An Ethical Guide for Jewish Charities

וְכָל מִי שֶׁעוֹסְקִים
בְּצָרְכֵי צִבּוּר בֶּאֱמוּנָה,
הַקָּדוֹשׁ בָּרוּךְ הוּא
יְשַׁלֵּם שְׂכָרָם.

All those faithfully occupied with the needs of the community, G-d should pay their reward.

Shabbat Prayers

Sources

And if your brother has become poor, and his means fail with you; then you shall relieve him; though he may be a stranger, or a sojourner; so that he may live with you...
Leviticus 25:35-36

If there is a destitute person among you, one of your brothers, within your gates, in your land which the LORD your God has given you, you shall not harden your heart, or close your hand from your needy brother;
Rather you shall open your hand to him, and grant him sufficient for his need...
Deuteronomy 15:7-8

"Every Jewish community is obliged to appoint charity administrators, respected and reliable individuals who will collect from each person what they are able to contribute... and give to each poor person sufficient for their needs for the week."
Shulchan Aruch, Yoreh Deah 256:1

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Dr Naim Dangoor OBE
Efraim & Shulamit Meixner

Sources

We have never encountered or heard of a Jewish community that did not have a charity fund.

Shulchan Aruch, Yoreh Deah 256:1

One able to motivate others to contribute, receives greater reward than the giver.

Shulchan Aruch, Yoreh Deah 249:5

To the same extent that man practices the virtues of goodness and kindness throughout his life, he will enjoy the goodness and abundant kindness of the Almighty.

Ahavat Chesed

Guiding Principles

Every Jewish person has a duty to give charity - even a person themselves dependent on charity must contribute.
This publication deals with what happens once someone has fulfilled this duty.

Over and above the duty to give charity, the Jewish community has an additional obligation, to appoint people whose role is to act as agents for donors and beneficiaries.

Jewish tradition recognizes the importance of those who work in this sector by highlighting the spiritual rewards received by those who undertake these roles.

All involved in the work of Jewish Charities should:

- Strive to uphold the organisation's values
- Remain above suspicion and maintain the charity's reputation
- Derive no direct personal benefit from being part of the charity beyond remuneration or recompense for expenses

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Sources

And Shmuel says: The law of the land is Law.
Babylonian Talmud: Baba Batra 54b

You shall do what is straightforward and right in the eyes of God.
Deuteronomy 6:18
Rashi explains that this refers to going beyond what the law requires.

Rabbi Shimon said there are three crowns: the crown of Torah, the crown of priesthood, and the crown of kingship. And the crown of a good name is superior to them all.
Pirkei Avot, Chapter 4:17

Guiding Principles

The Law of the Land - Dina D'malchusa

All organisations and individuals must operate within the law of the land.

Going beyond the letter of the law - Lifnim M'Shuras Hadin

Charity officials need to be totally faithful and set exemplary standards of ethical behaviour.

Being honorable - V'Yhissem N'Ki'im

We must not only act in good faith but be seen to do so.

A good name - Keter Shem Tov

All of those involved in a charity must remember that an organisation's reputation is always under scrutiny.

Mutual responsible - Kol Yisrael areivim zeh lazeh

As Jews we have a unique responsibility to look after our fellow, this is most clearly expressed in the charity sector.

Perfecting the World - Tikkun Olam

We should all play a part and be role models in the wider society in which we live.

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Sources

A communal leader should exercise his authority in a spirit of humility and reverence and is forbidden from treating (subordinates) in a dismissive manner.
Rambam, Sanhedrin 25;1-2

A person should not contribute to a tzedakah fund unless he knows that its management is reliable.
Shulchan Aruch, Yoreh Deah 249;7

Over and above his duties to account to his beneficiaries, a trustee must ensure that he is capable of accounting to the ultimate controller-God.
Shulchan Aruch, Choshen Mishpat 290;17

One who says 'I obligate myself to give a sum to a charity' is obligated to give it immediately. If one delays, this violates the commandment - "When you make a vow to Hashem, your God, you shall not be late in paying it..." (Deuteronomy 23:22)
Rambam, *Hilchos Tzedakah 8:1*

People in Jewish Charities

Trustees

- Conduct relationships with professional staff based on mutual respect.
- Ensure that each lay leader's role in the organisation is clearly defined, articulated and agreed.
- Conduct your relationship with professional staff through the proper channels rather than informal intervention.

Donors

- It is fitting to recognise specific donors who have made a contribution to the public good.
- Donors should not give to a charity if its officials are suspect or proven to be unreliable or dishonest.
- Donors must endeavour to fulfil commitments made to a charity, especially pledges of financial support.
- Donors may place conditions on their donation, the charity must decide if these are acceptable and only then accept the donation.
- Charities must decide if it is appropriate to accept funds from certain donors e.g. one connected with dubious or unsavoury activities.
- Money obtained through criminal activity is not the property of the donor and therefore unacceptable.

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Sources

Do not encroach on the boundary of your neighbour (in connection with poaching employees)
Deuteronomy 19:14

Who is wise? He who learns from every person, as it is said: From all my teachers I grew wise.
Ethics of the Fathers 4:1

Even a good deed, if done (without permission) in the employer's time is a sin.
Path of the Just 11

Just as an employer is warned not to steal the payment due to the labourer, so to the labourer is warned not to steal from work due to the employer...Further he is required to do his work with all his strength.
Rambam: Laws of Leasing and Hiring 13:7

Employer & Employee

When taking on a role one should:

As an employee:

- Provide honest and accurate information to potential employers and never knowingly make false or inaccurate statements.
- Disclose all relevant information and respect confidentiality.
- Strive to build constructive working relationships and value each colleague.

As an employer:

- Do not poach employees.
- Ensure new staff understand their role and how it relates to the rest of the organisation.
- Value diversity and provide equal opportunities.

Performing your duties

As an employee:

- An employee's primary responsibility is to their employer.
- Do not use company facilities for personal purposes unless permitted to do so by your employer.
- Time spent on private matters during work hours should be in line with employer's guidelines.
- Safeguard confidentiality of data and information of a private nature.
- Maintain dignity of speech and action with colleagues and clients.
- Do not undertake additional work that negatively impacts on your day-to-day role.
- Report instances of corrupt practices to the correct authorities.

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Sources

Just as it is forbidden to wrong a colleague in trade, so too, it is forbidden to wrong him through speech.
Babylonian Talmud: Baba Metziah 58b

An employer is duty bound to pay employees on time.
Ahavat Chesed 10:12

It is not permitted to coerce an employee into doing duties which are demeaning, humiliating or beneath the dignity of the employee.
Rambam, Hilchos Avadim 1:7

When you send him away to be free, do not send him away empty-handed.
Deuteronomy 15:13-14

The highest form of charity is to help sustain a person before they become impoverished by offering a substantial gift in a dignified manner, or by extending a suitable loan, or by helping them find employment or establish themselves in business.
Rambam, Mishna Torah 10:7-15

Employer & Employee

As an employer:

- Allocate appropriate tasks to employees and, where necessary give them the training necessary to fulfil them effectively.
- Strive to promote a positive working environment based on mutual respect and dignity.
- Pay promptly, this applies to wages, expenses and invoices.

Upon leaving the workplace

As an employee:

- Endeavour to give your employer sufficient notice
- Arrange a proper handover and if appropriate, make yourself available to former colleagues for advice.
- Do not speak disparagingly about former employers and/or colleagues

As an employer:

- Provide a fair and truthful reference.
- In case of redundancy, provide a reasonable severance package and if possible, assist an employee to find new employment.
- Make sure all payments, including salary and expenses, are settled in good time.
- If appropriate, allow dismissed employees to collect personal effects and to take leave of colleagues.
- Forward personal post and other communications.

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Sources

The practice of a charity collector taking a proportion of the proceeds for themselves is allowed... If the collector receives no compensation for their efforts, there would be no collectors. However, donors do not intend for a large proportion to go to the collector. Certainly, major donors expect that the majority goes directly to the institution.
Responsa; Rav Moshe Shternbuch

Someone who gives beyond their means or gives so much that it causes that person hardship in order to avoid embarrassment, should not be approached to give.
Shulchan Aruch, Yoreh Deah 248.7

You shall distance yourself from a falsehood.
Exodus 23:7

Fundraising

- It is legitimate and appropriate to spend money on fundraising to ensure maximum possible revenue but this must be properly controlled.
- Fundraisers must state clearly the purpose for which they are collecting money and funds should go towards that purpose.
- Fundraising methods that put excessive pressure on donors, are prohibited, especially when you know that it is hard for them to give.
- An organisation should not hold functions that contravene Jewish moral standards and law.
- Avoid competing directly with other charitable organisations and doing anything that may deliberately have a detrimental effect e.g. poaching key employees, trustees and major donors.
- Ensure that your advertisements conform to the Advertising Standards Authority's Code of Advertising Practice and they are not exploitative.
- Put in place a code of practice for events and ensure it is followed, particularly with respect to the health & safety of children and volunteers.

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Sources

Rabba stated: From where do we learn that if one relates something to another, the recipient of this information is prohibited from repeating it to others without permission to do so? As it is written (Leviticus 1:1): "And the Lord spoke to him in the Tent of Meeting, to say."
Babylonian Talmud: Yoma 4b

And regarding charity, one is obliged to distribute it straight away. Why? Because those in need are waiting for it.
Babylonian Talmud: Rosh Hashanah 6a

We must therefore deal with this wisely and be careful not to leave such money under the care of one individual.
Turei Zahav (Rabbi David Halevi Segal) on Shulchan Aruch; Yoreh Deah, 258:5

Management of Funds

- Charity officials must ascertain that the recipients are credible.
- The bulk of a charity's revenue should go towards the organisation's projects or programmes.
- Ensure adequate funds are in place for the smooth running and development of the organisation.
- Avoid the accumulation of excessive assets.
- Trustees must ensure that proper and effective mechanisms are in place to control expenditure and manage risk.
- If it is not possible to give money raised to the specified cause, try to find a similar cause to allocate these fund to.
- Charity officials must remain impartial when distributing funds.
- Place more than one person in charge of managing funds, this avoids mistakes being made and counters possible claims of dishonesty.

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Sources

The Law of the land is binding.
Babylonian Talmud: Nedarim 28a

Tax evasion constitutes
stealing from the king.
The Rambam, Hilchos Gezelah ve-Avedah 5:11
This requirement, is codified in the
Shulchan Aruch (Choshen Mishpat 369:6)
and applies to any democratically
elected government.

You shall take no bribe, for the bribe blinds
the wise and perverts the words of the righteous.
Exodus 23:8

Financial Responsibilities

Those responsible for any aspect of an organisation's finances should:

- Ensure that your organisation's funds (including pension funds) are administered responsibly and in the best interests of the organisation and its beneficiaries.
- Avoid becoming party to making wrongful use of charitable trusts, charity vouchers and other such tax-efficient arrangements.
- Know and adhere to your obligations under UK law, particularly in relation to VAT, Income Tax and National Insurance.
- Record financial transactions accurately and report to relevant authorities on time.

Purchasing Supplies and Services

- Pay for goods and services in accordance with the agreed terms.
- Never accept or seek a gift or benefit as an inducement to enter a contract.
- Do not abuse your organisation's purchasing power whendealing with suppliers.
- Ensure that prospective suppliers are given an equal opportunity to tender.

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Source

Although no accounting was required of the charity administrators or temple treasurers, in order to "Be Pure before God & Israel" it is good practice for them to present accounts.
The Ramah (Rav Moses Isserles), on Kings II ,12:16)

For advice:
Contact the Jewish Ombudsman via The Board of Deputies
www.boardofdeputies.org.uk

The London Beth Din c/o The United Synagogue - ww.theus.org.uk

The Jewish Association for Business Ethics - www.jabe.org

Fundraising Standards Board - www.frsb.org.uk

Communication & Information

An organisation should:

- Provide a report and accounts and make these available to the public.
- Safeguard confidentiality and protect confidential data in an appropriate manner.
- Provide guidance to employees on expenses, private phone calls and emails and general performance of duties.
- Encourage employees to act respectfully towards colleagues and make it clear that no form of harassment will be tolerated.
- Encourage trustees, professionals and employees to resolve disputes using mediation rather than litigation.

To implement the Ethical Guide for Jewish Charities:

- Create an environment in which employees, volunteers and lay leaders can freely voice their opinions and concerns.
- Create lines of communication between all employees and the lay leaders who provide oversight.
- Designate a person within your organisation who will undertake responsibility for promoting the guide to staff and volunteers.
- Make copies of the guide available to all.

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2nd Floor, Mowbray House, 58 - 70 Edgware Way, Edgware, Middx. HA8 8DJ Tel: (020) 8905 4048 Fax: (020) 8905 4658 Email: info@jabe.org Web: www.jabe.org