 19 of the Registration of Ministries Act (Act II 2017). When an OLM moves from one Presbytery to another, he or she becomes subject to the terms of section 26 of the Registration of Ministries Act (Act II 2017).

https://www.churchofscotland.org.uk/_data/assets/pdf_file/0003/40593/2017_Act_2_Registration_of_Ministries.pdf

Payment and expenses

Payment for work

OLM is a non-stipendiary ministry, i.e. the offer to serve the Church is without expectation of financial remuneration. In general, the first 10 hours plus a Sunday of any contracted work done is unpaid. Commitments beyond 10 hours plus a Sunday can be remunerated. So, for example, an OLM could receive a pulpit supply fee for taking a Sunday service outwith their appointed ministry commitments.

The Church has agreed that, from 2020 onwards, OLMs and AMs can be paid when placed in charges that are vacant, in Guardianship or covering long-term leave. This is where Vacancy or Guardianship Allowance or Pulpit Supply is available, and where other ministers would be entitled to receive it. In this case, there is no requirement to work 10 hours plus a Sunday unpaid before receiving payment. OLMs should speak to their supervisor or presbytery clerk.

Where an OLM is employed as an MDS, this is a separate role and cannot be included in their 10 hours plus a Sunday commitment.

Travel costs

Travel costs are normally paid locally. The Ministries Council recommends travel reimbursement rates for ministries, which can be found in the General Assembly Blue Book. Currently, for OLMs, these are set at 45p per mile for the first 10,000 miles and 25p per mile thereafter. Travel by bike is 20p per mile. Other travel costs can be reclaimed against receipts.

The travel costs must be 'wholly, exclusively and necessarily' in the pursuit of duties as an OLM. This does not normally include travel between home and the place of work designated as the Church building (or the main church building in the case of a linkage). When an OLM is deployed by Presbytery in a parish that is more than 15 miles from home, travel to the church building may be reimbursed as far as the parish bounds at the rate of 25p per mile.

Where an OLM is living in a tied property (e.g. where the spouse is a Parish Minister in a manse) and the designated place of work for the OLM is at a distance, the costs of travel to the place of work should be reimbursed at 25p

per mile. Travel from the designated place of work to places connected with the appointment should be reimbursed at 45p per mile. If travelling to a pastoral visit within the parish from home, before going to the church building, the distance can be charged at 45p per mile.

All travel reimbursement claims must be made through the appropriate travel claim form. Receipts must be provided for all expenses other than mileage claims. In relation to mileage claims, it is essential to keep an up-to-date Log Book (available by contacting ministries@churchofscotland.org.uk), which will be inspected annually by Presbytery and may be required for inspection by HM Revenue and Customs. Do not include expenses other than for travel.

Safeguarding and professional conduct

OLMs are required to follow all relevant church laws and guidelines when it comes to safeguarding. See

www.churchofscotland.org.uk/_data/assets/pdf_file/0018/13338/Safeguarding_handbook_2.pdf

All authorised ministers are required to adhere to the 'Code of Professional Practice and Good Conduct for the Ministries of the Church of Scotland', which is reproduced here in Appendix VII. OLMs and AMs also come under the 2019 Discipline Act of the Church.

A note on Auxiliary Ministry

The introduction of OLMs ended recruitment to AM. However, over 20 AMs continue their ministry in the Church. They do not have the same CMD demands placed on them as OLMs, but it is possible for them and Presbyteries to make use of the OLM resources mentioned in this handbook.

The Act governing AMs can be found on the Church of Scotland website at www.churchofscotland.org.uk/_data/assets/pdf_file/0020/7139/2003_Act_13_XIII_revised_2017.pdf

For support, AMs should in the first instance contact Presbytery. Contact auxmin@churchofscotland.org.uk for central support.

Excerpts from the 2011 OLM Act on CMD

IX ORDAINED LOCAL MINISTRY ACT (ACT IX 2011) (AS AMENDED BY ACTS XII 2012, XIII 2014, VIII 2015, XI 2016, II AND VIII 2017, XII 2018 AND I, IV AND V 2019), Section 24: Page | 6

While in active service, Ordained Local Ministers shall engage in regular in-service training. For those who have completed the basic course of academic training in theology, this will normally mean continuing part-time study towards diploma or degree standard. The individual course of study will be determined by the Presbytery in consultation with the Ministries Council. If an individual has achieved degree standard in theology, an individual learning plan will be negotiated to ensure an ongoing commitment to continuing ministerial development. This will be approved annually by the appropriate Committee of Presbytery, who shall liaise with the Council on availability of courses and appropriate funding.

It further states, in Section 25.5:

The Ministries Council shall offer to every Ordained Local Minister in a designated appointment an annual resource grant at an amount to be fixed annually by the Council and reported to the General Assembly. The grant will be available for the purchase of resources (e.g. books; computer hardware or software; periodicals) to be used in the fulfilment of ministerial duties. The grant shall be awarded on the production of receipts. The Council shall be entitled to seek contributions towards such grants from the Presbytery or Presbyteries designating the Ordained Local Minister's appointment.

OLM Learning Plan Review Form

Please refer to the OLM Review Guidance Notes before undertaking the review.

The OLM should complete Section I and circulate it in advance of the review meeting.

To apply for a resource grant or academic fee, please refer to the OLM Handbook. A copy of the review should be retained by the appropriate Presbytery committee and by the OLM.

Name of OLM:	Date:
Current Role:	Reporting to:
Date of appointment to role:	Review personnel:
<p>I: Studies and learning (to be completed by OLM and circulated in advance)</p> <p>Theological Studies: list courses/units achieved and date.</p> <p>Courses/Conferences: list courses/conferences attended in past five years or in between reviews, noting dates and provider.</p> <p>Other relevant achievements: e.g. guided reading, working with a mentor/ spiritual accompanier, professional qualifications gained, and other relevant areas of learning for ministry.</p>	
<p>II: Reflective conversation</p> <p>Guidance is given below about which areas could form the basis for reflective discussion, but discussion need not be limited to these areas:</p> <p><i>*Spiritual journey of the OLM and how that has been nurtured and supported.</i></p> <p><i>*The current ministry role of the OLM and main areas of engagement (refer to written agreement between the individual and Presbytery).</i></p> <p><i>*The possibility of a move to another role, or a change to the existing role (refer to Presbytery Plan, Local Church Review, Ministerial Development Conversation outcomes etc.).</i></p> <p><i>*The relevance/need/desire for further academic study (or not).</i></p> <p><i>*Areas for development and how these might be met (including timescales).</i></p> <p><i>*General issues, e.g. work-life balance.</i></p>	

Possible questions to enable discussion might be:

How would you describe your spiritual life over the past year? What has nurtured or supported you in your own spiritual growth? Has this been adequate or would you like more input into your own spiritual growth and development?

In the past year, what have been the most satisfying/rewarding experiences in your ministry? What factors contributed to this? Is there anything you would like to build on from this experience – further training or exploration?

What experiences of ministry in the past year gave you dissatisfaction/were not rewarding? What barriers/problems have you faced, and how have you overcome them? What would you do differently next time?

What have you learned – about yourself, other people, God and God's calling to you and God's work through you?

What do you want to improve/build on? How? What support will you need to allow your ministry to develop (e.g. self, Presbytery, peers, supervisor, Ministries Council).

Notes of discussion:**III: CMD Goals**

From your reflective conversation, note the areas of further learning mentioned and create some goals for the coming year:

Appendix I provides suggestions of possible resources which could enable the achievement of agreed goals.

Goals should be SMART (Specific, Meaningful, Achievable, Relevant/Realistic, and Time-bound). Examples can be found in Appendix II, with four goals being a suggested maximum.

Over the next year, agreed goals are as follows:

Goal 1**Resource/Action****Outcome****Specific Timescale****Goal 2****Resource/Action****OUTCOME****Specific Timescale**

(use above format for goals 3-4 if necessary)

IV: Longer-term goals and areas for discussion

Note below any areas discussed at the Review Meeting and identified as possible longer-term goals. These areas should be included in the discussion at subsequent review meetings.

If there is anything else that you would wish to note, please include in this box.

V: Grant application information

There are two types of grants that can be applied for: payment of fees for continuing academic studies, and a resource grant for a wide range of learning needs.

Any application must demonstrate a direct link to the continuing ministerial development needs of the OLMs, which are ideally identified in this ministry review process.

Further details about the grants and how to apply can be found in the OLM Handbook.

Appendix I:- Resource List

Examples of continuing ministerial development resources:

- Academic Study: The core areas of theological study are Biblical Studies (Old and New Testament), Church History (including Scottish Church History), Pastoral Care, Ethics and Worship and Liturgy. Other areas that could be appropriate would be Religious Studies and Languages.
- Conferences: Conferences organised by the Church, e.g. through the Ascend programme.
- Presbytery Support: Presbytery, or another Presbytery, might be able to organise shadowing, mentoring, specific experiences, training events etc.
- Spiritual Accompaniment: e.g. Ignatian Spirituality Centre, The Bield.
- Skills To Enhance Ministry: e.g. Web Design, pastoral care course.

Appendix II: Examples of SMART goals

Some examples are given below for Section III.

- SMART (Specific, Measurable, Achievable, Relevant, Time bound)
- Over the coming year.....
- Goal: Develop theological understanding of.....?
- Resource/Action: Complete unit of study at University.
- Outcome: Completion of unit.

- Goal: Increase experience and understanding of bereavement care.
- Resource/Action: Accompany an experienced practitioner through 3 cycles of bereavement care and engage in reflection with the practitioner.
- Outcome: Increased experience and understanding.

- Goal: Improve ability to preach.
- Resource/Action: Attend Ascend Preaching Conference and ask for preaching feedback from experienced minister.
- Outcome: Gain inspiration, receive practical and professional advice, and become more secure in preaching.

SIGNATURE OF OLM	DATE	
SIGNATURE OF REVIEWERS		

Guidance Notes for OLM Learning Plan Review

GUIDANCE NOTES FOR ORDAINED LOCAL MINISTERS AND PRESBYTERIES

The following notes are to be used alongside the OLM Learning Plan Review Form. They provide guidance for the review process and form filling. Any queries can be directed to olmsinservice@churchofscotland.org.uk

The OLM Learning Plan Review materials are offered to Presbyteries as a resource for the regular review of Ordained Local Ministers. The review is concerned with an individual's learning development for ministry. It is not about their post/role within Presbytery, which should be done separately.

- **What is the purpose of review?** The purpose of review is to enhance and develop the ministry of the OLM. It encourages reflection on past and current ministry. It aids discussion on learning needs and the setting of future goals. It can be the basis to apply for a resource grant or payment of academic fees.
- **When should the review take place?** Church Law requires OLMs with a theological degree to develop an annual LP. The review is commended to all OLMs and could be held on a less frequent basis.
- **Who engages in the review?** The OLM, the person to whom they report (supervisor) and a third person who has appropriate experience, e.g. a church assessor, a presbytery rep in the Enquiry Process, someone with a suitable professional background. The meeting is one of equals. Participants develop and agree goals together, though most of the input comes from the OLM.
- **What does the review meeting consist of?** The review meeting consists of a discussion based on the areas identified in the LP Review Form. The form has five sections and two appendices. Out of the discussion, learning goals are set. The goals are developmental rather than prescriptive. Reflection in subsequent reviews consider if goals were achieved or not, and the reasons for this.
- **What needs to be carried out in advance of the review meeting?** Participants, time and place have to be agreed. The supervisor should initiate the process of review. The OLM should complete Section I of the review form and send it to the other two participants in advance.
- **Who chairs the meeting?** The third person chairs and facilitates the meeting, and gathers any information prior to the meeting.
- **What happens at the end of the review?** The report should be agreed by all parties, typed in a regular sized font with typed signatures. A copy of the review should be retained by the appropriate Presbytery committee and by the OLM. The implementation and monitoring of the review process is the responsibility of Presbytery. Ministries Council's role is to provide Presbytery with templates for review and to receive individual applications for grants or academic fees.
- **What goes into Section I?** If it is the first review, then a brief account of the OLM's ministerial development, learning and experience that have taken

place in the past five years. Subsequent reviews focus on what has happened between reviews.

- **Section II** – a discussion takes place, with the main input coming from the OLM’s reflection. Notes should be taken and goals should emerge. A series of bullet points gives guidance as to areas that could be covered and questions that could be asked, but the discussion need not be limited to these.
- **Section III** – a suggested maximum of four goals can be entered. These should have arisen from the reflective discussion. Examples are given in Appendix II.
- **Section IV** – this section can be used to record any long-term goals that emerge from discussion. These can be revisited in subsequent reviews.
- **Section V** – this provides basic information about applying for grants/study fees. Application forms, with more information, can be found in the OLM Handbook. These forms can also be downloaded separately, filled out, and sent back to Ministries.
- **Appendix I** – this contains a list of possible resources for the year to come. Included are areas for theological study (use for Section VI) and a range of other types of resource that can assist in setting goals.
- **Appendix II** – this provides some examples of setting simple SMART goals (Specific, Measurable, Achievable, Relevant, and Time-bound).

Application for Payment of Further Studies

The Training Task Group within Ministries Council considers applications for payment of academic fees. Funding is not automatic, so no commitment to studies should be made before approval is provided.

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An application for further studies should result from a Learning Plan Review and be supported by Presbytery. Studies must be directly relevant to the OLM's Continuing Ministerial Development.

Theological studies should be within core areas – as outlined in the LP review process – and should count towards a qualification one level up from that achieved at ordination (up to degree level).

Details of Module(s) being claimed for in current academic year:

Cost of Modules (receipts to be attached): £ _____

Contact details of academic provider:

Presbytery representative: I confirm that this application for payment of academic fees is supported by Presbytery.

Name and Signature of Presbytery rep:

Name and Contact details of OLM:

Please send applications via email: olmsinservice@churchofscotland.org.uk

Application for a Resource Grant

It is recommended that a grant application follows on from a LP review – see the OLM Handbook for further information about the review process. However, applications outwith the review process will be considered.

An application must relate directly to the Continuing Ministerial Development needs of the OLM and be agreed by Presbytery. Applicants have no automatic right to a grant – criteria are set by Ministries Council.

A resource grant can be used towards a wide range of learning needs, e.g. conference attendance, spiritual accompaniment, physical resources such as books, software, hardware, periodicals etc. The grant is currently set at £275 per year and is non-accumulative.

Where costs have been incurred, the application must be accompanied by receipts (scanned copies accepted). Where the application involves future costs, these must be detailed and evidence provided.

Application Claim: provide detail of the claim below

Costs: provide detail of the cost involved and attach receipts/evidence of cost

Total Cost being claimed £ _____

Name and Signature of OLM: _____

Presbytery representative: I confirm that Presbytery supports this application as relating directly to the Continuing Ministerial Development of the OLM claimant.

Name and Signature of Presbytery Rep.: _____

Please send applications via email: olmsinservice@churchofscotland.org.uk

OLM-Presbytery Designated Appointment Agreement (example – please change and adapt for local use)

PRESBYTERY OF (Name) OLM: (Name)

1. Rev shall be appointed to the office of Ordained Local Minister to serve within the *Charge/Presbytery* of with effect from
2. The appointment shall be until and shall be subject to review at any time and for any reason at the request of the Parish Minister of the charge of (“the Supervising Minister”), the Kirk Session of, or the Presbytery of

Where the appointment is not for a fixed term, insert the following clause:

2. *The appointment shall be subject to review by the Presbytery on the anniversary of the date of the OLM’s appointment and every three years thereafter. The Presbytery shall determine, in consultation with the OLM, the Parish Minister of the charge of, and the Kirk Session of in the light of any relevant issues and in particular the needs of the Presbytery, whether or not the appointment should continue and, if so, whether there requires to be any change in regard to the duties of the appointment or any of the other terms and conditions.*
3. The OLM shall be directly responsible to the Supervising Minister and shall normally be expected to conduct Services on a minimum of Sundays each year, and up to Sundays (depending on leave from his/her usual employment, where applicable), and carry out, so far as possible, necessary pastoral and Sacramental duties within the areas as defined above. The OLM and the Supervising Minister shall, within four weeks of the appointment beginning, agree a schedule of duties to be undertaken by the OLM and submit this to the Presbytery of for Presbytery’s information. Any subsequent alteration to the schedule of duties shall be notified to Presbytery.
This paragraph may not apply when the appointment is to a Presbytery-wide post and should be adjusted accordingly.
4. The OLM shall be reimbursed by the congregation of for all expenses necessarily incurred in official telephone calls (but not telephone rentals), postages and stationery, and approved travelling expenses up to a limit not exceeding miles per year, at normal mileage rates for such a mileage paid to OLMs as published annually by the Ministries Council.
5. Details on payment for duties can be found in the OLM CMD handbook.
6. The arrangements for this appointment may be altered by the Presbytery of at any time, provided at least one calendar months’ notice is given to the OLM, the Supervising Minister and the Session Clerk of In addition

to this, the OLM, the Supervising Minister and the said Session Clerk on behalf of the Kirk Session may request the Presbytery of to consider any alterations to the appointment arrangements.

7. The Ordained Local Minister shall be associated with the Kirk Session of and may preside at a meeting of the said Kirk Session, provided s/he has the written authority of the Supervising Minister (or Interim Moderator), such written authority to state the date, place and time of the said meeting, and the business to be conducted.
8. The appointment arrangements as herein detailed shall not constitute nor be deemed to constitute a contract enforceable through the Civil Courts and are conditions regulating the appointment in terms of Act IX, 2011.

Code of Professional Practice and Good Conduct for the Ministries of the Church of Scotland

Applicability of the Code

The Code applies to all those serving in the recognised ministries of the Church of Scotland. Throughout the Code, the terms 'ministry' and 'recognised ministries' shall include ordained ministers, deacons and readers, and all paid employees in parish appointments, as defined in section 16(1) and 16(1)(a) of Act VII 2003.

Scope of the Code

The Code sets out the standards of conduct expected by the General Assembly. The Code is not intended to be an expansion or amplification of Act III 2001 anent Discipline of Ministers, Licentiates, Graduate Candidates and Deacons (as amended by Acts III and IX 2002, III 2003, X 2004, III 2005, XVI 2006, I and II 2007, VII 2008, I 2009, III 2010, III 2011 and VI 2012), and should not be regarded as containing an authoritative or exhaustive list of disciplinary offences. Presbyteries must always have primary regard to the terms of the Church's legislation, but are entitled to have regard to the terms of the Code in making their own assessment of the adequacy of conduct. The Code complements the policies and rules set out in the Ministers' and Employees Handbooks which cover such matters as balance of duties, absence, maternity and paternity leave, holiday arrangements, health and safety, discrimination, bullying and harassment. In addition, the Code can be used:

- as a basis for education programmes to support good practice;
- as a document to reassure the public that all those serving in recognised ministries of the Church of Scotland are provided with a framework of standards and accountability;
- as a framework for analysing concerns and defining problems about conduct in all aspects of church life and work.

The Code is not a substitute for reflective and ethically disciplined practice, continuing learning and development, and regular supervision. Equally, the Code is not to be used as a measure of ministerial capability. Such issues are matters for review under other headings such as accompanied review, support and development, further training, etc.

An ethical basis for the Code

The Church is concerned with the spiritual care, nurture and wellbeing of women, men, and children both within and outwith the membership of the Church of Scotland. Those engaged in the ministries of the Church of Scotland (as defined above) have ethical obligations in the way they carry out their ministry. These obligations prohibit harm and promote the good of the person. The context of ministry is one in which people are often vulnerable and in need of support. Establishing appropriate boundaries fosters trust, helps to clarify ethical actions and enables the relationships involved in ministry to function effectively.

Ministry usually proceeds without any explicit agreement. It takes place wherever there is need and it is often unplanned. Even in a caring relationship,

however, there is also a possibility that attempting to do good may result in a degree of harm, and that in helping others, those involved in ministry may be fulfilling a personal need. Therefore in deciding what to do in any particular situation, those involved in ministry need to be able to exercise ethical reasoning and deliberation in order to justify their actions.

1. General Conduct

Those serving in the recognised ministries of the Church of Scotland are responsible for their personal and ministerial conduct and must be able to justify their actions and practice to those in their care and to colleagues. In particular they should:

- act at all times in ways that promote trust and confidence in their profession;
- act at all times to promote and safeguard the interests and wellbeing of those to whom they minister;
- affirm the equal dignity and worth of those to whom they minister;
- act with integrity and with due respect for diversity and differences including, but not limited to, ethnicity, gender, sexual orientation, age and disability;
- maintain good standing in the Church of Scotland;
- ensure that their conduct is consistent with their profession and appropriate to the setting in which they work.

2. Relationships between those in ministry and those to whom they minister

Relationships have the capacity to be nurturing and healing, but they also have the potential to be damaging and destructive. An important reason for this is the intrinsic imbalance of power in the relationship. Those involved in ministry, therefore, should be aware of issues of power and should exercise any perceived power with sensitivity, discernment and within ethical boundaries. Those involved in ministry will seek to develop appropriate pastoral and supportive relationships within the whole people of God and with those to whom ministry is freely offered. The primary focus will be meeting the needs of those being ministered to; in this it may be appropriate to express our own vulnerability; but it would be an abuse of a pastoral relationship for those in ministry to use it to meet their own needs.

3. Maintaining Trust

Ministry is both a privilege and a responsibility and those involved in ministry need to establish boundaries that enable trust and safeguard ethical relationships with those to whom they minister. In particular those involved in ministry should:

- behave in ways that honour the dignity and value of those to whom they minister;
- ensure as far as possible that no action or omission on their part and within their sphere of responsibility could be detrimental to the wellbeing of those to whom they minister;
- respect the trust established with those to whom they minister, while understanding the limits of confidentiality;
- respect the autonomy of those to whom they minister;
- recognise and act within the limits of their competence;
- maintain clear boundaries in the areas of self-disclosure, intimacy and sexuality;

- avoid any conflicts of interest, but in the event that the person involved in ministry has to withdraw on the grounds of conscience or ethical principles, endeavour to refer to someone else who can facilitate the transfer and continuity of ministry.

4. Respecting Confidentiality

Confidentiality is a condition of trust that enables people to seek help at a time of need and to talk about personal, private and secret matters relevant to their spiritual health and wellbeing. Ministry often involves access to confidential information. Those engaged in ministry, therefore, must respect confidences, and in particular they should:

- respect the right of individuals to control access to their own personal information and to limit its disclosure;
- establish the boundaries of confidentiality with those to whom they minister and respect as far as possible the limitations of disclosure that an individual can reasonably expect or request;
- treat information about those to whom they minister as confidential and use it only for the purposes for which it was given;
- guard against breaches of confidentiality by protecting information from improper disclosure at all times;
- ensure that confidential information is not disclosed to a third party unless there are clear grounds for disclosure, including: (1) the consent of the individual; (2) the public interest, particularly where there is a risk of harm or self-harm; and (3) in accordance with an order of a court or other public body that has jurisdiction. In this regard, particular attention is drawn to the Protection of Vulnerable Groups (Scotland) Act 2007 and the Church's Safeguarding Service's Safeguarding Handbook 1 June 2011 which contains the Code of Good Safeguarding Practice for Kirk Sessions and Congregations in the Church of Scotland;
- discuss with those to whom they minister reasons why disclosing confidential information to other persons might be of benefit to the provision of good care;
- uphold the absolute confidentiality of information disclosed.

5. Abuse

Abuse is a violation of an individual's human and legal rights by any other person or persons. It is behaviour that is a clear departure from the ethical conduct required of us all. It can result from a misuse of power or a betrayal of trust, respect or intimacy which causes harm or exploitation. It can be caused by purposeful or negligent actions as well as a failure to act where a duty exists. The main forms of abuse include spiritual, physical, psychological, verbal, sexual and financial, and are defined here in the context of Christian ministry:

- Spiritual abuse is the imposition of values and beliefs on those to whom we minister and, while mission is part of the work of ministry, it is an abuse to fail to respect the freedom of those to whom we minister to make choices for themselves;
- Physical abuse is any form of physical contact which is likely to cause distress, pain or bodily harm;
- Psychological abuse is behaviour by a person in ministry which is exploitative, inappropriately manipulative, coercive or intimidating;

- Verbal abuse is spoken remarks by a person in ministry which are disrespectful, humiliating, intimidating or harmful to those to whom they minister;
- Sexual abuse is forcing, coercing or inducing any person to whom we minister to establish or pursue a sexual or improper emotional relationship and also the passing of hurtful remarks of a sexual nature;
- Financial or material abuse is the misappropriation of a person's money or assets by those involved in ministry through fraud or deception, or through misuse of a person's assets or money while having a legitimate access to them.

Though these definitions do not constitute any part of the specific terms of Act III 2001, the General Assembly believes that any Presbytery would be very likely to institute proceedings in terms of the Act upon receiving notice of circumstances indicating that such abuse may have been committed.

6. The Use of Touch

Touch is a basic human gesture and physical contact is an integral part of wellbeing. Touch conveys to many people reassurance, care and concern and it can be a valuable expression of a supportive or therapeutic relationship. But touch is not value-free, it is conditioned by social and cultural norms and it can convey powerful signals. Therefore touch may be perceived as threatening or manipulative, it could be physically painful and it can be a form of abuse.

People use touch informally as a gesture of care, and formally within rituals to signify beliefs and theological actions. However, because the use of touch can be misunderstood or misinterpreted, or it may be unwanted, particular sensitivity should be exercised and assumptions about gender and personal space carefully considered. If in any doubt as to whether touch may be acceptable, permission should be obtained. The use of ritual that involves touch should be carefully explained and permission obtained.

7. Working with Colleagues

Working in ministry often depends on collaboration with colleagues, both in other ministries and in other disciplines. In particular those in ministry should:

- respect the skills, contributions and integrity of colleagues;
- work in a collaborative and co-operative manner with colleagues and communicate effectively with them within the limits of confidentiality;
- respect the boundaries of other parishes, and take care not to undertake pastoral or sacramental duties within another parish for anyone other than a member of the congregation in which they minister. The recognised exceptions are (1) the conduct of a marriage or a funeral by private invitation and (2) circumstances in which the express permission of the minister of the other parish has been secured;
- participate in the work of multidisciplinary teams they are members of and respect their confidentiality;
- challenge colleagues who appear to have behaved unethically or in contravention of this Code. In addition, be prepared to bring concerns of misconduct to those charged with responsibility for colleagues.

8. Probity in Practice

The office of a recognised ministry in the Church of Scotland requires the highest standards of moral integrity and honesty. In particular those involved in ministry must:

- be honest and accurate in representing their professional affiliations, qualifications and experience, and not make unjustifiable claims about their competence;
- distinguish between pastoral care and formal counselling and ensure that those to whom they minister understand the form of support being offered;
- not charge individuals personal fees for baptisms, weddings or funerals – in all circumstances ministers should follow the guidelines contained in the Year Book in respect of charging for weddings and funerals;
- refrain from encouraging inappropriately those to whom they minister to give, lend or bequeath money or gifts which will be of a direct or indirect benefit to themselves, or put pressure on those to whom they minister to make donations;
- manage any finances for which they are responsible with diligence and for the purpose for which they are intended;
- declare any involvement that might cause a conflict of interest;
- demonstrate honesty and objectivity when providing references for colleagues or completing and signing forms. Reasonable steps must be taken to verify any statement before they sign a document, and they must not write or sign documents which are false or misleading.

9. Dealing with Misconduct

There is a wide range of behaviour that contravenes the boundaries of ministry and which constitutes misconduct, including:

- failure to meet the standards of the Church of Scotland in respect of matters of Life and Doctrine;
- failure to fulfil the obligations expected of an office bearer or the contractual obligations as an employee;
- infringement of the disciplinary rules of the church courts or employer, including professional misconduct;
- wilful, careless, inappropriate or unethical behaviour likely to compromise the standards of a professional ministry;
- committing criminal offences in particular circumstances outside the place of work.

Professional misconduct is conduct that contravenes the standards of professional behaviour required by the General Assembly.

10. Discipline

Presbytery is responsible for the disciplining of all Ministers and Deacons. Where allegations involving issues of professional conduct are raised, Presbytery must proceed to investigate in terms of Act III 2001 anent Discipline of Ministers, Licentiates, Graduate Candidates and Deacons (as amended by Acts III and IX 2002 and III 2003, X 2004, III 2005, XVI 2006 and I and II 2007).

Where an investigation establishes a suspected criminal action this must be reported to the police.

11. Special Note

Ministers who are working as Chaplains, or others whose contracts are held by employers other than the Church of Scotland: The Ministries Council is committed to the support and care of all ministers, deacons, chaplains and other church related staff who may be working for employers other than the Church of Scotland. The Council recognises that such people who exercise ministries but work for another employer may, at times, feel that they fall outwith the circle of support of the Church. The Council, through its Pastoral and Spiritual Care Task Group, has a remit to:

- oversee the delivery of pastoral care as it is provided by members of staff of the Ministries Council, hear reports on general trends in the wellbeing of the ministries of the Church and, in the light of these, make recommendations to the Council on the development of pastoral and spiritual care;
- encourage best practice of pastoral and spiritual care in local presbytery networks and ensure good communication between those who support the ministries of the Church, both at local and national level, and develop a resource of people and centres which may be offered to individuals seeking spiritual direction or personal spiritual growth;
- deliver training and support for those engaged in the direct support of the ministries of the Church.