

Best Practice Guidelines for Rabbis & Rebbetzins - February 2018

This document is an Appendix to the US Staff Handbook. It provides Guidelines to rabbis and rebbetzins, specifically in the area of safeguarding, of both congregants and themselves. It is to be used in conjunction with existing US policies, notably the Child Protection Policy and Vulnerable Adults Policy.

The role of this document is to provide guidance for clergy who are frequently meeting with vulnerable individuals and ensure that all parties involved are properly protected. It is of paramount importance that clergy carry out their pastoral duties with diligence, while taking every possible step to avoid potentially compromising situations; particularly those in which clergy are unable to defend themselves against vexatious allegations. While no strategy can eliminate these risks entirely, sensible safeguarding protocols can minimise them.

Conducting meetings: *yichud* and privacy

For any observant Jew, especially those in a clerical function, scrupulous adherence to the laws of 'Yichud' is an essential protection. All clergy should ensure they are familiar with the laws of Yichud. These provide a Jewish framework and contribute towards protecting both congregants and clergy themselves, although they do not form the entire basis for protection in either case, for example in respect of meeting with minors and vulnerable adults of the same sex.

In addition, clergy should adhere to the following guidelines:

- A chaperone should be arranged if visiting members of the opposite gender in a private home, etc. Additionally, when considering visiting vulnerable congregants either at home or in hospital, contact the family to check if a visit is appropriate and to avoid embarrassment. Clergy should also inform family members once the visit has ended.
- Meetings often require a space where the congregant feels comfortable and does not feel overheard or overlooked. Clearly, the need for privacy finds itself in conflict with matters of safeguarding and managing the unavoidable power imbalance between clergy and congregant. Appropriate locations should be assessed on a case-by-case basis.

- The community should ensure that the office space where clergy hold meetings at shul has a window through which people can see into the office and/or CCTV (video only, to preserve privacy). Precise details should be agreed between community and clergy.
- Private meetings held at home between rabbis/rebbetzins and members of the opposite gender or with any minors (e.g. Bar/Bat Mitzvah lessons) should only take place when other family members are around in the home. Wherever possible and not prohibitive for purposes of confidentiality, they should take place with the door open.
- Where appropriate, meetings can be held in a public place, such as a coffee shop.
- Even when halachically permitted, such as between congregant and clergy of the same gender, physical contact of any sort is laden with meaning and may be misconstrued, especially by those in vulnerable situations. As such, extreme caution is advised when instigating or responding to physical contact. Similar caution is advised when offering lifts to individual congregants.
- Clergy should limit the amount of personal intimate questions that are asked, apart from where strictly necessary and relevant. Questions can be misconstrued as an invasion of personal space.
- These guidelines will be made available on the United Synagogue website and congregants can be referred to it where appropriate.

Complaints procedure

- There is also a robust complaints procedure for both clergy and congregant:
 - For clergy against congregant, please see byelaw 5.6 in the United Synagogue Byelaws, which refers to action that can be taken by the local Honorary Officers if necessary.
 - For congregant against clergy, the process is to bring a complaint in writing to the local Honorary Officers who will refer to HR to investigate if necessary. In either case, diplomatic channels should be used in the first instance.
- Should any aspect of a meeting involving clergy raise concerns about a congregant or their behaviour, but not warrant a complaint, the clergy should minute the meeting and the nature of the concerns. He/she will keep these notes on file and an anonymised version should be sent to HR to keep on record.

Record of contents of meetings

- All meetings should be noted in a clergy's diary. This provides evidence that there was no intention to hide the meeting.
- It is recommended that when handling particularly sensitive issues, the rabbi/rebbetzin keeps brief confidential notes as an aide-memoire which are subsequently kept securely (such as in a locked cupboard or in a password protected document). However, when the keeping of such notes is no longer needed or required, they must be destroyed.

Referral guidelines

- Where it is clear at any stage that the congregant requires professional assistance, an appropriate referral should be made without delay. The clergy should not attempt to deal with matters themselves, unless they have the appropriate professional training.
- When recommending tutors, counsellors or making any other referral, clergy should ensure that the relevant individual has a valid DBS certificate. If in doubt of the suitability of a particular individual, guidance should be sought from David Frei, the US Child and Vulnerable Adults Protection Officer.

Advising women on *taharat hamishpacha*

- It is acknowledged that great sensitivity is required in the field of taharat hamishpacha, especially when a rabbi is involved. There is a growing need to recognise that female congregants may prefer to consult with a woman on these issues. Where appropriate, rabbis should refer female congregants to the relevant rebbetzin or to a woman who is trained in taharat hamishpacha (as well as medical and emotional issues surrounding women's health and relationships and may be able to advise or refer on) such as a Ma'ayan or a Yoetzet Halacha. It should be recognised that a female congregant may be able to speak more openly to a woman in this context.

Child protection

- Clergy should be familiar with the United Synagogue Child Protection policy which is the definitive source of obligations of all US staff in this area. In particular, clergy should be aware that each synagogue should have a Community Safeguarding Coordinator that is the point of contact for issues relating to the protection of children

and vulnerable adults and that, through them, referrals should be made to the US central Child Protection team.

- Clergy should be alert to signs of abuse or neglect and refer as appropriate immediately. If there is any concern of harm, issues of confidentiality must be overridden and the US Child and Vulnerable Adults Protection Officer, or any member of the US Central Child Protection/Vulnerable Adults team, should be contacted. In the event of immediate danger of any sort, the police should be called immediately.
- If there are concerns of other types of illegality, outside of the realm of safeguarding, it is best to seek further advice from David Frei (in his capacity as the External Legal Services Director) in the first instance. This can be done on a no-names basis where necessary to protect confidentiality.

Use of social media / electronic communication

- Clergy should recognise the importance of cautious use of social media, messaging and email, especially when engaging with congregants or about issues of public interest. Particular thought should be given to the nature, medium and timing of any communication and in the event of doubt, peer review is recommended. Clergy should also be careful to avoid any emoji or abbreviation, which might be misunderstood or misconstrued as overly familiar.
- Clergy should likewise be aware of the increasing and sometimes almost exclusive use by our youth of social media messaging platforms - such as Facebook Messenger, WhatsApp, Snapchat, Instagram and Twitter – and that due to the nature of these platforms, confidential issues including safeguarding disclosures may be raised more readily.
- In these regards, the US Social Media Policy and Etiquette (United Synagogue Staff Handbook, Appendix 4(d)) must be followed as well as the Guidance for Social Networking Sites on pages 4-5 of the Child Protection Policy.

Final Note

- No document can cover every scenario. It goes without saying that potentially compromising situations of any sort should be avoided. If in doubt, discuss with a colleague and / or a member of the US Central Child Protection/Vulnerable Adults team before proceeding. Should doubt pertain, always err on the side of caution.