

Principles for Processing Ethical Complaints

This document is one of four foundational documents affirmed by the constituent boards of the Council on Collaboration on November 7, 2004 in Portland, Maine. Collectively, these documents establish a unified voice for the six organizations that have affirmed them and describe what it means to these organizations to be a professional pastoral care provider, pastoral counselor or educator. The four documents are:

- Common Standards for Professional Chaplaincy
- Common Standards for Pastoral Educators/Supervisors
- Common Code of Ethics for Chaplains, Pastoral Counselors, Pastoral Educators and Students
- Principles for Processing Ethical Complaints

The membership of the participating groups represents over 10,000 members who currently serve as chaplains, pastoral counselors, and clinical pastoral educators in specialized settings as varied as healthcare, counseling centers, prisons or the military. The complete documents and information about each of the collaborating groups can be found on the following Web sites:

- **Association of Professional Chaplains (APC)** www.professionalchaplains.org
- **American Association of Pastoral Counselors (AAPC)** www.aapc.org
- **Association for Clinical Pastoral Education (ACPE)** www.acpe.edu
- **National Association of Catholic Chaplains (NACC)** www.nacc.org
- **National Association of Jewish Chaplains (NAJC)** www.najc.org
- **Canadian Association for Spiritual Care (CASC)** - www.spiritualcare.ca

For more information on the foundations of professional pastoral care see "*Professional Chaplaincy: Its Role and Importance in Healthcare*" available at <http://www.professionalchaplains.org/professional-chaplain-services-resources-reading-room-hc-role.htm>.

As spiritual care professionals from many faith traditions we recognize the infinite value of each person and demonstrate respect for all living beings and the natural environment.

While our individual spiritual care organizations may configure specific procedures in different ways, we are all committed to accountability to the principles stated in this document. We strive toward the very best in our common calling as healers as we steadfastly seek to confront ethical breaches as both challenge and opportunity. In so doing we seek to discover the true meaning of concepts like "faithfulness" and "justice."

The principles of restorative justice should inform the lens and questions by which situations are addressed within each organization's process of addressing ethical concerns. Restorative justice asks: Who has been hurt? What are their needs? Whose obligations are these? (Howard Zehr, *The Little Book of Restorative Justice*, 2002, p. 21)

It is with the above realization in mind that the following principles for ethical processes have been fashioned. They exist to serve two complementary purposes.

1. To provide our organizations and their members with procedures designed to support highly ethical behavior and a means to address breaches in the Code of Ethics.
2. To communicate clearly to the public at large the means by which we seek to fashion our ethical ideals into practical instruments of service.

Guiding Principles

Following is a general set of principles which should serve as the foundation for procedures for addressing ethical concerns.

1. Each process for ethical accountability shall be consistent with the adopted Code of Ethics.
2. Each organization shall administer its own procedures and impose sanctions maintaining a commitment to respect for the dignity and well-being of each person involved in the process.
3. Each process should be based on transparency, and designed to encourage as much openness and communication as possible.
4. Each process will balance transparency and confidentiality. Maintenance of records will permit access to information and materials only in accordance with an organization's policies.

Recommended Elements for Ethics Procedures

Each professional organization's framework within which to process concerns about ethical behavior of members should include the following

1. Use of an accountability statement (with renewal subject to the discretion of each organization, e.g. annual renewal when membership is renewed).
2. Structure for processing an ethical complaint.
3. Optional procedures for intervention before a formal complaint is filed.
4. Guidelines for filing a written complaint.
5. Guidelines for investigating a complaint which include
 - a. notice of allegations to the person purported to have violated the Code of Ethics
 - b. opportunity for that person to be heard in responding to the allegations
 - c. by an impartial gatherer of facts
6. Guidelines for adjudicating a complaint after investigation and a clear standard of review by which evidence will be evaluated by an impartial fact finder.
7. Guidelines for determining remedies and sanctions.

8. Guidelines for communicating a decision.
 9. Guidelines for appealing a decision on the limited grounds within an organization's policies.
 10. Guidelines for processing an appeal and rendering a final decision.
 11. Guidelines for monitoring and review of sanctions.
 12. Guidelines for recruiting, training and providing resources for Commission members.
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