

TEMPLE ISRAEL OF LONDON

SHALOM BAYIT: RESPECT AND SAFE SYNAGOGUE POLICY

Approved by Temple Israel Board
February 2016

SAFE SYNAGOGUE GUIDING PRINCIPLES

May the door of this synagogue be wide enough to receive all who hunger for love, all who are lonely for friendship.

May it welcome all who have cares to unburden, thanks to express, hopes to nurture.

May the door of this synagogue be narrow enough to shut out pettiness and pride, envy and enmity.

May its threshold be no stumbling block to young or straying feet.

May it be too high to admit complacency, selfishness and harshness.

May this synagogue be, for all who enter, the doorway to a richer and more meaningful life.

Greenberg, Sydney, and Elyse D. Frishman. "May the Door of This Synagogue..."

Mishkan T'filah. New York: CCAR, 2007. 185. Print.

Temple Israel provides a welcoming and supportive setting for individuals and families to pursue opportunities to address their spiritual needs within a Reform Jewish framework. Given the wide range of religious, educational and social activities happening at Temple Israel, many different kinds of relationships arise between and among staff, congregants, board members, teachers, students and outside contractors. This policy highlights the expectation that individuals behave in a respectful manner with others at all times, and iterates the steps to be taken when concerns are raised about an individual's behaviour. Everyone in the Temple community is expected to uphold this policy, and will be held accountable by the Board.

Background:

In a 2014 review of the congregation's insurance needs, our insurance company indicated that Temple Israel would need to have policies and procedures in place in order to qualify for abuse liability insurance. This expectation, combined with particular experiences of various members of Temple Israel and media stories describing unacceptable and abusive behaviour by high-status individuals in various professions and religious communities, prompted President Bonnie Teevan, in collaboration with Rabbi Dressler, to establish a committee to develop appropriate policies and procedures. The committee includes Lisa Manax, Bonnie Teevan, Elizabeth Teevan, Margie Wienberg, and Rabbi Dressler, and is chaired by Barbara Lent. Jason Mandlowitz reviewed the committee's work and provided valuable input from a human resources perspective.

The Committee set several goals:

1. to promote a culture of safety and respect for those involved in all synagogue activities, including teachers, students, employees, Board members and other congregants. This will involve highlighting the principles we expect of ourselves and others, and ensuring that the synagogue is considered a safe place where individuals can discuss situations that made them feel uncomfortable, whether arising during synagogue-related events or within their families.
2. to establish policies and procedures for dealing with allegations of inappropriate behaviour.
3. to ensure that these policies and procedures satisfy the requirements for Temple insurance coverage.

The Committee recognizes that such policies and procedures would apply to all interactions that occur within the context of Temple Israel activities, including teacher-student relationships, interactions with Temple employees, and interactions between congregants and Board members. The committee is aware of and has reviewed relevant legislation and regulations.

Since its inception in March 2015, the Committee has gathered extensive relevant material from secular and other religious organizations, whose mandates are similar or who serve vulnerable individuals, including Thames Valley District School Board, Valleyview Mennonite Church, Temple Israel of Ottawa, London and Middlesex Children's Aid Society, Community Living London, Merrymount Family Support and Crisis Centre, URJ camps, and London Public

Library. These documents have been used to create a Code of Mutual Respect and to inform policies and procedures specific to our context, reflecting our individual and collective responsibilities as an educational and religious organization and as a workplace.

Code of Mutual Respect

Temple Israel of London commits to providing all members, students, employees, board members, volunteers, and visitors with a welcoming, safe and respectful community environment where it is each individual's right to be treated with dignity and respect. We recognize that we must all work together and accept personal responsibility for creating a supportive and vibrant community.

Certain behaviours contribute to a positive temple space and experience for all:

- Being open-minded about the ideas of others
- Being courteous and cooperative
- Assuming good intent, supporting and trusting each other
- Being patient
- Employing empathy and sensitivity towards other people
- Striving to avoid misunderstandings by using good communication skills, such as:
 - o actively listening and providing honest, constructive feedback
 - o clarifying actions and statements and apologizing when appropriate

Dissemination of Policy

A copy of "Shalom Bayit: Respect and Safe Synagogue Policy" will be distributed to each household within the congregation. In addition, a copy will be placed in the library and in the Policy book, and will be easily accessible on the Website.

Regular training will be provided to employees, volunteers, and other members through workshops, resource materials and "in house" seminars. All synagogue members should be aware of basic policies with respect to working with youth and children. Teachers and volunteers working with children will also be provided with training in regards to positive classroom management.

Ensuring Temple Israel is a Safe and Respectful Workplace

POLICY STATEMENT:

Temple Israel is committed to the prevention of workplace violence and harassment and will make every effort to:

- Promote a positive, harassment-free work environment;
- Develop practices and programs to prevent workplace violence and harassment;
- Develop policies and procedures for reporting and resolving complaints that might arise; and
- Comply with relevant legislation and regulations.

Violence and harassment by one employee/volunteer/member against another, which occurs outside the workplace or hours of work but is related to the work environment, may also be considered as workplace violence and harassment.

Responsibilities

Employees, volunteers, members, visitors and the Temple Board are responsible for promoting mutual respect and for preventing and resolving incidents of workplace violence and harassment.

Every individual has the responsibility to:

- Refrain from conduct that is harassing;
- Report and document incidents in which he or she has been harassed without reprisal or threat of reprisal; and
- Co-operate in the investigation of any harassment complaint.

The Temple Board also has the responsibility to:

- Communicate workplace violence and harassment prevention procedures;
- Receive and report any harassment complaint and take immediate action to report and eliminate harassment;
- Inform all individuals affected, including new hires, of this policy;
- Post this policy to ensure it is readily accessible to all;
- Review the policy regularly;
- Provide education and training related to workplace violence and harassment prevention procedures;
- Make every reasonable effort to ensure that such activity, conduct or comment does not continue, including employee/volunteer/member discipline or other appropriate corrective action; and
- Monitor any case of harassment until there is satisfaction that corrective measures have been implemented.

Ensuring Safety and Respect for Children and Youth

As an educational organization and a sacred community, Temple Israel is committed to ensuring the learning environment is safe and respectful for teachers, students and their families.

Temple Israel also recognizes that families experience a range of life events that children may describe and discuss in conversations with teachers or classmates.

While physical contact with children can convey support and caring, it should always be done in a way that is age and developmentally appropriate. In addition, teachers and volunteers need to be aware of, and sensitive to, cultural differences, family backgrounds, individual personalities, differences in sexual development, and special needs. While we recognize that children may respond to staff physically and verbally in a variety of ways, it is the teachers' and volunteers' responsibility to ensure that their responses to the children's behaviour convey support and caring while reflecting appropriate boundaries.

Appropriate physical touch can take many forms, including, but not limited to:

- Bending down to the child's eye level and speaking kindly; listening to him or her carefully
- Taking a child's hand and leading him or her to an activity
- Putting an arm around the shoulder of a child who needs quieting or comforting.
- Taking both of the child's hands as you say, "You did such a good job!" (or "I'm so glad to see you. We've missed you!" etc.)
- Patting a child on the head, hand, shoulder or back to affirm him or her.
- Holding a child by the shoulders or hand to keep his or her attention while you redirect the child's behaviour.
- Gently holding a distracted child's chin to help him or her focus on what you are saying.
- Holding a preschool child who is crying

On the other hand, some forms of physical contact would be inappropriate in a school setting, such as:

- Kissing a child, coaxing a child to kiss you, *extended* hugging and tickling.
- Touching a child in any area that would be covered by a bathing suit (except in special circumstances when helping a child who requires assistance with toileting)
- Carrying older children or having them sit on your lap.
- Being alone with a child.

Physical forms of discipline are not acceptable. Corporal punishment as a form of discipline is prohibited.

Guidelines for Classroom Staffing and Supervision

As a general rule, there should be at least two leaders at all events for children and youth, except in the event of an emergency. The school principal and parents circulate in the classroom areas during instruction time, and teachers are accustomed to these persons entering their classrooms at any time.

When students are involved in one-on-one instruction outside of regular school hours, the instructor should keep the door open and the parent (or designate) should remain on the same floor so they can observe the interactions from time-to-time.

Young children, particularly those in Class Aleph, or any child requiring special assistance, should not be sent to the washroom alone, but should be accompanied by a responsible adult or teen. Once the escort has determined that everything is in order, he/she should remain outside the washroom door and wait for the child before escorting him or her back to the classroom.

During carpooling and driving youth to/from events, one adult is sufficient in the car, provided that the trip begins with 2 or more youth in the car, and seatbelts are available for each passenger. Exceptions should be discussed with the parent(s) and the Rabbi or Principal. In most circumstances, children and youth should not sit in the front seat, for safety reasons.

Addressing Allegations of Abuse

Realistically, no practical prevention strategy is 100 percent effective. An accusation of child abuse may occur in any institution. Temple Israel will respond to all abuse allegations, with a strategy that reflects the following underlying principles:

- All allegations will be taken seriously
- Situations will be handled in a forthright manner with due respect for people's privacy and confidentiality, and in accord with the relevant legislation.
- Adequate care will be shown for all involved. The child/youth should not be held responsible in any way.

Addressing Abuse or Neglect of Vulnerable Adults

In addition to Temple Israel being a spiritual home and a religious school, the Rabbi and other congregants may be called upon to provide spiritual guidance and/or emotional support to the elderly and/or to vulnerable adults residing in the community or in long-term care facilities and/or retirement homes. Temple Israel expects that such interactions would be conducted in a manner consistent with the principles articulated in this policy.

In addition, Temple Israel recognizes the particular legal responsibilities with respect to reporting incidents or suspicions of physical, sexual, emotional, verbal or financial abuse of individuals living in long-term care homes and retirement homes. Individuals who are concerned about the care or treatment of vulnerable adults are encouraged to talk to the Rabbi or relevant community resources regarding further action.

APPENDIX 1: Policies and Procedures for Ensuring Temple Israel is a Safe and Respectful Workplace

POLICY STATEMENT:

Temple Israel is committed to the prevention of workplace violence and harassment and will make every effort to:

- Promote a positive, harassment-free work environment;
- Develop practices and programs to prevent workplace violence and harassment;
- Develop policies and procedures for reporting and resolving complaints that might arise; and
- Comply with relevant legislation and regulations.

This policy applies to all employees, volunteers, Temple Israel Board members, any person having business with the temple and visitors, and covers incidents in or on the property of Temple Israel, as well as off-site incidents if the individual is engaged in temple-related activities.

Harassment can take many forms.

1. Personal Harassment includes but is not limited to:

- Unwelcome and/or insulting remarks, jokes, innuendoes, or taunting about a person's gender, disability, racial or ethnic background, colour, place of birth, citizenship or ancestry;
- Displaying of racist, derogatory, or offensive pictures or material;
- Refusal to work with an employee because of his/her disability or racial, religious or ethnic background, gender or transgender people;
- Unwelcome, inappropriate or insulting gestures based on disability, religion or racial or ethnic grounds which cause embarrassment or awkwardness; and
- Refusal to work/share facilities with an employee because of his/her sexual orientation.

2. Bullying is a form of harassment. It is defined as "repeated and persistent negative acts towards one or more individual(s) which involve a perceived power imbalance and create a hostile work environment. Examples below could constitute bullying in certain situations:

- Social Isolation;
- Personal attack of a person's private life and/or personal attributes;
- Withholding information;
- Rumours;
- Excessive criticism; and
- Verbal aggression.

3. Sexual Harassment is any comment or conduct which is intimidating, annoying or malicious and related to sex or sexual orientation and includes but is not limited to:

- Unwelcome and/or inappropriate or insulting remarks, jokes, innuendoes or taunting about a person's body, attire, sex or sexual orientation;
- Practical jokes of a sexual nature which cause awkwardness or embarrassment;
- Displaying of sexually explicit pictures or other offensive material;
- Suggestive staring, leering or other gestures;
- Unnecessary or unwanted physical contact such as touching, patting or pinching;
- Request for sexual favours from an employee implying or suggesting that employment status could be affected.

Under the *Ontario Human Rights Code*, harassment means engaging in a course of vexatious comment or conduct because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

4. Workplace Violence is the exercise of physical force by a person that causes or could cause physical injury or in an attempt to exercise physical force that could cause physical injury. This includes, but is not limited to:

- Threatening behaviour, such as shaking fists, destroying property, throwing objects
- Verbal or written threats
- Harassment
- Verbal abuse
- Physical attacks

Procedure for Complaint and Investigation

The Temple Israel procedure for complaint and investigation of workplace violence, harassment and bullying includes three steps. Any of the steps may be initiated on its own, or the steps may be applied sequentially.

Step 1: Individual to Individual Remedy

When an individual has concerns about another individual's behaviour or conduct it is preferable for the concerned individual ("person") to address his/her concerns directly with the individual displaying the offending behaviour or conduct ("harasser"). The person should assess the situation and determine whether it is appropriate and safe to approach the harasser. Where the person is uncomfortable with this action, the person should consider the other steps in this procedure.

Step 2: Informal Complaint

Where an individual has concerns about another individual's behaviour or conduct, he/she can raise the matter with the Board President and/or the Rabbi. This provides the person with an opportunity to disclose their concerns in a confidential manner and to receive information, guidance and recommendations and to establish the most appropriate course of action to remedy the situation. In this step, there will not be any written record.

Step 3: Formal Complaint

Where an individual has concerns about another individual's behaviour or conduct, he/she can initiate a formal complaint with the Board President and/or the Rabbi. The following procedure will then be followed:

- 1) the person will file a written complaint with the Board President and/or the Rabbi. The complaint should be as detailed and specific as possible to facilitate an immediate response.
- 2) the person will receive a written acknowledgement that their written complaint has been received. The person may be asked to provide additional details including a description of the offending behaviour with specific dates, times and locations as well as a list of witnesses.
- 3) the Board President and/or the Rabbi will take all reasonable steps to review the written complaint in a timely manner. Unless there are exceptional circumstances, the person's written complaint will be reviewed within 2 weeks.
- 4) the Board President and/or the Rabbi will assemble a team of three Board members who will be mandated to investigate the written complaint, provide a copy of the written complaint to the harasser, and interview all of the parties who are involved including witnesses.
- 5) the team of three Board members will prepare a report of the findings. Copies of the report will be distributed to the person, harasser, and the Temple Israel Board. The report will, wherever possible, identify a remedy and recommendations on how the remedy can be best achieved.
- 6) where the individual is found to have engaged in workplace violence, harassment or bullying as a result of the investigation the Board President and/or the Rabbi will work with the person and harasser and take all reasonable steps to ensure the remedy recommended by the Board is implemented.
- 7) every effort will be made to resolve the issue using appropriate conflict resolution and mediation processes. If however, a remedy cannot be achieved then Temple Israel will engage a third party selected in consultation with the person and harasser. Where an individual has been found to have engaged in workplace violence, harassment or bullying, appropriate corrective action will be taken to ensure this has been limited to a one-time occurrence.

In the case of an unsubstantiated complaint, the person may be subject to corrective action.

Reprisal

All individuals have a legal right to be free of reprisal or threat of reprisal for having brought their concerns forward to the Board President and/or Rabbi.

Confidentiality

Except where disclosure is required by law or agreed to by consent of the parties, the Board will make every effort to ensure that all records relating to such a complaint will be kept confidential.

Policy Review and Dissemination

This component of Temple Israel's Shalom Bayit policy will be reviewed by the Board at least annually, as required by the relevant employment legislation.

Any updates or changes will be re-posted within Temple. A copy will be provided to all new employees upon hiring and to all Board members upon the annual constitution of a new Board or inclusion of a new Board Member or Committee Chair.

DEFINITIONS:

Employee means a person who is employed by the Temple, in a permanent or temporary position.

Volunteer means a person who voluntarily extends his or her services to actively support the Temple, and who does so without remuneration. This includes individuals on the Temple Board.

Member means a person who has joined Temple Israel and pays dues

Visitor means a person who is not a formal member but is attending services, meetings or classes. This also applies to individuals renting Temple Israel spaces or purchasing services.

Individuals means employees, volunteers, members, visitors as defined previously.

APPENDIX 2: Ensuring Temple Israel is a Safe and Respectful Learning Environment

As an educational organization and a sacred community, Temple Israel is committed to ensuring the learning environment is safe and respectful for teachers, students and their families.

The Temple Israel Religious School recognizes its shared responsibility with individuals, families and other community organizations to promote children's well-being and to address neglect and abuse. The following general principles¹ will guide our involvement with our children and youth.

1. Children have the right to be protected from neglect and abuse.
2. All members of a family are affected by child abuse and will be treated in a manner that is sensitive to their issues.
3. Addressing child neglect and child abuse is a responsibility shared by many, including members, staff and volunteers at our Religious School.
4. Any concerns will be reviewed with the Rabbi and/or the school co-ordinator, and reported directly to the London and Middlesex Children's Aid Society to enable a robust and child-sensitive investigation.

The Rabbi and the co-ordinator of the Religious School will ensure that all teachers and volunteers working with the children and youth understand the elements of child abuse/neglect as specified under the *Child and Family Services Act*, and recognize their duties and responsibilities to report reasonable suspicions of child abuse/neglect to the London and Middlesex Children's Aid Society in a timely manner.

Addressing Suspicions of Child Abuse/Neglect

Suspicions of potential child abuse may be raised in a number of ways, including: actually witnessing an abusive incident, observing physical or psychological signs or symptoms of abuse with no actual report by the child, or hearing a report from the victim or another child. In the case of any suspected child abuse, the following procedures shall be followed:

1. While it may, at times, be appropriate to ask a child how an observed symptom appeared (e.g., a bruise on the body), it is never appropriate to ask any leading questions which might suggest to a child that s/he has been abused or suggest names, places or methods of abuse. Further, no person shall conduct any investigation or question any individuals

¹ Adapted from the Thames Valley District School Board Procedure on Reporting Suspected Child Neglect And Abuse (available at <http://www.tvdsb.ca/board.cfm?subpage=204613>)

regarding suspected child abuse unless otherwise authorized by the appropriate authorities. Such investigations can be undertaken only by the Children's Aid Society or the police.

2. Any volunteer or employee having reasonable suspicion of the abuse of a child within the congregation or attending a Temple-sponsored event must report the suspicion to the Rabbi and/or the President so that the Children's Aid Society can be contacted immediately. Incidents of suspected abuse must be documented appropriately. Any delay in reporting or providing the appropriate information may place the child at further risk.
3. Any report and subsequent documentation of suspected child abuse is to be considered and treated as confidential. Access to this information should be limited to the Rabbi, to the Children's Aid Society and police, and when required, a Temple-appointed lawyer and/or insurance carrier.

Definitions of Child Abuse and Neglect

The Child and Family Services Act defines the circumstances in which a child would be found to be "in need of protection". These circumstances are directly incorporated into section 72 which sets out the duty to report:

- 1) Despite the provisions of any other Act, if a person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect one of the following, the person shall forthwith report the suspicion and the information on which it is based to a society:
 - a) The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protecting the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
 - b) There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or accused by or resulting from that person's,
 - i. failure to adequately care for, provide for, supervise or protecting the child, or
 - ii. pattern of neglect in caring for, providing for, supervising or protecting the child.
 - c) The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to

protect the child.

- d) There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph c.
- e) The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or is unable to consent to, the treatment.
- f) The child has suffered emotional harm, demonstrated by serious,
 - i. anxiety;
 - ii. depression;
 - iii. withdrawal;
 - iv. self-destructive or aggressive behavior; or
 - v. delayed development.

and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.

- g) The child has suffered emotional harm of the kind described in subparagraph i,ii,iii,iv,or v of paragraph 6 and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to remedy or alleviate the harm.
- h) There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i,ii,iii,iv or v of paragraph f) resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
- i) There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i,ii,iii,iv, or v of paragraph f) and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.
- j) The child suffers from a mental, emotional, or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refused or is unavailable or unable to consent to treatment to remedy or alleviate the condition.
- k) The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial right over the child and has

not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.

- l) The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property, services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide or refuses or is unavailable or unable to consent to, those services or treatment.
- m) The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person's property, with the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

Definition of a Child

The *Child and Family Services Act*, part III, Protection, defines a child as a person actually or apparently under sixteen (16) years of age. A person subject to a protection order, for example an order of supervision or wardship, is considered to be a child until they attain eighteen (18) years of age. A child protection investigation cannot be undertaken with regards to a sixteen (16) or seventeen (17) year old who is not the subject of a child protection order. Allegations of neglect/abuse involving such young people are investigated by the police under the assault or sexual assault provisions of the Criminal Code.

Legislative Duty to Report

1. *The Child and Family Services Act* (CFSA (section 72)) states that:

“A person who has reasonable grounds to suspect that a child is in need of protection shall forthwith report the suspicion and the information upon which it is based to a society”.

All reports and suspicions of abuse and neglect must be reported *immediately* to the appropriate child welfare agency regardless of whether the alleged perpetrator is a family member, a community member, school board staff or volunteer.

2. The duty to report is personal and can only be carried out by the person who has “reasonable grounds to suspect” that a child is in need of protection. This duty cannot be delegated to, or assumed by, anyone else, including a principal, professional support staff, or senior administrator.

3. Professional persons and officials have a higher duty to report than a member of the public. As such, where there are reasonable grounds to suspect that a child is in need of protection, a person, including a person with professional or official duties, must report the suspicion and the information on which the suspicion is based to a Society.
4. The duty to report applies although the information reported may be confidential or privileged and no action for making the report shall be instituted against a person who acts in accordance with the legislation unless the person acts maliciously or without reasonable grounds for suspicion as the case may be.
5. It is important to note that the duty to report is an on-going one, such that where “additional reasonable grounds” arise to suspect that a child is in need of protection, a further obligation to report arises despite the fact that the person may have made one or more previous reports.

APPENDIX 3: Addressing Abuse and Neglect in Long-term Care Facilities and Retirement Homes

Everyone has a duty to report (to the provincial Director of Long-Term Care Homes) should they have reasonable grounds to suspect that any of the following has occurred within a long-term care facility and/or a retirement home:

1. Improper or incompetent treatment or care of a resident that resulted in harm or a risk of harm to the resident.
2. Abuse of a resident by anyone or neglect of a resident by the licensee or staff that resulted in harm or a risk of harm to the resident.
3. Unlawful conduct that resulted in harm or a risk of harm to a resident.
4. Misuse or misappropriation of a resident's money or property.
5. Misuse or misappropriation of funding.

In addition, failing to report is *considered an offence* for staff and those providing professional treatment, care or counselling services, but not for visitors not acting in a professional capacity.

There are no parallel, legally-mandated, reporting obligations in regards to seniors living independently in the community or with family members.