

CONFIDENTIALITY AND PASTORAL CARE (1980)

1. The Present Situation

(a) Personal privacy is at risk in modern society. It is not only threatened by the increasing use of data-processing technologies, but also undermined by our own uncertainty about what constitutes private information. Some speak openly about areas of experience that others will not mention, and there is no accepted norm of what is private and confidential. In such circumstances it is all the more important that the Church should have, and be seen to have, clearly defined standards for the handling of confidential information.

(b) The relationship between ministers and people has changed in recent years. The easier use of Christian names is only one expression of an informality that would have seemed unfitting to an earlier generation. People are less likely than they were to acknowledge that the ordained ministry has a distinctive authority and unique character, and more likely to regard it as one among many 'helping professions'. Aware that ministers themselves sometimes fall victim to the contemporary breakdown in traditional frameworks (especially of marriage and the family), they are quicker to assume fallibility in their minister. At the same time, the problems brought to the minister are probably greater than ever in variety and complexity, and may pose in acute form questions of confidentiality.

(c) The effect of such changes on the understanding of the pastoral office is far from certain. It may be argued that the greater formality of the past, constantly reminding people of the minister's specific and distinctive pastoral role, made confusion unlikely: and that people nowadays, knowing their minister in all manner of social relationships and in a more intimately personal way, less easily distinguish and separate the pastoral office from ordinary friendship. They may then be less certain than their fathers were that confidences entrusted to a minister will be safely kept. Opinions of the validity of this argument will differ: but the very uncertainty is sufficient to persuade us of the need of a renewed understanding of the pastoral office and the bond of confidentiality.

(d) The questions raised do not concern the ordained ministry alone. Lay people now have the role of pastoral visitors. Class Leaders have always had a pastoral responsibility towards their class members. Sunday school teachers and Youth leaders are often entrusted with confidences because of their relationship with the young people whom they teach and lead. The greater sense of partnership with the ordained minister has brought a greater awareness of the pastoral role of the whole church, so we must ask similar questions about lay people keeping confidences.

(e) Many church groups find that their sense of fellowship becomes so strong that people share things that they would not want spoken of outside the group. The term 'in band' was historically used of such sharing. Again similar questions about confidentiality are raised.

(f) Throughout this report the word ‘confidant’ is used of one who is trusted with confidences, whether ordained or lay, whether alone or in a group.

2. Confidentiality in Pastoral Work

The sharing of confidences within bonds of trust and friendship is an everyday occurrence. Terms are rarely laid down strictly; for people are guided by good sense and mutual understanding. The same good sense is used, and for the most part used well, by those who minister within the Church. People act with care, and difficulties of confidentiality arise only rarely. Nevertheless, it is desirable that all concerned should understand and accept appropriate standards, and for this reason we offer some suitable guidelines below.

(a) The confidences that a minister, deaconess, or lay person is likely to receive in pastoral conversation will vary greatly. Included among them will be disclosures about: (i) difficulties in relationships at home, at work and in the Church; (ii) personal problems not necessarily involving others; (iii) personal decisions needing to be made about matters ranging from private affairs to community activity; and (iv) problems of health.

(b) Ministers and others can help in such matters only if they are regarded as people to whom confidences may be safely entrusted. Even ministers are not invariably so regarded; partly, we fear, because some have abused the trust placed in them. One minister with a reputation for gossip undermines confidence in others. A preacher who used pastoral confidences for illustration makes hearers fear that they too may appear in a future sermon. It needs to be firmly and widely understood that confidences given in the normal course of pastoral conversation will be unfailingly kept.

(c) No confidant should depart from this basic rule without the explicit permission of the one making the disclosure who at the same time must specify with whom and for what purpose the confidence may be shared. Such permission should be sought and used by the confidant only to gain help for the other party, and with the clear understanding that anyone whom the confidant is authorised to consult is equally pledged to maintain confidentiality. This is normal professional practice in medicine, law, and social work; it should not be difficult for it to be accepted among us, and for people to recognise the discretion that properly belongs to the pastoral office.

(d) On rare occasions, a confidant may believe that what he has learned in pastoral conversation seriously infringes the rights or endangers the welfare, of someone else. Such a situation may arise, for example, when someone discloses tendencies to paedophilia, child-battering, or homicide. The confidant is then faced with a difficult moral problem, demanding careful consideration and a balanced judgement. We are unable to assert that the pledge of confidentiality remains absolute in such difficult circumstances. However, a confidant who feels obliged in conscience to divulge confidential information should first discuss the matter with the one who has divulged it, endeavouring to reach agreement on the course of action to be followed. Only in the most extreme cases should a breach of confidentiality be contemplated. Even then the one who has divulged the information should be informed, adequate reasons should be given, and his or her permission should be sought before any breach of confidentiality is contemplated. We consider that the Church should give close attention to training people to cope with such situations.

(e) The Conference Report, 'Pastoral Care of the Ministry' (1977), refers to the help a minister may receive in submitting his or her work to some form of supervision. We think it necessary to state that this excellent practice ought not to involve the discussion, however oblique, of pastoral confidences, except with the express permission of the one who made them. Even a discussion in terms of a general moral problem is undesirable. Similarly, although we recognise that the support of a spouse is invaluable to a minister, we must say emphatically that this support does not extend to the sharing of confidential information without permission.

(f) A particularly solemn obligation attaches to the situation in which a person comes to a minister not for pastoral consultation but desiring to make his confession to God in the minister's presence, in order that the minister may help him receive God's forgiveness and find release from the burden of sin. In such a situation the confidentiality required is absolute and unconditional. Nothing that the minister hears from the penitent may be communicated to any other person whatsoever. Only if minister and penitent both understand this to be so is such a ministry of forgiveness possible. It is recognised that the special role described here and the role of ordinary pastoral counselling cannot be easily distinguished. If there is doubt the minister must always err on the side of strictness with respect to confidentiality. It is not clear what privilege the law would accord to the minister in the circumstances described in this paragraph. The tradition of absolute and unconditional confidentiality has prevailed in the Church in spite of this uncertainty.

(g) In some situations a person seeking forgiveness may make his confession in the presence of a lay person. In such circumstances the considerations outlined in the previous paragraphs apply equally to the lay person.

(h) When confidential information is shared within a group, whether formal or informal, no reference to the information or use of it must be made outside the group.

3. Confidentiality within the Ministry

(a) A minister has the same right as anyone else to have confidences respected. The exceptionally close fellowship of the Methodist ministry does not entitle ministers to know all about one another's business or to regard one another's private affairs as common property. Gossip about colleagues within the ministry should be carefully avoided. Indeed, if the 'circulatory pattern' of pastoral care suggested by 'Pastoral Care of the Ministry' is to be effective, strict confidentiality is vital. A minister must know that his or her chosen pastoral counsellor is wholly reliable and can be trusted never to betray a confidence. This quality of reliability and trust must so develop that it brings a positive encouragement to ministers and others who receive confidences to seek pastoral guidance or spiritual direction so that they do not attempt to carry burdens wholly on their own.

(b) It is particularly important that the position of the Chairman of the District should be clearly understood, both by ministers and by Chairmen themselves. The latter are required to combine in their office both an administrative and disciplinary role and a pastoral role, and therefore need to practise the art of moral judgement with particular care and sensitivity. For example, a Chairman whose advice is sought about Stationing may believe a minister to be unsuitable for a particular appointment, and may base his belief on information disclosed to him by that minister. To withhold the information may mean that an undesirable appointment is made: to divulge it would be a breach of pastoral confidence. It is clear to us that pastoral responsibility should prevail, and that confidential information should not be disclosed. The Chairman

should share his problem with the minister concerned, seeking a mutually acceptable solution; but only if the minister permits should he disclose the information originally given him in confidence. The same applies, *mutatis mutandis*, to Superintendent Ministers.

4. Training and Development

(a) It is clearly of the utmost importance that instructions in these matters should be given to students training for the ministry in our colleges. Specific exposition should be included in all courses of pastoral theology, to ensure that students, before they go into circuits, understand the principles involved. We expect that tutors will give careful attention to such exposition. Youth leaders, leaders of Women's Meetings, pastoral visitors and class leaders – indeed all persons who have a leadership role in the Church need specific exposition in their training.

(b) Important as it is to understand the principles involved in handling confidential information, it is even more important that ministers, deaconesses, and lay leaders cultivate the mature discretion which makes them people who inspire confidence in others, who know and have come to terms with the spiritual dangers of carrying confidences, and who avoid making secret in an artificial way things that ought to be open. The development of such qualities depends not only upon training, but also upon the climate of mutual trust and understanding in which the Church lives, and to which every member contributes. The quality of pastoral care that we provide will be ultimately determined by the whole community. A readiness to trust and to be trusted is part of every Christian's service.

5. Conclusion

We ask the ministers of the Methodist Church to accept and apply the standards outlined in this report; and those who exercise a pastoral ministry as deaconess, steward, class leader, or member to adopt the same standards in their pastoral conversations. We urge the Methodist people as a whole, while retaining the benefits of informal relationships with their ministers, to respect and guard the pastoral office on which the quality of our care for people so much depends.

(Minutes 1980, pp. 35-7)